

# Planning Committee

## 24 March 2020



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: Monday, 16 March 2020*

## Agenda

- 1 Minutes of the meeting held on 25.02.20 (To follow)**
- 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 Wood Winton, 63a Silverdale Road. Application ID: 190861 (Pages 5 - 24)**
- 7 Spring Mead, 25 Meads Brow. Application ID: 191002 (Pages 25 - 46)**
- 8 Glebe Cottage, 4 Grassington Road. Application ID: 190824 (Pages 47 - 70)**
- 9 Site 1 off Martinique Way, Martinique Way. Application ID 190933 (Pages 71- 76)**
- 10 Site 1 off Martinique Way, Martinique Way. Application ID: 190932 (Pages 77 - 82)**

- 11 **College Conservation Area Appraisal** (Pages 83 - 150)
- 12 **Local Labour Summary Report in connection with Langney Shopping Centre Extension** (Pages 151 - 158)
- 13 **Appeals Report** (Pages 159 - 172)

## Information for the public

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## 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.

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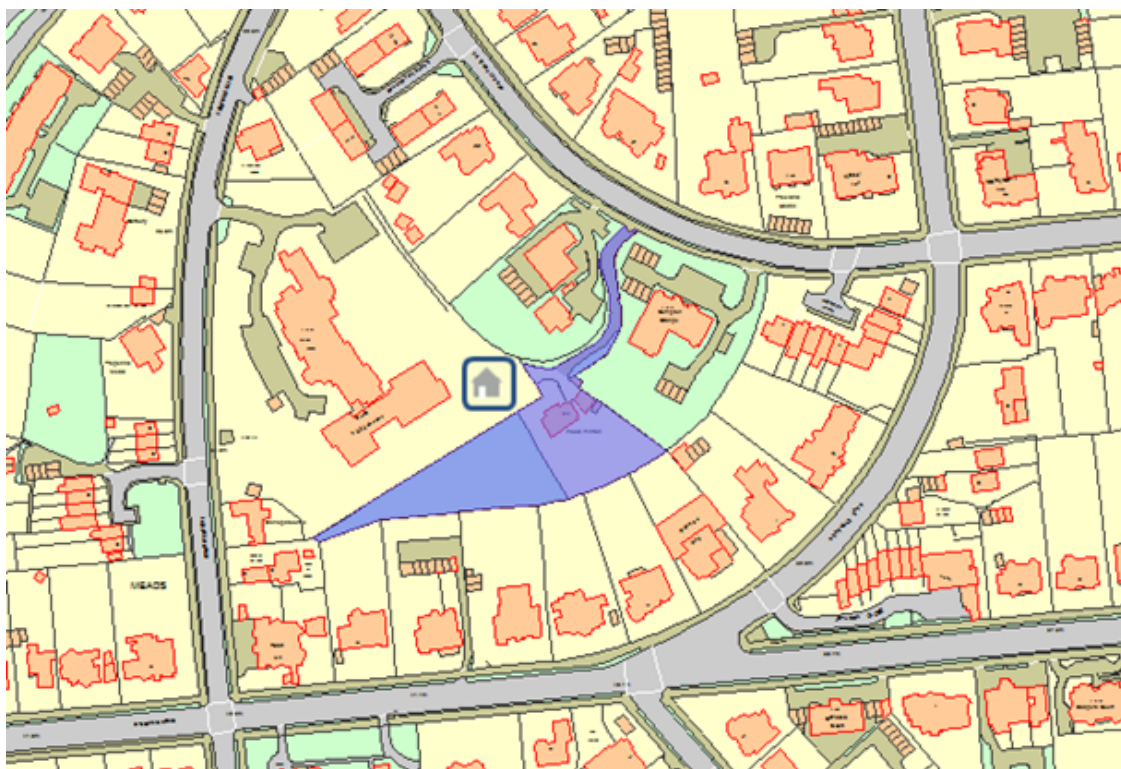


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<b>App.No:</b> 190861	<b>Decision Due Date:</b> 26 <sup>th</sup> February 2020	<b>Ward:</b> Meads
<b>Officer:</b> James Smith	<b>Site visit date:</b> 11 <sup>th</sup> December 2020	<b>Type:</b> Reserved Matters
<b>Site Notice(s) Expiry date:</b> 9 <sup>th</sup> December 2019 <b>Neighbour Con Expiry:</b> 9 <sup>th</sup> December 2019 <b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> Awaiting response from ESCC Highways		
<b>Location:</b> Wood Winton, 63a Silverdale Road, Eastbourne		
<b>Proposal:</b> : Reserved matters for 6 dwellings approved by outline permission 181206 appeal reference APP/T1410/W/19/3229204 requesting consideration of access, appearance, landscaping, layout and scale.		
<b>Applicant:</b> Mr Sal Dato		
<b>Recommendation:</b> Approve Conditionally		
<b>Contact Officer(s):</b>	<b>Name:</b> James Smith <b>Post title:</b> Specialist Advisor (Planning) <b>E-mail:</b> <a href="mailto:james.smith@lewes-eastbourne.gov.uk">james.smith@lewes-eastbourne.gov.uk</a> <b>Telephone number:</b> 01323 415026	



**A Addendum to report presented at committee on 25<sup>th</sup> February 2020**

- A.1 Members voted to defer the decision on this application as they considered the scale of the dwellings shown on the submitted plans to be excessive and to represent an overdevelopment of the site. Particular concerns related to the size of rear gardens, the number of bedrooms provided and the amount of activity that would be associated with a development of this scale. The appearance of the car ports attached to the dwellings was also criticised by some members.
- A.2 In response to the deferral, the applicant has submitted revised plans with the footprint of all dwellings being reduced, the size of garden amenity space being increased and the car ports removed. The table below shows the comparison between the Committee deferred scheme and the one now presented.

<b>FOOTPRINT</b>			
House No.	Outline Approval illustrative plans	Original Plans	Revised Plans
House 1	79 m <sup>2</sup> (approx.)	108 m <sup>2</sup> (approx.)	92 m <sup>2</sup> (approx.)
Houses 2-6	48.3 m <sup>2</sup> (approx.)	63 m <sup>2</sup> (approx.)	57 m <sup>2</sup> (approx.)

<b>GROSS INTERNAL AREA (GIA)</b>			
House No.	Outline Approval illustrative plans	Original Plans	Revised Plans
House 1	N/A	190 m <sup>2</sup> (approx.)	161.3 m <sup>2</sup> (approx.)
Houses 2-6	77 m <sup>2</sup>	145 m <sup>2</sup> (approx.)	131 m <sup>2</sup> (approx.)
Houses 2-6	Without room in roof		98 m <sup>2</sup> (approx.)

<b>ACCORDANCE WITH MINIMUM SPACE STANDARDS</b>			
as per the DCLG's Technical housing standards – nationally described space standard (2015)			
House No.	No. of bedrooms	Required GIA	Provided GIA
House 1	4 bed 6 person	106 m <sup>2</sup>	161.3 m <sup>2</sup> (approx.)
Houses 2-6	3 bed 5 person	99 m <sup>2</sup> (approx.)	131 m <sup>2</sup> (approx.)

REAR GARDEN SPACE			
House No.	Outline Approval	Deferred scheme	Revised scheme
House 1		362 m <sup>2</sup> (approx.)	377 m <sup>2</sup> (approx.)
House 2		133 m <sup>2</sup> (approx.)	147 m <sup>2</sup> (approx.)
House 3		78 m <sup>2</sup> (approx.)	80 m <sup>2</sup> (approx.)
House 4		64 m <sup>2</sup> (approx.)	70 m <sup>2</sup> (approx.)
House 5		47 m <sup>2</sup> (approx.)	54 m <sup>2</sup> (approx.)
House 6		212 m <sup>2</sup> (approx.)	240 m <sup>2</sup> (approx.)

- A.3 The revised plans show a reduction in the footprint of each dwelling and a resultant decrease in the amount of bedrooms accommodated and an increase in private amenity space. Whilst the size of the dwellings would be reduced, the Gross Internal Area (GIA) provided would exceed minimum standards and they would therefore provide good quality family living accommodation with adequately sized garden areas. The reduction on the amount of bedrooms provided would also mean the level of activity associated with the development would be lower than would be associated with the originally submitted scheme. It is therefore considered that the scale and layout of the scheme is consistent with the description of the approved outline permission.
- A.4 The car port structures have now been omitted from the development allowing for additional open space to be maintained between dwellings and thereby reducing the visual impact of the development and allowing more open space to be maintained. The loss of the car port would not reduce parking provision as each dwelling would still have access to two on-site parking spaces, provided in tandem form on a driveway.
- A.5 It is therefore considered that the revised plans, by reducing the scale of the development through a the adjustment in building footprint and number of bedrooms provided, by increasing the amount of garden space provided and by removing the car port structures, have addressed the concerns raised by members at the previous committee meeting and, as such, it is recommended that the application is approved.

**For ease of reference the report as presented at committee on 25<sup>th</sup> February 2020 is reproduced in full below.**

## **1 Executive Summary**

- 1.1 The principle of constructing 6 dwellings within the site has been established following the approval of application 181206 (allowed on appeal). The matters are consideration relate to access arrangements, site layout, the scale and appearance of the development and landscaping arrangements only.
- 1.2 The submitted scheme shows an arrangement of suitably sized family dwellings that engage with each other in an effective way and create a distinctive character and sense of activity.

- 1.3 The proposed layout is sympathetic to the amenities of surrounding residents in terms of mitigating overlooking, overshadowing and overbearing impact. The layout is also consistent with the general characteristics of surrounding residential development in regard of plot sizes, building footprint and separation between buildings.
- 1.4 It is considered that the scale of the proposed dwellings is comparable to neighbouring residential dwellings and is suitable for the proposed development, given the size of individual plots, the overall size of the site and the proximity to neighbouring residential properties. It is considered that the design reflects general characteristics of surrounding development whilst generating a distinct sense of character for the development itself.
- 1.5 It is considered that the scale of the proposed dwellings is comparable to neighbouring residential dwellings and is suitable for the proposed development, given the size of individual plots, the overall size of the site and the proximity to neighbouring residential properties. It is considered that the design reflects general characteristics of surrounding development whilst generating a distinct sense of character for the development itself.
- 1.6 The site layout allows for sufficient space for appropriate levels of landscaping that would enable the site to retain a level of greenspace that would integrate with the surrounding green environment.
- 1.7 The proposed site access would be of sufficient width to allow for vehicles entering and leaving the site to pass one another as well as to allow pedestrians safe access and egress. A sufficient quantum of parking is provided to serve the development.

## **2 Relevant Planning Policies**

### **2.1 Revised National Planning Policy Framework 2019**

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

### **2.2 Eastbourne Core Strategy Local Plan Policies 2013**

B1: Spatial Development Strategy and Distribution  
B2: Creating Sustainable Neighbourhoods  
C11: Meads Neighbourhood Policy  
D1: Sustainable Development  
D5: Housing  
D8: Sustainable Travel  
D9: Natural Environment  
D10: Historic Environment  
D10A: Design



## 2.3 Eastbourne Borough Plan Saved Policies 2007

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

## **3 Site Description**

- 3.1 The site is roughly triangular in shape, being broad at the eastern end and tapering towards the western extremity.
- 3.2 The site includes the detached dwelling, Wood Winton, which is a large 2½ -storey dwelling which has painted render elevation walls and a tiled, hipped roof which contains a number of dormers. The dwelling is cut into a slope, which rises towards the rear of the building. There is a detached garage and other outbuildings to the side (east). A garden is provided to the rear (south) of the dwelling. Historic Ordnance Survey mapping shows that the site originally fell within the curtilage of Robin Hill Cottage but at some point became annexed from it.
- 3.3 The portion of the site where the proposed houses are to be located is predominantly flat but slopes upwards from the south to the north. There is also a gentler gradient running from the east of the site to the west. Neighbouring plots to the south and are at a higher level whilst those to the north and east are at a lower level. The majority of the site is enclosed by flint walling, which acts as a retaining wall in places. The site has recently been cleared, with a number of trees being removed from the boundary and overgrowth and smaller trees and shrubbery removed from the site interior. The most notable remaining tree is a mature Lime tree, of significant stature, which is positioned adjacent to the site access road and is covered by a Tree Preservation Order.
- 3.4 The access road itself is entered via a dropped kerb in Silverdale Road. The road is hard surfaced, although significantly worn and potholed, and is steep and winding due to the topography and the layout of neighbouring sites. The access road is bordered by flint walling, which is damaged in places, and a green verge which includes hedgerow and occasional mature trees.

- 3.5 The site is fairly secluded due to its positioning to the rear of surrounding buildings, the surrounding topography and the presence of mature landscaping. Surrounding development is predominantly residential in nature and consists of large, generally detached, building originally separate dwellings but many of which have been subdivided into flats. These are interspersed with more modern three and four-storey blocks of flats that are set within well landscaped plots. Equally spaced street trees, grass verges and flint boundary walling generate a distinctive suburban character on the road. Many of the original buildings possess distinctive architectural features in the 'Arts & Crafts' vernacular and date from the late 19th to early 20th century. This is recognised by the fact that dwellings on St Johns Road that back on to the site are within the Meads Conservation Area whilst all other surrounding properties are within an Area of High Townscape Value.

#### **4 Relevant Planning History**

4.1 030202

Demolition of existing house and erection of three detached houses with garages.  
Outline (some reserved).  
Approved conditionally.

4.2 060712

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

4.3 120089

Redevelopment of site including demolition of existing building and erection of three detached dwellings with parking and garages together with lengthening access drive (outline application).  
Outline (some reserved) - Approved conditionally.

4.4 160226

Demolition of existing dwelling, erection of 3 no. detached dwellings with parking and garages together with lengthening existing access drive.  
Outline (some reserved) - Approved conditionally.

4.5 180569

Outline planning permission (all matters reserved) for the erection of seven houses (AMENDED DESCRIPTION FOLLOWING REDUCTION OF UNITS) – Refused.

4.6 181206

Outline planning permission (all matters reserved) for the erection of six houses – Refused – Allowed at Appeal.

## 5 Proposed development

- 5.1 The application seeks approval of reserved matters relating to access, appearance, landscaping, layout and scale associated with the outline permission in place for the provision of 6 new dwellings on the site (181206).
- 5.2 The access and layout arrangements for the proposed development are broadly similar to the indicative plans provided with the outline scheme, although the dwelling footprints are slightly larger, in the case of plots 2-6 and markedly larger in the case of plot 1.
- 5.3 The configuration of the development would concentrate the new dwellings, all of which would be detached, towards the southern boundary of the site, with one dwelling to the south of Wood Winton, a line of four dwellings in a staggered row further to the west and a single detached dwelling towards the western corner of the site. The existing access road would be utilised, with passing points incorporated to allow for the safe movement of two-way traffic. The access road would be extended across the northern elevation of Wood Winton to form a spinal road serving the development. A turning head would be provided adjacent to Wood Winton.
- 5.4 Each dwelling would be provided with a car parking space under a car port structure with an additional tandem parking space on a hard surfaced driveway to the front of it. These driveways would be accessed directly from the main cul-de-sac.
- 5.5 Two different types of dwelling would be provided, the details of which are summarised below.

Plot No.	House Type	Dimensions (approx.)	GIA Provided*	GIA Required** Per Person
2-6	2½-storey 4 bedroom	Height (ridge) – 9.4m Height (eaves) – 4.9m Width – 6.3m Depth – 10m	145 m <sup>2</sup>	103 m <sup>2</sup> (5p) 112 m <sup>2</sup> (6p) 121 m <sup>2</sup> (7p) 130 m <sup>2</sup> (8p)
5	2-storey 5 bedroom	Height (ridge) – 9m Height (eaves) – 4.9m Width – 9m Depth – 12m	190 m <sup>2</sup>	110 m <sup>2</sup> (6p) 119 m <sup>2</sup> (7p) 128 m <sup>2</sup> (8p)
* = GIA = Gross Internal Area ** = as per the DCLG's Technical housing standards – nationally described space standard (2015)				

- 5.6 The dwellings occupying plots 2-6 would have a gable ended roof with an additional small gable ended first floor overhang on the front elevation. One bedroom and an en-suite would be accommodated entirely within the roof space and would be served by rooflights on the front and rear roof slopes and a single second floor window within the side elevation, which would serve a landing. A lean-to style car port, accessed via a driveway, would be attached to the side elevation. All roofing would be surfaced in slate whilst external walls would be predominantly finished in white render, other than the first floor overhang and car port which would be finished in slate grey cladding. Each dwelling would have a rear garden

with a hard surfaced patio area, planting and a bin storage area. Additional soft landscaping would be provided to the front of the dwellings.

- 5.7 The dwelling occupying plot 5 would have a gable ended roof which would be surfaced in slate. All walls would be finished in white render. A Car port would be attached to the front elevation. Vehicular access would be provided in the form of a driveway.
- 5.8 Each dwelling would be served by two on-site car parking spaces, one of which would be provided within a car part, with the other situated on a hard surfaced driveway. Two additional spaces would be provided opposite Wood Winton whilst two parking spaces and the existing detached garage would be retained for use by the occupants of Wood Winton. The existing access from Silverdale Road will be widened in places and a 1.2 metre wide footway (which would be marked in paint in places) would be provided for pedestrian access to the site.

## **6 Consultations**

### **6.1 ESCC Highways:**

- 6.1.1 It is noted that the layout plans, Transport Report, and Access and Design Statement submitted with application number 181206 were for 6No 2 bed dwellings and 1No 3 bed dwellings. Planning application 160226 for the demolition of the existing dwelling and erection of 3No dwellings was approved Aug 16 and Condition 7 concerning the access widening was discharged 2019 application no 190347.
- 6.1.2 Planning application 190347 for a widened access at the site has been approved and constructed. The access can now accommodate two way traffic. It is proposed to use road markings to separate pedestrians and vehicles along the access road. Although it is noted that vehicles may occasionally need to encroach the pedestrian area if 2 vehicles are required to pass the low expected vehicle flows along the access road make this acceptable.
- 6.1.3 Each of the 6No 4 or 5 bed dwellings has been provided with a carport and a parking space. There are 2 additional visitors parking spaces. The dimensions of the carports and parking spaces meet East Sussex County Council's parking standards, although the majority of the parking layouts are in tandem which is not ideal.
- 6.1.4 Using the East Sussex County Council Parking Demand Calculation Tool as set out in the East Sussex County Council's 'Guidance for Parking at New Residential Developments', the expected demand for the proposed development can be calculated. For a residential development of 6 units, of which 5 four-bed and one five-bed, each with two allocated parking spaces the total expected parking demand would be for approximately 13 car parking spaces; of which 12 would be allocated and 1 would be unallocated. The proposed number of parking spaces proposed is therefore in line with the expected demand generated by the proposed development.

- 6.1.5 East Sussex County Council Guidelines for Parking at Residential Developments advise that each dwelling should be provided with covered, safe and convenient cycle storage for 2 cycles.
- 6.1.6 The applicant submitted a swept path plan for a refuse vehicle with application 181206. Although the refuse vehicle did not meet East Sussex County Council's standard length requirements it has been confirmed that the vehicle size used in the swept path plans is the size of vehicle used in Eastbourne.
- 6.2 Specialist Advisor (Arboriculture):
- 6.2.1 Only one of the trees on the driveway – a lime (T17 of the Order) is of interest. Subject to the demands of the Highways Engineers, it might be possible to retain this tree but to do so special protection measures will have to be employed.
- 6.3 Specialist Advisor (Planning Policy):
- 6.3.1 Policy C11 is the 'Meads Neighbourhood' policy, which sets out the vision for this area as the following; 'Meads will strengthen its position as one of the most sustainable neighbourhoods in the town. It will make an important contribution to the delivery of housing and increasing its importance to the tourism industry, whilst conserving and enhancing its heritage and historic areas.' This vision will be promoted through a number of factors, including 'Providing new housing through redevelopments and conversions in a mix of types and styles'. It has been identified in the Core Strategy as the second most sustainable neighbourhood in the borough.
- 6.3.2 The NPPF requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of October 2018, Eastbourne is only able to demonstrate a 1.56 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. The NPPF would view this application with a 'presumption in favour of sustainable development,' as described in paragraph 14 of that document. It is not considered that the proposal would be contrary to the NPPF as a whole, or contrary to any specific policies in the NPPF.
- 6.3.3 It is important to note that as this application is for 6 additional units, it does not meet the threshold for contribution towards affordable housing. The application is, however, liable for CIL.
- 6.3.4 The Borough Plan Policy HO2 identifies this location as being predominantly residential. In order to reach housing targets, planning permission will be granted for residential schemes within these predominantly residential areas. This site has been previously identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). Therefore, policy has no objections to this application.
- 6.4 Southern Water:
- 6.4.1 Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

## 6.5 Meads Community Association:

- 6.5.1 The Meads Community Association representing some 660 households in Meads is aware that following the planning appeal, consent has been given for 6 houses to be erected on this site. In Paragraph 1 of the inspectors decision the following statement is made: "The appeal is allowed and outline planning permission is granted for the erection of 6 houses at Wood Winton 63a Silverdale Road, Eastbourne, East Sussex BN20 7EY in accordance with the terms of the application Ref PC/181206 dated 10th January 2019, subject to the conditions set out by the planning inspector.
- 6.5.2 Application no181206 (being the third planning application for this site) was for outline planning for the erection of 5, 2 bedroom detached houses and 1, 3 bedroomed detached house. The application stated that all houses would have a car port and one additional parking space and the site would have 3 spaces for visitor parking. The original plan also stated that the proposals are for lower priced housing fairly close to the town centre making it more attractive to first time buyers.
- 6.5.3 The outline planning application submitted in November 2019 following the appeal Ref. 190861 is for one, 5 bedroom house and five 4 bedroom houses. On the site plan houses 2-5 will be 3 storeys and house 6 will have attic accommodation. The provision of 3 car parking spaces per property will increase vehicle movements as it is likely that as a result of the increase in size and accommodation each property may have 5 or more residents. Also of concern also is that there is very limited outside garden spaces for recreational use as these houses are designed as large family homes.
- 6.5.4 The original large house is to remain and we are aware that currently a number of people are resident in this house therefore adding to the number of movements and traffic to and from this site. We have a concern that there is no indication as to what is proposed for the existing house when considering the development as a whole.
- 6.5.5 The MCA considers that this latest proposal is a cynical attempt by the developer to use the planning process in order to ascertain the maximum potential for this site. There is obviously no regard to the existing environmental quality of the area as the site has already been cleared with the loss of a number of substantial trees and a development of this scale has a flood risk.
- 6.5.6 The problems identified by the previous objectors and the Planning Committee concerning access to the site still remain. The access to the development is along an uphill, long and winding driveway suitable for only one vehicle at a time and the pedestrian pathway is separated from vehicles by a painted line and not a separate kerbed pathway. There is also a preserved tree in the centre of the path half way down the drive.
- 6.5.7 The entrance to Wood Winton off Silverdale Road remains narrow and with the greater intensity of traffic generated from within the development this will cause additional problems in Silverdale Road. This is a busy road with a bus route and has parking on both sides of the road. Emergency vehicles would have major difficulties in accessing the development as would refuse and re-cycling vehicles.

This part of Meads is recognised by EBC as having a high townscape value and this development if approved will have a severe impact on the character and appearance of this part of Meads adjacent to both the Meads and the likely extension of the College Conservation Area.

- 6.5.8 In Summary we consider that this application does not follow the inspectors decision which we believe was based on application 181206 for 6 2 bedroomed lower priced homes. The access for vehicles and pedestrians is poor especially for service and emergency vehicles. The layout and design of the site is a complete over development with the houses on 3 floors all with limited garden space based on maximising the value of the site rather to the disadvantage of the area. . Therefore we urge that this application is refused.

## **7 Neighbour Representations**

- 7.1 Objections have been received from 26 individual addresses, raising the following concerns:

- Overlooking towards neighbouring gardens and accommodation
- Increased air, noise and light pollution;
- Loss of trees, grassed areas and biodiversity/habitat;
- Service road to narrow for two way traffic;
- Footpath blocked by protected tree;
- Increased risk of surface water flooding and land slips;
- Insufficient parking on site;
- Access difficult for service vehicles due to parked cars on Silverdale Road;
- Overdevelopment on site due to increase in number of bedrooms provided;
- Lack of screening;
- Permitted Development rights need to be removed;
- Insufficient amenity space provided for family housing;
- Loss of views;
- Lack of infrastructure;
- Additional bins will be left on Silverdale Road;
- Dwellings out of keeping with surrounding development;

One letter of comment has been received:-

- A landscaping scheme using mature planting is required.

## **8 Appraisal**

### **8.1 Principle of development:**

- 8.1.1 The principle of erecting 6 new dwellings on the site has been established following the approval of outline permission by the planning inspectorate. The current application relates only to the layout, appearance, scale and landscaping of the development and the access arrangements.
- 8.1.2 Whilst the density of the development in terms of dwellings per hectare has been agreed, housing density can also be measures in terms of bedspaces per hectare,

as stated in para. 005 of the MHCLG's Planning Practice Guidance for Effective Use of Land (2019). The amount of bedspaces provided within the development, which would be defined by its layout and scale, can therefore be taken into account in the context of seeking development that represents an optimal use of the site, as required by para. 123 of the Revised National Planning Policy Framework (2019).

- 8.1.3 The content of section 12 of the Revised NPPF, 'Achieving well-designed places', is also of particular relevance in determining this reserved matters application. The guidance provided in para. 127 within this section requires development to be functional, visually attractive and effectively landscaped, to respect the surrounding built environment and landscape (whilst not discouraging innovation or change such as increased density), to possess a strong sense of space and to be safe, inclusive and accessible. It is also required that a high standard of amenity is provided both for existing residents as well as the future occupants of the development.
- 8.1.4 With regard to the access arrangements, para. 109 of the Revised National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.1.5 The proposed development will therefore be determined in the context of the NPPF, along with development plan policies that reflect the NPPF position and any other development plan policies relevant to the development.

8.2 Impact of proposed development on amenity of adjoining occupiers and surrounding area:

- 8.2.1 The proposed scheme is broadly similar to the indicative layout plan submitted with the outline application, albeit with a marginal increase in the footprint of the dwellings occupying plots 2-6 and a more marked increase in the footprint of the unit occupying plot 1. In para. 8 of his report allowing outline permission on appeal, the Planning Inspector stated that *'the indicative layout demonstrates that, in principle, it would be possible to erect six dwellings on the land within plots that would provide a good degree of separation between individual buildings.'*
- 8.2.2 The site is raised above the site levels of neighbouring flatted development to the north and west, whilst the flatted development that backs on to the south of the site are at a higher level. The road serving the development would flank the northern site boundary, where there is a flint wall in place that would prevent light spillage from car headlights into neighbouring windows and also provide a degree of soundproofing.
- 8.2.3 The proposed dwellings include a two-storey property occupying plot 1 and properties that include a second floor occupying plots 2-6. The dwellings occupying plots 2-6 would essentially appear as two-storey dwellings in terms of scale as the entire second floor level would be accommodated in the roof space. It is noted that the eaves height of the 2-storey and 2½-storey dwellings is identical whilst the ridge is only 0.4 metres higher. Whilst the dwellings are positioned relatively close to the southern site boundary, a significant distance is maintained between them



and neighbouring flats. This degree of separation, combined with the differential in levels between the site and development to the south is considered sufficient to prevent the dwellings from appearing overbearing. For the same reason, it is also considered that the proposed development would not cause undue levels of overshadowing.

- 8.2.4 The dwellings towards the western end of the site are also within relatively close proximity to the northern boundary, on account of the tapering nature of the plot. However, distances of a minimum of 21 metres would remain in place between the elevations of the proposed dwellings and the residential building to the north and this is considered sufficient to soften visual impact of the development. Whilst the level of the application plot is raised above that of the adjoining site to the north, this degree of separation combined with partial screening provided by the flint boundary wall is considered to soften impact and ensure that the development does not appear overly dominant when viewed from the neighbouring site. The presence of visual gaps between individual dwellings would also help to maintain a sense of spaciousness in outlook from windows belonging to surrounding residential property.
- 8.2.5 Due to the distances maintained between the proposed dwellings and neighbouring properties it is not considered that views from their windows would offer intrusive or invasive views towards neighbouring flats and dwellings. In addition, views towards neighbouring property would only be realistically available at first floor level due to the screening offered by existing site boundary treatment. Whilst parts of the communal amenity space serving flats to the north and the south of the site would be positioned closer to the proposed dwelling it is not considered views into these areas would be overly invasive and would be comparable to views of these amenity spaces available from other neighbouring property. It is noted that the dwellings closest to neighbouring flats, those at plots 1 and 6, are orientated 'side on' to the buildings on adjoining sites so as to minimise the views towards them. In the case of plot 1 the only first floor windows in the side elevation would serve bathrooms and a condition can be used to ensure these are obscurely glazed. In the case of plot 6, there are no windows at all within the side elevation facing to the south, whilst the first and second floor windows facing to the north serve landings and a bathroom rather than any primary habitable room.
- 8.2.6 The provision of second floor accommodation at plots 2-6 would be achieved through the use of rooflights rather than dormers. The primary function of these rooflights would be to provide natural light and ventilation within the rooms that they serve. As they would be installed within the roof slope they would be angled upwards rather than directly towards neighbouring properties. As such, it is not considered that they would cause any unacceptable impact upon the privacy of neighbouring residents. A condition will be attached to any approval to remove permitted development rights in order to prevent dormers being formed at a later date, without going through the full planning process, as this type of feature would have a greater potential to allow for intrusive views or to appear overbearing.

### 8.3 Design issues:

- 8.3.1 The proposed development would incorporate two different forms of dwelling. Although plots 2-6 would accommodate rooms within the roof, the design and

scale of each of the proposed dwellings is essentially in the form of a two-storey, gable roofed dwelling. The buildings immediately surrounding the development are predominantly large blocks of flats and, as such, it would not be expected for the proposed dwellings to replicate their appearance. However, general characteristics such as the use of gable roofing are consistent with surrounding development, as is the scale of the proposed dwellings which is considered to be reflective of the two and three-storey dwellings that occupy the nearby Fitzgerald Close. The use of rooflights on the buildings occupying plots 2-6 is not considered to be incongruous as they do not overwhelm the overall roof slope and there are rooflights installed on other nearby buildings, including at Hunters Lodge, which backs on to the site.

- 8.3.2 In any case, the self-contained nature of the site, combined with the scale of the development, warrants the overall development possessing its own distinctive character, as encouraged by para. 127 of the Revised National planning Policy Framework.
- 8.3.3 The increase in the footprint of the proposed dwellings over those shown on the indicative plan provided with the outline application would not result in dwellings that are overly large, particularly when viewed in context of the footprint of neighbouring buildings. The largest dwelling, occupying plot 1, is set on a more spacious plot than the smaller dwellings, ensuring that the development would not appear cramped. Individual plot sizes are comparable to surrounding development of residential dwellings, examples being Fitzgerald Close and Jephson Close, as is the ratio between building footprint and garden size.
- 8.3.4 All dwellings will be fronted by a soft landscaped area, with hard surfaced parking restricted to the side of the building. As a result, the development would not be visually dominated by parked cars and hard surfacing. The car port structures would also provide sympathetic screening to parked cars.
- 8.3.5 Due to the arrangement of the dwellings within the development, and their orientation in relation to surrounding residential buildings, the overall development would benefit from a good degree of natural surveillance. The development would also not include any secluded or isolated areas. As a result, it is considered that the proposed development would not be susceptible to anti-social or criminal behaviour nor would future occupants be subject to an unacceptable fear of crime.
- 8.3.6 All dwellings would engage with the street scene due to their orientation and arrangement of fenestrations. It is considered that this would help to generate and inclusive and welcoming environment that would promote interaction between residents and instil a strong sense of space, as encouraged by para. 127 of the Revised National Planning Policy Framework.

#### 8.4 Landscaping:

- 8.4.1 The site has recently been cleared and this activity involved the removal of a number of mature trees that were positioned around the site boundaries. Overgrowth and smaller trees were also removed from the site interior. The submitted plans include details of new tree and shrub planting along the southern and western site boundaries. Further details will be required of the exact amount of planting, the different species used and their height at the time of planting. This

can be achieved through the use of a planning condition. It is also considered that the provision of some planting should be included along the northern boundary. Whilst new tree planting of a height similar to the trees removed from the site boundary would not be suitable on account of proximity to the new dwellings, it is noted that boundary planting was not considered by the planning inspector to provide any essential screening in terms of privacy.

- 8.4.2 Whilst new tree planting of a height similar to the trees removed from the site boundary would not be suitable on account of proximity to the new dwellings. It is noted trees had been removed at the time of the appeal site visit and that boundary planting was not considered by the planning inspector to provide any essential screening in terms of privacy. However, the value of landscaping as a means to preserve an element of the current green nature of the site is important and it is considered that the provision of new planting, as well as the presence of front and rear lawns, is essential to maintaining a suitable green environment.
- 8.4.3 A lime tree covered by a Tree Protection Order may be affected by the development as it is positioned adjacent to the widened access road and on the course of the proposed pedestrian footpath. The Councils arboriculturalist recommends that steps should be taken to protect the tree during construction works as well as following completion in order to ensure it is not damaged. If this is not possible, the Arboricultural Officer would accept the loss of this tree if it required on the grounds of highway safety (see para. 6.2.2).
- 8.4.4 The retention of the existing flint and brick walls enclosing the site is considered to be important due to the screening these walls provide, the purpose they serve in places as retaining walls and the contribution they make towards the character of the site and neighbouring properties. Any landscaping scheme would need to include surveys of these walls and details of necessary repairs that will need to be made. Further details of other boundary treatment, including garden screening, would also need to be provided. It is recommended that the front of sites are kept open plan in order to prevent the installation of boundary fencing that may divorce individual sites from the wider street scene.
- 8.4.5 Site landscaping, both hard and soft, will also play an important role in relation to surface water drainage. As such, a condition will be used to secure a comprehensive landscaping scheme that maximises areas of soft landscaping and that utilised permeable hard surfaces where feasible in order to improve overall site permeability.
- 8.5 Impacts on highway network or access:
- 8.5.1 The proposed development would utilise the existing site access from Silverdale Road, which would be widened in order to allow for sufficient room for vehicles entering and leaving the site to pass each other. A pedestrian footway, part of which would be marked out as a painted surface, would also be provided to allow for pedestrians to enter and leave the site safely.
- 8.5.2 The access road shown on the layout plan includes passing points and a marked out pedestrian footpath. The climbing and winding nature of the road would also act as a natural deterrent to vehicles travelling at speed and, thereby, presenting a

risk to pedestrians.

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

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

#### 8.6 Sustainable development implications:

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

#### 8.7 Other matters:

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

8.7.2 The scheme proposes new dwellings on a sloping site and as such the development proposes stepped access to the front doors. It is recognised that under building regulations that these steps should be ambulant and also that level access should be delivered to/through the rear of the property. An informative will be placed on the approval notice to cover this issue.

### **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 That the application is approved, 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:-

- 94554/301;
- 94554/302;
- 94554/303;
- 94554/304;
- 94554/305;
- 94554/306;
- 94554/307;
- 94554/308;
- 94554/BP;

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

3. The external materials and finishes of the dwellings hereby approved shall be in accordance with the schedule of materials provided on approved plans 94554/306 and 94554/308.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and the character of the surrounding area in accordance with policy D10a of the Eastbourne Core Strategy (2013) and saved policy UHT1 of the Eastbourne Borough Plan.

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

Reason: In the interests of highway safety in accordance with para. 109 of the Revised National Planning Policy Framework and Policy D8 of the Eastbourne Core Strategy.

5. The development hereby permitted shall not be occupied until car parking spaces shown on approved plans 94554/301, 94554/302 and 94554/303 have been surfaced and marked out. The parking spaces shall thereafter be maintained throughout the lifetime of the development and the land on which they are positioned shall be used for no purpose other than for the parking and turning of vehicles.

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

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

Reason: In the interest of environmental amenity and highway safety in accordance with saved Policy NE28 of the Eastbourne Borough Plan and Policy D8 of the Eastbourne Core Strategy,

7. No development shall take place until details of surface water drainage, which shall follow the principles of sustainable drainage as far as practicable, have been submitted to and approved by the Local Planning Authority. The drainage shall be provided in accordance with the approved details. The information provided will need to include details of how surface water associated with the site and access road will be managed so as to prevent discharge onto the public highway.

The implementation of such details as approved shall be subject to soil/porosity tests for all soakaways, as deemed necessary by the Local Planning Authority, and the development shall not be occupied or used until written confirmation has been received from the Local Planning Authority confirming approval of both the porosity tests and the completed surface water drainage measures.

Reason: In order to ensure the site is adequately drained and that surface water is appropriately managed in accordance with saved Policy US4 of the Eastbourne Borough Plan.

8. Details for the provision of cycle storage in accordance with East Sussex County Council's adopted standards shall be submitted to and approved in writing by the Local Planning Authority, and the approved details shall be implemented before the first occupation of the relevant part of the development to which they relate and retained thereafter.

Reason: To provide for alternative modes of transport in accordance with policy D8 of the Eastbourne Core Strategy.

9. No enclosure or infilling of the sides of the car-ports hereby approved shall take

place without the prior written consent of the Local Planning Authority.

Reason: In order to secure the ongoing use of the car ports for parking purposes only in accordance with policy D8 of the Eastbourne Core Strategy.

10. Details of refuse and recycling storage to serve the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the residential development. The refuse storage facilities shall be provided in accordance with the approved details prior to occupation and shall thereafter be retained as such for the duration of the permitted use.

Reason: To preserve the residential and visual amenities of the locality, in accordance with saved policies UHT1, HO20 and NE28 of the Eastbourne Borough Plan.

11. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-F inclusive of that Order, shall be erected or undertaken on the site.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interest of visual, residential and environmental amenity in accordance with saved policies UHT1, HO20 and NE28 of the Eastbourne Borough Plan.

12. No floodlighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with a detailed scheme which shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interest of environmental amenity and biodiversity in accordance with saved policy NE28 of the Eastbourne Borough Plan and Policies D1 and D9 of the Eastbourne Core Strategy.

13. Before preparation of any groundworks and foundations on site for the development hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out in accordance with the approved details. These details shall include proposed boundary treatments, proposed finished levels and contours, hard surface finishes (which should be permeable where possible), details of any retaining walls, steps, railings, walls, gates or other supporting structures, car parking layouts, other vehicle and pedestrian access and circulation areas, minor structures (e.g. refuse and other storage units). The information shall also include indications of all existing trees and hedgerows on the land, including those to be retained, together with measures for their protection which shall comply in full with BS5837:2012 Trees in relation to design, demolition & construction – Recommendations, in the course of the development, together with a scheme for the subsequent maintenance of any trees, shrubs and hedges retained on the site and any proposed to be planted

as part of the approved landscaping scheme. Soft landscape details shall include planting plans, written specifications, schedules of plants - noting species (which should be indigenous), planting sizes and proposed density.

Reason: In the interest of biodiversity, visual, residential and environmental amenities and surface water management in accordance with saved policies UHT1, NE28, HO20 and US4 of the Eastbourne Borough Plan and Policies D1 and D9 of the Eastbourne Core Strategy.

### **Informative**

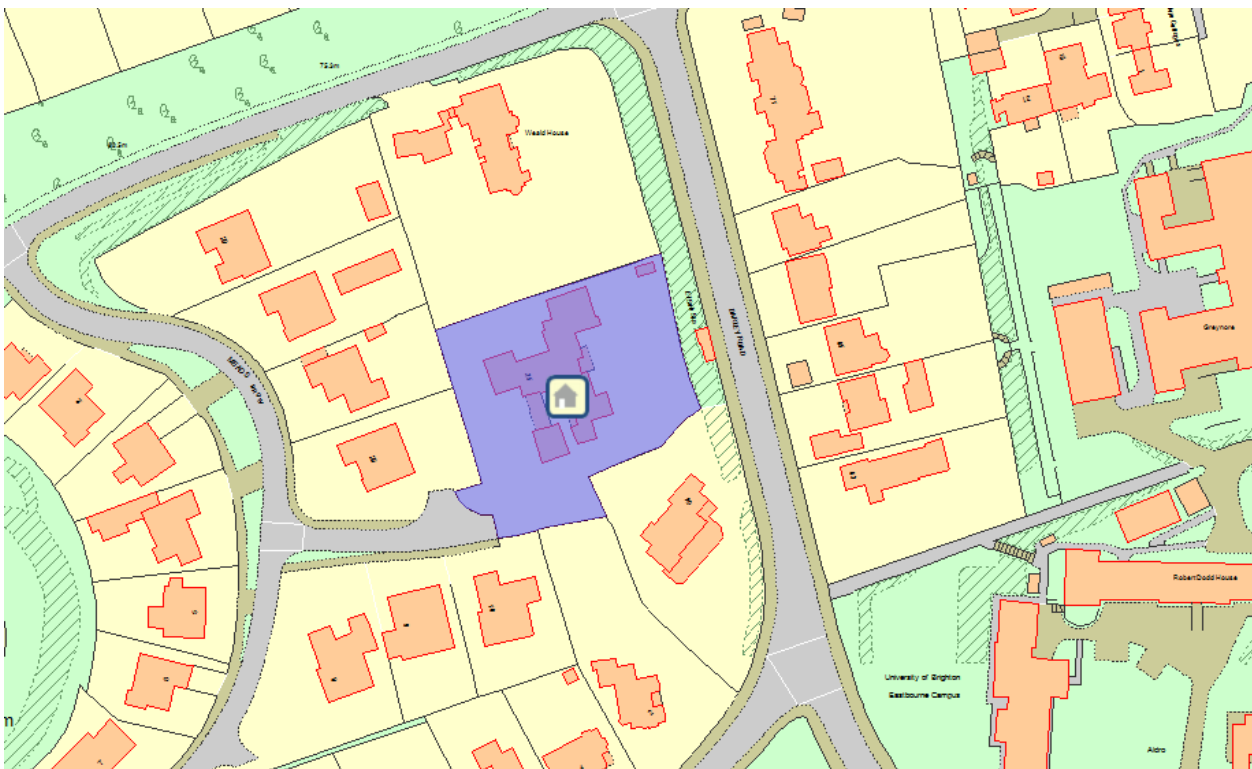
1. The applicant is reminded of the requirement for ambulant steps to front door and ramp and level access to the rear of the new dwellings.

## **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.



<b>App.No:</b> 191002	<b>Decision Due Date:</b> 16 <sup>th</sup> March 2020	<b>Ward:</b> Meads
<b>Officer:</b> James Smith	<b>Site visit date:</b> 8 <sup>th</sup> January 2020	<b>Type:</b> Reserved Matters
<b>Site Notice(s) Expiry date:</b> 10 <sup>th</sup> January 2020 <b>Neighbour Con Expiry:</b> 10 <sup>th</sup> January 2020 <b>Press Notice(s):</b>		
<b>Over 8/13 week reason:</b> Committee cycle.		
<b>Location:</b> Spring Mead, 25 Meads Brow, Eastbourne		
<b>Proposal:</b> : Application for approval of reserved matters (Appearance, Landscaping, Scale) following outline approval granted 08/11/2019 for outline planning permission (Access and Layout) for demolition of the existing house and the construction of a new building housing 17 one and two bedroom apartments, with associated access and parking (Appeal - APP/T1410/W/19/3229465).		
<b>Applicant:</b> Mr James Caldwell		
<b>Recommendation:</b> Approve Conditionally		



## **1 Executive Summary**

1.1 The application follows the grant of outline permission for the demolition of the existing dwelling and erection of a building containing 17 flats on the site. The layout of the building was confirmed at the outline stage, as were the access arrangements. The reserved matters are as follows:-

- Scale;
- Appearance;
- Landscaping;

The proposed building is considered to be of appropriate scale as it allows for the provision of an appropriate mix of 1 and 2 bed units that meet standards for Gross Internal Area but are not excessively large. A building of reduced scale would be unlikely to have the capacity to provide suitable living space for 17 flats, based on the approved footprint.

1.2 The design of the building, which contrasts with the appearance of neighbouring dwellings, is considered to be appropriate given the self-contained nature of the site, its set back from the main street frontage of Meads Brow and the overall scale of the development, which justifies it having its own distinct character and appearance.

1.3 The landscaping details provided show that there is sufficient capacity within the site to incorporate planting to preserve and enhance visual and residential amenity. Additional details can be secured by way of condition to ensure new planting also provides ecological mitigation and assists with surface water drainage.

1.4 Overall, it is considered that the submitted details are consistent with the approved description and layout granted under application 181058 and that the development could be incorporated without any unacceptable impact upon environmental, residential or visual amenity.

## **2 Relevant Planning Policies**

2.1 Revised National Planning Policy Framework 2018:

- 2. Achieving sustainable development
- 4. Decision making
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

## 2.2 Eastbourne Core Strategy (2013):

B1 - Spatial Development Strategy and Distribution  
B2 - Creating Sustainable Neighbourhoods  
C11 - Meads Neighbourhood Policy  
D1 - Sustainable Development  
D5 - Housing  
D10a – Design

## 2.3 Eastbourne Borough Plan - Saved Policies (2003):

NE4 - Sustainable Drainage Systems  
NE7 - Waste Minimisation Measures in Residential Areas  
NE14 - Source Protection Zone  
NE15 - Protection of Water Quality  
NE18 - Noise  
UHT1 - Design of New Development  
UHT2 - Height of Buildings  
UHT4 - Visual Amenity  
UHT7 - Landscaping  
HO1 - Residential Development Within the Existing Built-up Area  
HO2 - Predominantly Residential Areas  
HO7 - Redevelopment  
HO20 - Residential Amenity  
TR6 - Facilities for Cyclists  
TR11 - Car Parking

## **3 Site Description**

- 3.1 The site is occupied by a split level dwelling which has a rather sprawling footprint. The dominant roof form is pitched roofing with asymmetric elements and a variety of slope angles present. The nucleus of the building is two-storey, with the frontage being predominantly single-storey and the rear including dormers and flat roof elements. There is a spacious hard surfaced parking area to the front of the dwelling. The rear gardens consist of a generally level area to the immediate rear of the dwelling which includes formal landscaping and patio areas, with a further lawned area towards the rear of the site that is at a lower level, behind a retaining wall.
- 3.2 The site is positioned on a hill side, the access sloping downwards from Meads Brow with the dwelling and parking area being cut into the hill. The site continues to slope downwards across the terraced garden area, with a steep drop immediately to the rear of the site, where it borders Darley Road.
- 3.3 The site is located at the end of a branch off Meads Brow, a residential cul-de-sac which follows the contour of the hill side which it traverses. The road is flanked by well-spaced detached residential dwellings consisting of a mix of chalet style, split level and two-storey buildings. Dwellings on the western side of the road are at a higher level to those on the east on account of the hillside location. The neighbouring properties to the north and south, which are on Beachy Head Road and Darley Road respectively, are larger buildings. The

neighbouring building to the south, 64 Darley Road, has been subdivided into flats.

- 3.4 The site is enclosed by mature landscaping, which includes TPO trees on the northern boundary. The landscaping within the site interior is restricted to ornamental planting, with no significant trees present.

#### **4 Relevant Planning History**

- 4.1 **181058** - Outline planning permission (Access and Layout) for demolition of the existing house and the construction of a new building housing 17 one and two bedroom apartments, with associated access and parking – Refused 26<sup>th</sup> February 2019 – Allowed on Appeal 8<sup>th</sup> November 2019

#### **5 Proposed development**

- 5.1 The application seeks approval of reserved matters (scale, appearance and landscaping) following the grant of outline permission for the demolition of the existing dwelling and erection of a new building accommodating 17 flats. The layout of the development and access arrangements were confirmed as part of the outline scheme.
- 5.2 The scale of the development is consistent with the indicative plans submitted as part of the outline scheme, this being a split level building made up of two and three-storey elements which would occupy the footprint agreed at outline stage. The building would incorporate flat roof and gable roof elements. The height of the various elements of the building would be as follows:-

Roof Form	No. of storeys	Height (approx.)
Flat Roof	2	6.2 metres
Flat Roof	3	9 metres
Gable Roof	3	11.9 metres (ridge) 9 metres (eaves)

Parapet walls would be used on parts of the flat roof structures in order to provide private amenity space for residents.

- 5.3 The footprint of the existing dwelling occupying the site is approximately 436 m<sup>2</sup>, the floor area of the proposed building would be distributed as follows:-

Level	Floor Area (approx.)
Ground Floor	550 m <sup>2</sup>
First Floor	550 m <sup>2</sup>
Second Floor	445 m <sup>2</sup>

A total of 17 separate units of accommodation would be provided across the three storeys of the building, comprising a mix of one and two bedroom units.

Level & Unit No.	Type of Unit	GIA*	Recommended GIA**
GF Unit 1	2 bed 4 person	74 m <sup>2</sup>	70 m <sup>2</sup>
GF Unit 2	2 bed 4 person	77 m <sup>2</sup>	70 m <sup>2</sup>
GF Unit 3	2 bed 3 person	75 m <sup>2</sup>	61 m <sup>2</sup>
GF Unit 4	2 bed 4 person	76 m <sup>2</sup>	70 m <sup>2</sup>
GF Unit 5	1 bed 2 person	55.5 m <sup>2</sup>	50 m <sup>2</sup>
GF Unit 6	2 bed 4 person	76 m <sup>2</sup>	70 m <sup>2</sup>
FF Unit 7	2 bed 4 person	74 m <sup>2</sup>	70 m <sup>2</sup>
FF Unit 8	2 bed 4 person	77 m <sup>2</sup>	70 m <sup>2</sup>
FF Unit 9	2 bed 3 person	75 m <sup>2</sup>	61 m <sup>2</sup>
FF Unit 10	2 bed 4 person	76 m <sup>2</sup>	70 m <sup>2</sup>
FF Unit 11	1 bed 2 person	55.5 m <sup>2</sup>	50 m <sup>2</sup>
FF Unit 12	2 bed 4 person	76 m <sup>2</sup>	70 m <sup>2</sup>
SF Unit 13	1 bed 2 person	60 m <sup>2</sup>	50 m <sup>2</sup>
SF Unit 14	2 bed 4 person	67 m <sup>2</sup>	70 m <sup>2</sup>
SF Unit 15	2 bed 3 person	68 m <sup>2</sup>	61 m <sup>2</sup>
SF Unit 16	2 bed 4 person	77 m <sup>2</sup>	70 m <sup>2</sup>
SF Unit 17	2 bed 4 person	70 m <sup>2</sup>	70 m <sup>2</sup>
* = Gross Internal Area ** = As per DCLG's Technical housing standards – nationally described space standard			

Each ground floor unit would have access to a private terrace whilst first and second floor units would have access to private balconies.

- 5.4 The building would be of contemporary design, predominantly flat roofed but with two gable ended elements on an east to west alignment. Elevation walls would be finished in a mixed palette of grey, brown and yellow bricks, including decorative courses of contrasting bricks. The pitched roof elements would be finished in clay tiles. Stone coping would be used on the tops of parapet walls, external window sills and roof eaves.
- 5.5 The building would be of contemporary design, predominantly flat roofed but with two gable ended elements on an east to west alignment. Contrasting roof forms, step changes in height and the formation of recessed areas would be used to break up the mass of the building. Elevation walls would be finished in a mixed palette of grey, brown and yellow bricks, including decorative courses of contrasting bricks. The pitched roof elements would be finished in clay tiles. Stone coping would be used on the tops of parapet walls, external window sills and roof eaves. Window and door frames and rainwater goods would be finished in matt grey whilst grey painted metal railing balustrades would be utilised on first and second floor level balconies.
- 5.6 A number of trees and other planting, the majority of which are ornamental garden species, would be removed from the site interior in order for the proposed building to be accommodated.

## **6 Consultations**

### **6.1 Specialist Advisor (Planning Policy)**

6.1.1 There is no requirement for Policy Comments on this reserved matters phase of the application.

#### **6.1.2 SUMMARY OF POLICY COMMENTS FOR OUTLINE SCHEME (181058)**

6.1.3 It was stated that the development would comply with Policy B1 of the Core strategy through its development in a sustainable neighbourhood and Policy HO2 of the Borough Plan being identified as a windfall site which is relied on by the council. It was also stated that the development complied with the NPPF in supporting sustainable residential development, and as Eastbourne currently cannot demonstrate a five year housing land supply; this application would result in a windfall addition of 16 dwellings.

6.1.4 An objection was raised in regard for the failure to provide affordable housing either on-site or by way of a commuted sum. However, this objection was overruled by the Planning Inspectorate in their allowing of the appeal against the refusal of 181058.

### **6.2 Meads Community Association**

6.2.1 The Meads Community Association representing 560 households in Meads wishes to join with residents of Meads Brow in opposing this application on the grounds of appearance and design, the landscape plan and access arrangements both for vehicular and pedestrian to the development.

6.2.2 Scale of the Development: We also have a general concern about the vague statements concerning the height of the proposed development and its actual footprint as there is a lack of definite measurements. At this stage of the application we should have actual measurements and we should not have to rely on a design and access statement that says, '...The proposed footprint is only slightly larger than the existing house, with it also only being slightly taller in places. ...'.

6.2.3 Appearance and Design: We consider that the development will still be over dominant in scale, form and out of character with the environment given that the location is adjacent to the South Downs National Park We do not agree that the property '..feels more part of the context of Darley Road...' the existing property sits firmly in Meads Brow and as the roof height is higher than the existing property it will clearly be visible from Darley and Baslow roads and we consider therefore that the development should have a flat roof to decrease its visibility.

6.2.4 We fully support the detailed objection and suggested redesign of the development proposed by Mr Mitch Peacock of 27 Meads Brow dated 2nd January which covers the appearance and general acceptability of the development in this location and the use of more environmentally construction materials. A number of objectors have referred to overlooking from the western boundary of the development and the loss of privacy to nos. 26-27 in Meads

Brow and we support these concerns.

6.2.5 Landscaping and Access Arrangements for Vehicles and Pedestrians: The construction of 17 apartments on this site will mean the potential for possibly in excess of 50 new residents. Car parking provision for residents and visitors is inadequate as is the lack of separation at the entrance to the site of a separately designated pedestrian pathway. Vehicle and pedestrian movements within Meads Brow will increase enormously and we support the concerns of residents about the increase in vehicle movements and noise from the development.

6.2.6 The proposed application takes little account of the environment of this area and the safety of existing and new residents. The only access from Meads Brow is onto Beachy Head Road, a road recognised for speeding traffic, poor sight lines and there is not a pedestrian pavement from Meads Brow to the junction with Carlisle and Darley Road. Pedestrians will have to cross the road and use the rough footpath to access Meads Village and Eastbourne Town bus services.

6.2.7 Conclusion: Whilst we recognise that following the Planning Inspectors decision redevelopment of this site is inevitable we consider the present proposals to be inadequate in all areas of the application and therefore the application should be refused and a plan more acceptable to the local surroundings and neighbouring properties should be submitted.

### 6.3 SUDs

6.3.1 No additional information to that submitted at outline planning stage has been submitted to detail or clarify the surface water management proposals and their impacts on flood risk. Therefore, when submitting details to discharge condition 9, the applicant should address all the comments raised in our letter of 7 December 2018 in response to consultation on planning application 181058.

6.3.2 The application site drains surface water runoff to the Pevensey and Cuckmere Water Level Management Board drainage district, which is downstream of the application site. Therefore, the applicant should apply for consent to discharge surface water runoff into the Water Level Management Board's area as required by the Board's Byelaw 3, which is the process by which the Board agrees the proposed discharge rates.

### 6.4 Southern Water

6.4.1 The submitted site layout shows proposed development lies close to public foul sewer which is not acceptable to Southern Water. Construction over or within the standoff distance (3 metres) of public sewers will not be permitted. Southern Water requests that this application is not determined until such time as the applicant produces a suitable layout.

6.4.2 We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" and Sewers for Adoption with regards to any landscaping proposals and our

restrictions and maintenance of tree planting adjacent to sewers and rising mains and water mains.

- 6.4.3 In order to prevent ingress of groundwater into public sewerage system, no soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public (also adoptable) sewer.

## 6.5 South Downs National Park

- 6.5.1 Reference should be made to the original consultation response dated 16th November 2018 provided by the South Downs National Park in relation to planning application 181058. Consideration should also be given to the comments of the Inspector in the determination of the appeal insofar as they relate to the South Downs National Park. Paragraph 18 of the appeal decision highlights the importance of the Park's Dark Skies Reserve and that this matter should be addressed through the reserved matters application.

### 6.5.2 SUMMARY OF SDNP COMMENTS FOR OUTLINE SCHEME (181058)

- 6.5.3 Given the context of the existing urban environment within which the site is located, it is unlikely that the proposed development would have a direct visual or landscape impact on the setting of the South Downs National Park in this instance.
- 6.5.4 However, given the site is close to the boundary of the South Downs National Park, internal, and any external lighting required in connection with the proposal may have the potential to have adverse effects on the dark skies of the National Park. In May 2016 the South Downs National Park became the world's newest International Dark Sky Reserve (IDSR). Therefore, it would be appropriate for consideration to be given to any need for the development to include a full appraisal of both internal and external lighting, to consider what impact it may have on the dark skies of the National Park and if/how it can be mitigated to meet the lighting standards of the Institute of Lighting Professionals (ILP) for this zone.

## 6.6 Secured by Design

- 6.6.1 The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. With the level of crime and anti-social behaviour in Eastbourne district being above average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends and site specific requirements should be considered.
- 6.6.2 The vehicle parking has good observation over it from active rooms within the block. In order to create safe and secure environment for the vehicle and their owners I recommend the parking area is illuminated.



- 6.6.3 I cannot see any defensible demarcating railings or fencing shown on the ground floor plans that deters unauthorised access to the sides and rear of the development, where the vulnerable ground floor windows are located. Neither is there any defensible planting in front of windows to remove / restrict access to them. The absence of these measures makes the ground floor windows and the side and rear of the building very susceptible to unobserved attack, increasing the opportunity for crime.
- 6.6.4 I was pleased to note the cycle area has been relocated to provide more observation from the apartments and has a canopy to provide a degree of protection for the cycles from the elements. However, I was disappointed to note that this area is not a secure cycle shelter, only a covered area with Sheffield stands out in the open which relies on the resident's locking mechanisms to keep the cycles secure. The lack of a secure cycle store / shelter gives a would-be offender the opportunity and time to defeat locks and chains securing the cycle and remove any easily quick-release items from the cycles such as wheels and saddles.
- 6.6.5 Lighting throughout the development will be very important to create a safe and secure development especially the carpark and pedestrian walkway. It should be designed to illuminate the building's entrances, the carpark, refuse and cycle stores and is to conform to the recommendations within BS 5489-1:2013. SBD considers that bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.
- 6.6.6 The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

6.7 Specialist Advisor (Waste)

- 6.7.1 As long as there is access for our LGV vehicles. All bins need to be presented at the curtilage of the property on the morning of collection. Bins stores / areas not to be down steps.

**7 Neighbour Representations**

- 7.1 Letters of objection have been received from 13 addresses, the content of these letters is summarised below.

7.1.1 Design:

- Flat roof throughout would be preferable;
- Extensive use of brick on elevations is unsightly;
- Lack of green elements (timber cladding, green walls/roof);
- Over-dominant and out of character;

- Comparisons with properties on Darley Road are deceptive as these should be made to properties on Meads Brow;
- Building is utilitarian in appearance;
- Will lift plant housing be visible?;
- Overdevelopment in a low density area;
- Amount of parked cars will change character of the area;
- Amount of flats should be reduced

OFFICER COMMENT IN RESPONSE: The principle of providing 17 flats on the site has been established following the allowing of an appeal against the refusal of the outline scheme (181058). Protruding lift housing is not shown on the submitted plans and it is therefore assumed all housing would be internal. Any modification to the design to incorporate protruding lift housing would need to be agreed by way of a full planning application to vary the scheme. Matters relating to design are addressed in the main body of this report.

#### 7.1.2 Layout, Parking and Access

- Developer should contribute towards footpath improvements along Beachy Head Road;
- Only one disabled parking space provided;
- No visitor parking space provided;
- No storage area of charging points for invalid carriages;
- No physical protection for pedestrians accessing the site;
- Vehicle and pedestrian access is too narrow;
- Waste collection lorry will struggle with access;
- Not enough car parking provided;
- Poor access to public transport and shops;
- No electric vehicle charging points are provided;
- Will result in increase in traffic;
- There is no turning capacity for refuse vehicles;
- Difficult for emergency vehicles to access;
- The site should be accessed from Darley Road;

#### 7.1.3 Residential and Environmental Amenity

- Overlooking of 26-28 Meads Brow from balconies and doors;
- Would result in light pollution;
- Car park should be provided beneath building to reduce noise and visual impact;
- Would cause overshadowing and overlooking towards Darley House;
- Would contravene articles 1 and 8 of Human Rights Act (right to peaceful enjoyment of possessions and right to respect for private and family life);
- Sound reduction measures should be incorporated;

#### 7.1.4 Ecology/Biodiversity

- No reference made to protected species and badger sett and runs within the site;
- There is a badger sett on site as well as badger runs;
- Loss of trees;
- Negative impact upon National Park;
- Tree planting required;
- Ecologist report required;
- Bats have been seen above and around the site;
- No arboricultural report has been provided;
- Lack of detail on tree and hedge planting

OFFICER COMMENT IN RESPONSE : Construction works would take place within a residential garden and a regularly maintained garden area and, as such, it is not considered that a full ecological report would be justified, Notwithstanding this, the applicant will be made aware of their legal responsibilities in relation to the Protection of Badgers Act 1992 and the Wildlife and Countryside Act 1981 (as amended).

#### 7.1.5 Construction Works

- County Archaeologist should assess impact bearing in mind the Iron Age history of the site;
- Impossible to see how construction vehicles will access the site;
- Will disturb ground around site boundaries;
- Could destabilise soil and result in landslip;
- If approved, there should be restriction on hours that construction works can take place and consideration of where workers would park vehicles

OFFICER COMMENT IN RESPONSE : The site is not located within, or adjacent to, an Archaeological Notification Area and it would therefore not be reasonable to require archaeological works to be carried out prior to commencement of development. Impact upon land stability would be addressed at the Building Regulations stage. Condition 8 of the outline approval (181058) requires the submission of a Construction Method Statement to be submitted to and approved by the Local Planning Authority prior to commencement of development. This statement would cover the demolition and construction phase and would need to include the following details:-

- i. Parking for vehicles used by site operatives and visitors;
- ii. Arrangements for the loading and unloading of plant and materials;
- iii. Secure storage arrangements for plant, materials and other construction related apparatus during construction phase of the development
- iv. Delivery and working hours
- v. Wheel washing facilities.

#### 7.1.6 Submitted Documents

- Design and Access Statement includes subjective comments;
- Drawings are of poor quality;
- Drawings of the existing building are not accurate;
- Site section shows boundary hedge as being higher than it is;
- Accurate measurements should be provided on plans;
- Submitted plans are no more detailed than those provided at outline stage.

OFFICER COMMENT IN RESPONSE : There is an element of subjectivity involved when assessing the design and scale of a development in terms of impact upon surroundings. The submitted plans are drawn to scale and measurements from these plans are included in the officer report. The application report is based on the submitted plans as well as observations made on a site visit.

#### 7.1.7 Drainage

- Local drains are already at capacity.

#### 7.1.8 Obligations

- There are covenants in place to prevent building of flats on the site;
- No affordable housing provided.

OFFICER COMMENT IN RESPONSE : Covenants are a legal matter and do not influence planning decisions. An application for planning permission does not override a covenant. In allowing the appeal against the refusal of outline permission (181058) the Planning Inspector accepted the applicant's argument that it would not be viable to provide affordable housing either on site or as a commuted sum.

### 8.1 Principle of development

- 8.1.1 The principle of erecting a new building accommodating 17 one and two bedroom apartments and associated access and parking has been established following the approval of outline permission by the Planning Inspectorate. Layout and access arrangements were also approved at the outline stage. The current application therefore relates only to the appearance, scale and landscaping arrangements of the development.
- 8.1.2 The outline scheme involves development within what is currently a residential garden. Para. 68 (c) of the Revised National Planning Policy Framework states that Local Planning Authorities should 'support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using

suitable sites within existing settlements for homes.’ This needs to be taken into context with the direction given in para. 70 which states that ‘inappropriate development of residential gardens, for example where development would cause harm to the local area.’ And this is echoed in para. 122 (d), which supports increased residential density provided an area’s prevailing character and setting (including residential gardens) as maintained. It is therefore important to ensure that the scale and appearance of the building and the landscaping of the site preserve a sense of green space and do not compromise the wider character of the area.

- 8.1.3 Para. 127 of the Revised National Planning Policy Framework requires that development is inclusive and accessible, promotes health and well-being and a high standard of amenity for existing and future users. The reserved matters will be assessed in this context, with particular reference to potential impacts upon environmental, residential and visual amenity.

## 8.2 Planning Obligations

- 8.2.1 The outline application was refused by the Council due to, amongst other reasons, the failure to deliver any contribution towards affordable housing, either by way of on-site provision or through a commuted sum. The applicant maintained that this was on the grounds of the financial viability of the scheme and this was supported by the Planning Inspector in approving the subsequent appeal. As such, there is no requirement for affordable housing to be provided.

- 8.2.2 No works requiring the use of planning obligations are required. Modifications to the public highway that are necessary in order to allow for safe access by vehicles and pedestrians will be secured through the use of a Section 278 agreement.

## 8.3 Impact of proposed development on amenity of adjoining occupiers and surrounding area

- 8.3.1 The proposed building reaches within fairly close proximity of the boundary with Weald House to the north (approx. 2 metres), although the building occupying the site is some distance away (approx. 26.5 metres). There are first and second floor level balconies that offer views to the north, although their primary aspects are east/west. However, these balconies are stepped further away from the boundary and, include an element of screening/balustrading that would restrict outlook to an extent. In any case, there is an embankment and a belt of mature trees flanking the northern site boundary which provide an effective and visually sympathetic screen to Weald House.

- 8.3.2 Windows to the front of the proposed building would face towards the rear of 26 and 27 Meads Brow. However, it is considered that the distances maintained between the site boundary (minimum of approx. 14 metres) and buildings (minimum of 27.5 metres), the topography (with 26 and 27 Meads Brow being on higher ground, and the presence of site boundary screening and landscaping, would combine to prevent intrusive views either from the proposed building towards those properties or vice versa. Views towards 64 Darley Road would also be effectively screened by the varying topography, orientation of the

proposed windows in relation to the neighbouring property and the degree of separation maintained.

8.3.3 All of the proposed flats would have access to a private balcony/terrace. It is considered that this would be acceptable provided suitable screening is provided to prevent invasive views towards neighbouring properties, including other units within the proposed development. The proposed balconies and terraces are of modest size and would be likely to allow for use by large congregations of people, meaning that usage would be unlikely to cause disturbance towards neighbouring residents. The amount of communal amenity space available would also mean that any larger gatherings of people would be likely to be concentrated there, where there would be less impact upon neighbouring residents.

8.3.4 The proposed building reaches up to three-storeys in height. However, due to its predominantly flat roof design, it only exceeds the ridge height of the existing building in the gable ended elements. The footprint is also not significantly larger than that of the existing building and is stepped away from site boundaries and neighbouring buildings. The topography of the site, which falls away from the level of neighbouring properties on Meads Brow, would soften the visual impact of the building as would the self-contained nature of the site which is bounded by mature trees and embankments.

8.3.5 The proposed building incorporates a number of stepped changes in height, staggered elevation walls and a mixed palette of external materials. These design elements help to prevent the building from appearing overly bulky or oppressive. It is considered that the combination of the design attributes of the building along with its siting and orientation would ensure that it would not bring about any undue overshadowing or overbearing impact towards neighbouring residents.

#### 8.4 Living conditions for future occupants

8.4.1 The table below provides a comparison between floor space provided and the minimum GIA required under the Technical housing standards – nationally described space standards.

Level & Unit No.	Type of Unit	GIA*	Recommended GIA**
GF Unit 1	2 bed 4 person	74 m <sup>2</sup>	70 m <sup>2</sup>
GF Unit 2	2 bed 4 person	77 m <sup>2</sup>	70 m <sup>2</sup>
GF Unit 3	2 bed 3 person	75 m <sup>2</sup>	61 m <sup>2</sup>
GF Unit 4	2 bed 4 person	76 m <sup>2</sup>	70 m <sup>2</sup>
GF Unit 5	1 bed 2 person	55.5 m <sup>2</sup>	50 m <sup>2</sup>
GF Unit 6	2 bed 4 person	76 m <sup>2</sup>	70 m <sup>2</sup>
FF Unit 7	2 bed 4 person	74 m <sup>2</sup>	70 m <sup>2</sup>
FF Unit 8	2 bed 4 person	77 m <sup>2</sup>	70 m <sup>2</sup>
FF Unit 9	2 bed 3 person	75 m <sup>2</sup>	61 m <sup>2</sup>
FF Unit 10	2 bed 4 person	76 m <sup>2</sup>	70 m <sup>2</sup>
FF Unit 11	1 bed 2 person	55.5 m <sup>2</sup>	50 m <sup>2</sup>
FF Unit 12	2 bed 4 person	76 m <sup>2</sup>	70 m <sup>2</sup>

SF Unit 13	1 bed 2 person	60 m <sup>2</sup>	50 m <sup>2</sup>
SF Unit 14	2 bed 4 person	67 m <sup>2</sup>	70 m <sup>2</sup>
SF Unit 15	2 bed 3 person	68 m <sup>2</sup>	61 m <sup>2</sup>
SF Unit 16	2 bed 4 person	77 m <sup>2</sup>	70 m <sup>2</sup>
SF Unit 17	2 bed 4 person	70 m <sup>2</sup>	70 m <sup>2</sup>
* = Gross Internal Area ** = As per DCLG's Technical housing standards – nationally described space standard			

8.4.2 All units would meet minimum space standards and, in the majority of instances, exceed them. All units would have a clear and uncomplicated layout, avoiding awkwardly shaped rooms and long corridors. All habitable rooms would be adequately served by clear glazed windows allowing for a satisfactory level of natural light permeation as well as natural ventilation. A number of units would have dual aspects, further enhancing natural light and ventilation provision.

8.4.3 All units would have access to private amenity space in the form of terraces at ground floor level and balconies on upper floors. In addition, a sizeable area of communal amenity space would be provided to the rear of the site in an area which forms the rear garden of the existing dwelling and provides a verdant setting on account of the number of surrounding trees and other landscape features.

8.4.4 The surrounding environment is residential and there are no potential sources of noise, light or air pollution nearby that would have the potential to cause nuisance to future residents, nor are there any nearby uses that would have their ongoing operation prejudiced by the presence of the proposed development.

## 8.5 Design and Layout

8.5.1 The site is considered to be visually distinct from the other plots on Meads Brow on account of it being on land that is at a lower level and well screened by soft and hard landscaping. The existing dwelling does not correspond to the general characteristics of buildings on Meads Brow, these being detached chalet and split level dwellings, due to its design, height and sprawling footprint. It is more in keeping with the character of neighbouring plots to the north and south, which are occupied by larger buildings in the form of Weald House and 64 Darley Road respectively.

8.5.2 The footprint of the proposed building would not be significantly different from that of the existing dwelling, which is rather sprawling in nature, and the proposed hard surfaced car parking area to the front of the building would occupy a similar area, and be in a similar position, to the existing car parking area present on site. The rear of the site would remain as a lawn and the mature boundary landscaping would be largely maintained, with the any landscaping clearance within the site interior being limited to the removal of ornamental planting.

8.5.3 As the footprint of the building is part of the site layout agreed at outline stage it dictates the scale of the development to a certain extent in terms of the number

of storeys required to accommodate 17 new flats (the number of flats to be provided was also established by the outline approval). The need for three-storeys is therefore justified and accepted. The overall scale of the building has been minimised through the use of flat roofing which is the predominant form of the building. Gable ended elements have been used to break up the roof line and to introduce articulation, as have step changes in height and staggered elevation walls. These design attributes serve to break up the mass of the building, preventing it from appearing bulky or oppressive whilst also making reference to the form of the dwelling currently occupying the site.

8.5.4 As the proposed building has a clearly defined frontage with an open area to the front that would engage with the wider street scene and ensure that the development does not appear divorced from its surroundings. The parking area would benefit from good levels of surveillance from the windows of flats as would the communal amenity area to the rear of the site. The level of surveillance provided would discourage anti-social behaviour, counter any perceived fear of crime and would ensure a safe environment is provided for residents using these areas. The Sussex Police Secured by Design Officer has stated that the parking area should also be illuminated. Given the sensitivity of external lighting in the area as a result of the proximity of the site to the South Downs National Park, a condition will be used to secure a sympathetic low level lighting scheme. Bollard lighting is not recommended as it does not allow for easy facial recognition.

8.5.5 The Secured by Design Officer has also highlighted the lack of defensible space provided around ground floor windows as well a lack of any barrier to prevent access to the rear of the development via the narrow gaps to the side of the building. In the interest of the security of future occupants, this would need to be addressed and this can be achieved through the use of a planning condition.

## 8.6 Highway Impact

8.6.1 The access arrangements for the site have been approved as part of the outline permission. The existing site access from Meads Brow will be utilised, with minor works taking place on the highway in order to provide a designated pedestrian route to the site. This pedestrian route would flank the existing turning head adjacent to the site access. This access arrangement was approved as a result of the successful appeal against the refusal of outline permission for the development, during which a plan showing a raised kerb footpath extending to the site access point was provided. Within the car park, a pedestrian route would be marked out in order to draw the attention of motorists. Full details showing how the route would be marked out and the use of other identification aids such as textured paving will be secured through the use of a condition, to be discharged in consultation with ESCC Highways.

8.6.2 The quantum of parking provided (21 bays) is adequate to serve the development without resulting in unacceptable parking pressure on the surrounding highway network. A disabled bay would be provided in an appropriate position within close proximity of the main access to the building. The provision of 1 x disabled parking bay accords with the 5% ratio as set out in para. 8.3.26 of Manual for Streets. A suitable amount of cycle parking has been provided in the form of covered Sheffield stands that could accommodate 24 x



bicycles. Whilst the amount of cycle parking provided is considered to be acceptable, the use of an open sided structure to house them is considered to present issues in regard to security, as identified by the Secured by Design Officer. Condition 7 of the outline planning permission requires the submission of full details of a secure and covered cycle storage area, in alignment with the comments of the Secured by Design Officer.

- 8.6.3 Refuse would be collected from the bin store within the site. The County Council's guidance states that waste collection vehicles should be able to get within 25 metres of the storage point. The proposed bin store loading area is approximately 22 metres from the road side.

## 8.7 Impact on trees

- 8.7.1 The boundaries of the adjoining site to the north, occupied by Weald House, are marked by a dense arrangement of mature trees, some of which are the subject of Tree Preservation Orders and all of which perform a useful function in screening the site as well as contributing to the semi-rural character that abounds in the surrounding area. It is noted that the footprint of the proposed development is similar to that of the existing building and would not extend any closer to these trees, which are positioned on a raised embankment.
- 8.7.2 The removal of some trees within the interior of the site would be required in order to accommodate the development. However, these are ornamental garden trees which do not provide any significant amenity or ecological value in terms of the character of the wider surrounding area or warrant any protection order on the grounds of being specimen trees.
- 8.7.3 The proposed development would retain the majority of the lawn area to the rear of the site. New planting will generally be in the form of herbaceous plants and shrubbery that is suited to the domestic nature of the site. Whilst no significant trees are included within the planting programme, the majority of the mature trees distributed along site boundaries will be retained and will continue to generate a verdant character and appearance both within the site as well as the wider street scene.
- 8.7.4 Hard landscaping would include the use of contrasting red and grey brick block paving for the parking areas

## 8.8 Drainage

- 8.8.1 The footprint of the proposed development would not be significantly greater than that of the existing building and there is also the opportunity to replace existing impermeable hardstanding with more permeable surfacing. There is also the potential to further manage surface water run off by introducing green roofing and rain water harvesting equipment through the use of planning conditions.
- 8.8.2 There is the potential for the existing drainage infrastructure within the site to be used, although this would require an investigation into its condition to be performed and necessary upgrades to be made. The proximity to the surface

water sewer on Darley Road is also noted, allowing for the potential of connection without significant civil engineering works, and subject to discharge rates being agreed. The full drainage scheme, which would be secured by condition, would need to demonstrate that surface water runoff rate would not exceed existing levels, including during 1 in 100 year storm events and also taking into account the projected 40% increase in peak rainfall intensity as a result of climate change. Details of the overall drainage scheme are required by condition 9 of the approved outline scheme (181058).

8.8.3 The proximity of the proposed development to a public foul sewer which crosses the site from west to east has been identified by Southern Water as a cause for concern. An easement of 3 metres either side of the sewer is required for maintenance purposes (although this is not currently in place in relation to the existing dwelling). The applicant disputes the position of the sewer shown on Southern Water records and maintains that a 2.5 metre easement can be provided between the sewer and the proposed development, which would be stepped further away from the sewer than the existing dwelling is. Notwithstanding the above, it is the responsibility of the applicant to secure permission from Southern Water for works adjacent to the sewer prior to commencement of development. If a suitable easement cannot be provided then a diversion may be required, subject to a section 185 legal agreement with Southern Water.

8.8.4 Any grant of planning permission would not override the requirement for a suitable easement or diversion to be agreed between the developer and Southern Water. If such an agreement cannot be reached then the layout of the development would need to be modified. This would require an application for a variation to an approved scheme, which would be subject to the full scrutiny of the planning process.

## 8.9 Ecology

8.9.1 The bulk of the proposed development would be accommodated within a previously developed part of the site. The development would be contained fully within an existing residential curtilage, with the garden area being regularly maintained and used and, as such, of limited habitat value. A number of letters of representation have stated that there is a badger sett on site and that the site itself is used as a badger run. The applicant will be made fully aware of their legal duty in regards the disturbance and/or displacement of protected species as set out in the Protection of Badgers Act 1992 and the Wildlife and Countryside Act 1981 (as amended). Failure to comply with this legislation is a criminal offence.

8.9.2 A condition is also recommended in order to secure ecological mitigation measures such as appropriately positioned bat and bird boxes and the planting of native species as part of the landscaping scheme. This could also include the provision of gaps below boundary fencing to allow for fauna such as badger and hedgehog to pass through the site unimpeded.

## 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 listed below and those attached to outline approval 181058:

1. **Time limit:** The development hereby approved shall be commenced no later than expiration of two years beginning with the date on which this permission is granted.

Reason: For the avoidance of doubt and in accordance with condition 3 of the outline permission ref: 181058.

2. **Approved Plans:** The development hereby permitted shall be carried out in accordance with the following approved drawings:-

- 0260-P20 – Location & Proposed Block Plan;
- 0260-P21 – Proposed Site Plan;
- 0260-P22 – Proposed Ground Floor Plan;
- 0260-P23 – Proposed First Floor Plan;
- 0260-P24 – Proposed Second Floor Plan;
- 0260-P25 – Proposed Roof Plan;
- 0260-P26 – Proposed West Facing Elevation;
- 0260-P27 – Proposed South Facing Elevation;
- 0260-P28 – Proposed East Facing Elevation;
- 0260-P29 – Proposed North Facing Elevation;
- 0260-P30 – Site Elevations AA and BB;

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

3. **External Lighting:** No floodlighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with a detailed scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of environmental, residential and visual amenity, including the setting of the South Downs National Park Dark Sky Reserve, in accordance with saved policies NE28, HO20, UHT1 and UHT4 of the Eastbourne Borough Plan.

4. **Hard and Soft Landscaping:** Notwithstanding the approved plans, 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 which should be permeable where feasible;
- b) details of all boundary treatments – to include gaps under fencing to allow for small mammals to pass through the site;
- c) details of all balcony screening;
- d) details of green roof surfacing to assist with surface water drainage;
- e) details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees. Planting should be carried out using predominantly native species;
- f) Ecological enhancements;

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: In the interest of environmental, residential and visual amenity and biodiversity in accordance with saved policies NE28, HO20, UHT1, UHT4, UHT5 and UHT7 of the Eastbourne Borough Plan and Policy D9 of the Eastbourne Core Strategy.

5. **External Materials:** Notwithstanding the details provided on the approved plans and application form, prior to the commencement of any construction above slab level, a schedule of external materials, indicating types, colours, texture and finishes shall be submitted to and approved in writing by the Local Planning Authority, and the approved materials shall be used in the implementation of the development and thereafter so retained.

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

6. **Balconies:** Other than the areas marked as balconies on the floorplans hereby approved, no other parts of the flat roof of the building shall be used as a balcony, roof garden or for any other amenity purposes at any time.

Reason: In the interest of residential amenity in accordance with saved policy HO20 of the Eastbourne Borough Plan.

7. **Refuse and Recycling:** The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the

approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: In the interest of visual amenity and serviceability in accordance with saved policy UHT1 of the Eastbourne Borough Plan and para. 110 of the Revised national Planning Policy Framework.

8. **Sustainable Initiatives:** No development associated with the construction of the building shall take place until details of how the development will incorporate measures to reduce carbon energy use, facilitate renewable energy installations, and lower household water consumption, have been submitted to and approved in writing by the local planning authority. The approved measures shall be put in place prior to the first occupation of the new flats as they are each completed, and retained as such thereafter.

Reason: In order to improve the sustainability of the development and to meet the challenge of climate change in accordance with policy D1 of the Eastbourne Core Strategy and section 14 of the Revised National Planning Policy Framework.

9. **Electric Charging Points:** Prior to the first occupation of the development, a scheme showing the number and location of electric vehicle charging point shall submitted to and approved in writing by the Local Planning Authority. The details as approved shall be installed and operable prior to the first occupation of any of the units. These charging points shall thereafter be maintained in place throughout the lifetime of the development.

Reason: In order to improve the sustainability of the development and to meet the challenge of climate change in accordance with policy D1 of the Eastbourne Core Strategy and section 14 of the Revised National Planning Policy Framework.

10. **Badger Survey:** Prior to site clearance, a Badger walk-over survey of the site and 30m of adjacent land (access permitting) must be carried out by a suitably qualified and experienced ecologist to check for badger activity. If badgers will be impacted on by the development proposals, appropriate mitigation to safeguard them must be submitted to the Local Planning Authority and approved in writing. A licence may be required from Natural England to proceed lawfully.

Reason: In order to ensure protected species are not disturbed in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992.

## **Informatives**

1. **Southern Water Drain:** Southern Water require an easement of a minimum of 3 metres either side of the main sewer running across the site. This also applies to tree planting. If this is not possible then a diversion may be required. Planning permission does not override the need to agree details with Southern Water prior to commencement of development. Please

contact [developerservices@southernwater.co.uk](mailto:developerservices@southernwater.co.uk) for further details.

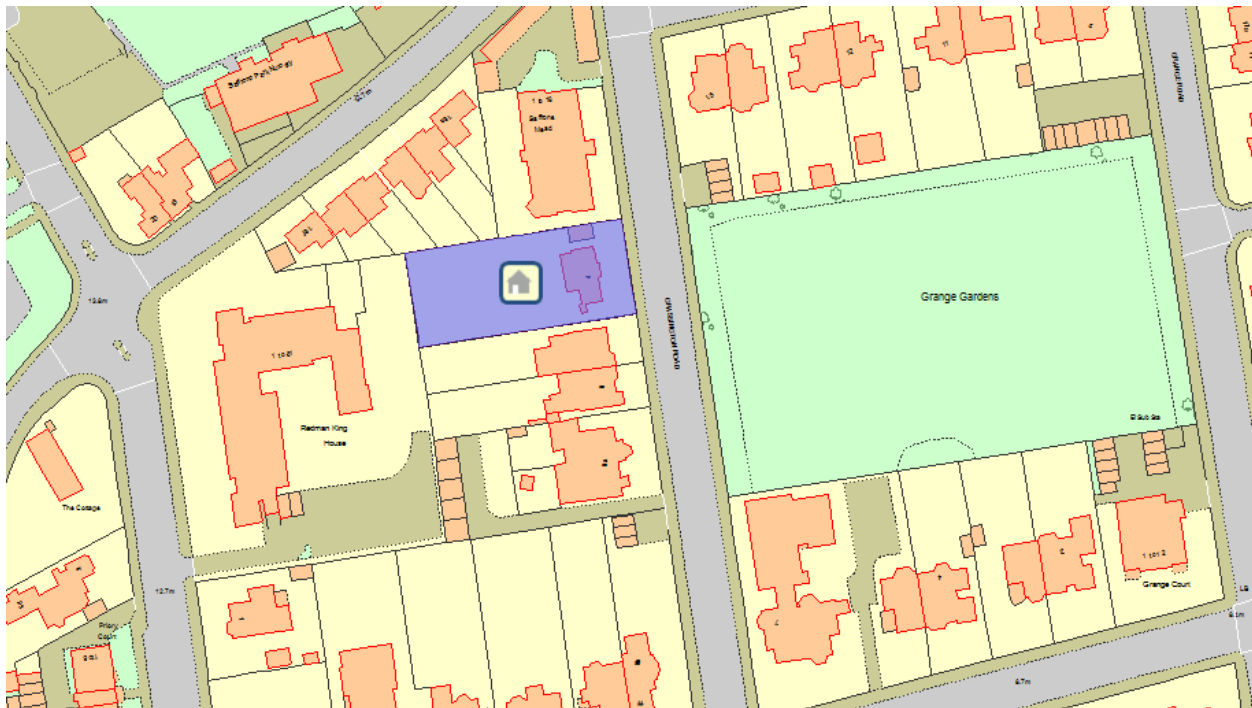
2. **Wildlife Protection:** The applicant is reminded of their legal duty to ensure the protection of wildlife during and after development as set out in the Countryside and Wildlife Act 1981 (as amended) and the Protection of Badgers Act 1992.
3. **Surface Water Management:** The applicant is reminded of their obligations under the Pevensey and Cuckmere Water Level Management Board.

## 11. **Appeal**

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

# Agenda Item 8

<b>App.No:</b> 190824	<b>Decision Due Date:</b> 19 February 2020	<b>Ward:</b> Meads
<b>Officer:</b> James Smith	<b>Site visit date:</b> 4 <sup>th</sup> February 2020	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 9 February 2019 <b>Neighbour Con Expiry:</b> 9 February 2020 <b>Press Notice(s):</b>		
<b>Over 8/13 week reason:</b> Committee Cycle/Consultee Responses		
<b>Location:</b> Glebe Cottage, 4 Grassington Road, Eastbourne		
<b>Proposal:</b> Demolition of existing dwelling. Proposed block of 11no. flats with associated parking to rear.		
<b>Applicant:</b> Urban Developments SE Ltd		
<b>Recommendation:</b> Approve Conditionally – subject to confirmation of acceptable drainage arrangements		
<b>Contact Officer(s):</b>	<b>Name:</b> James Smith <b>Post title:</b> Specialist Advisor (Planning) <b>E-mail:</b> james.smith@eastbourne.lewes.gov.uk <b>Telephone number:</b> 01323 415026	



## **1 Executive Summary**

- 1.1 The proposed development would provide a more efficient use of a large plot in a sustainable location and is therefore supported by the Revised National Planning Policy Framework which highlights the importance of increasing residential density in such locations, particularly in areas (such as Eastbourne) where there is a shortage in housing land supply.
- 1.2 The proposed scheme has responded to the reasons for refusal of the previous application by reducing the number of storeys, stepping the building further in from site boundaries and reducing the amount of the rear garden space removed due to the provision of car parking. The proposed structure is considered to provide a suitable transition between two-storey dwellings to the south and the five-storey flatted development at Saffrons Mead.
- 1.3 The applicant has provided a Financial Viability Assessment which has been reviewed independently by Chartered Surveyors, who have concluded that it would not be viable for the development to include affordable housing provision or for a commuted sum to be paid towards the provision of affordable housing.
- 1.4 The suitability of the use of infiltration drainage on the site has been questioned by the Lead Local Flooding Authority (LLFA), primarily due to a lack of supporting data. The results of percolation testing on the site have now been submitted to the LLFA to be assessed. Permission would only be granted if the LLFA are satisfied the use of soakaways could manage surface water run-off existing (greenfield) rates or lower.
- 1.5 Scheme is recommended for approval subject to the clarification on the surface water issues as outlined above.

## **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
- 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
- C11 Meads Neighbourhood Policy
- D5 Housing
- D7 Community, Sport and Health
- D10 Historic Environment
- D10a Design



## 2.3 Eastbourne Borough Plan Saved Policies 2007

NE28 Environmental Amenity  
UHT1 Design of New Development  
UHT4 Visual Amenity  
UHT5 Protecting Walls/Landscape Features  
UHT7 Landscaping  
UHT16 Protection of Areas of High Townscape Value  
US4 Flood Protection and Surface Water Disposal  
HO2 Predominantly Residential Areas  
HO7 Redevelopment  
HO20 Residential Amenity  
TR2 Travel Demands  
TR11 Car Parking

## 3 **Site Description**

- 3.1 The site is occupied by a detached two-storey red/brown brick which is set back from the street, with a lawned area to the front. No significant alterations or additions have been made to the existing building. The site is enclosed by a flint and brick wall which is approximately 1.5 metres height on the site frontage, stepping up to approximately 2 metres to the side and rear boundaries. There is a detached flat roof garage to the northern side of the dwelling, accessed via a dropped kerb crossover on Grassington Road. To the rear of the site is a large lawn area, a small outbuilding is positioned approximately midway down the lawn, adjacent to the northern site boundary.
- 3.2 The site is located on a residential road that is characterised by large, prominently positioned detached and semi-detached properties, which are set back from the street. Original buildings are occasionally interspersed with more modern purpose built flats. A significant number of the original dwellings have also been subdivided and/or extended for use as flats. This includes the neighbouring property to the north, Saffrons Mead. Building heights vary between two and five storeys.
- 3.3 The site is directly opposite Grange Gardens, a relatively large open green space that is enclosed by walls and bordered by mature trees. There is a verdant nature to the wider street scene due to the presence of mature street trees which augment with landscaping within front garden areas of the properties on the road.
- 3.4 The buildings to the north and south of the open space, on Grange Road and Grange Gardens, fall within the College Conservation Area. The site itself is not within the existing Conservation Area boundary but does fall within an extended area of College Conservation Area which is subject yet to Cabinet approval. There are no other specific planning designations attached to the site.

## 4 **Relevant Planning History**

- 4.1 **190264** - Demolition of existing dwelling. Proposed 16N° block of flats with associated parking to rear – Refused 26<sup>th</sup> June 2019 (Appeal in progress).

## **5 Proposed development**

- 5.1 The proposed development involves the demolition of the existing dwelling and replacement with a four-storey block of flats which would accommodate 11 separate residential units (1 x 1 bedroom, 2 x 2 bedroom, 8 x 3 bedroom). The third floor of the building would be accommodated within the roof space. The overall footprint of the building would be approximately 309 m<sup>2</sup>. The bulk of the northern flank elevation would be stepped in approximately 2.2 metres from the northern site boundary (shared with Saffrons Mead) and approximately 4.2 metres from the southern site boundary (shared with 6 Grassington Road).
- 5.2 The proposed building would have a hipped roof with four gable ended dormers installed within the front (east) roof slope and recessed balcony areas installed to the rear. There would be projecting three-storey elements to the side elevations, the element on the southern elevation being cantilevered so as to allow for space at ground floor level for vehicles to pass to the car parking area at the rear of the site. The proposed building would stand at approximately 13.3 metres to roof ridge height, with the eaves at approximately 10.5 metres. At building would be approximately 18.75 metres at its widest point and approximately 20.75 metres in depth.
- 5.3 The proposed development would be served by a total of 10 x car parking bays which would be positioned to the rear of the building. Access would be provided via a new dropped kerb crossover on Grassington Road and an access drive that would pass along the southern boundary of the site. A cycle store would also be provided to the rear along with a landscaped area for communal amenity use. A bin store area would be provided to the front of the building, adjacent to the driveway.
- 5.4 The two 3 bedroom flats located on the top floor of the building would have balconies to the rear which would be recessed beneath the main roof. Upper floor flats to the rear of the building would have living rooms served by 'Juliet' balconies.

## **6 Consultations**

### **6.1 Specialist Advisor (Planning Policy)**

- 6.1.1 This application proposes the demolition of the existing dwelling and the construction of a block of 11 flats. Parking will be at the rear of the development. The site is located within the 'Meads Neighbourhood' as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013).
- 6.1.2 Policy C11 is the 'Meads Neighbourhood' policy, which sets out the vision for this area as the following; 'Meads will strengthen its position as one of the most sustainable neighbourhoods in the town. It will make an important contribution to the delivery of housing and increasing its importance to the tourism industry, whilst conserving and enhancing its heritage and historic areas.' This vision will be promoted through a number of factors, including 'Providing new housing through redevelopments and conversions in a mix of types and styles'. It has been identified in the Core Strategy as the second most sustainable

neighbourhood in the borough.

- 6.1.3 The National Planning Policy Framework (NPPF) requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of October 2019, Eastbourne is only able to demonstrate a 1.43 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. National policy and case law has shown that the demonstration of a five year supply is a key material consideration when determining housing applications and appeals. It also states that where relevant policies are out-of-date, permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole", (NPPF, paragraph 11).
- 6.1.4 As the proposed development results in the net gain of 10 dwellings, there is a requirement to contribute towards affordable housing. In the Meads Neighbourhood, a contribution of 40% of the Net dwellings would be required, which in this case equates to 4 units. The planning statement describes that "it is not considered practical or economic to provide affordable housing within the proposed development, particularly bearing in mind the existing site value." There is no evidence provided that affordable housing is not viable on this development. There is no indication that a commuted sum would be provided instead. Using the Eastbourne Affordable Housing SPD, the commuted sum has been calculated as £265,663.
- 6.1.5 The total worked out by floorspace for the entire development is £730,580.9. As one of the 11 flats is not required to contribute, one eleventh of this total is removed. This works out as £664,164.45. Only 40% of this is required, so the total is £265,663. As it is a development of flats, this application would not be CIL liable.
- 6.1.6 The Core Strategy states that the Meads Neighbourhood is one of the Borough's most sustainable neighbourhoods. Policy B1, as mentioned in the Spatial Development Strategy explains that higher residential densities will be supported in these neighbourhoods. This site would be considered a brownfield site and the strategy states that 'in accordance with principles for sustainable development, it will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land'. This site would be considered a windfall site, as it has not previously been identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). The application will result in a net gain of 10 residential units and the Council relies on windfall sites as part of its Spatial Development Strategy policy B1, as stated in the Core Strategy.
- 6.1.7 The Borough Plan Policy HO2 identifies this location as being predominantly residential. Large parts of the neighbourhood have been redeveloped into purpose-built flats (Core Policy, 2013). In this area, windfall sites are one of the ways additional housing is achieved.
- 6.1.8 It is important to note that this site is identified as being within an area of High Townscape Value as described in UHT16 of the Eastbourne Borough Plan. The

planning statement argues that the new development would be in keeping with the surrounding Townscape.

- 6.1.9 The principle of this development is supported by policy, in accordance with the Affordable Housing SPD; viability evidence will need to be provided that affordable housing is not available on site. If this is the case, a commuted sum payment will be required. If the payment of the commuted sum means that the development is not viable, this will also require evidence. In the absence of such evidence, the application is not supported by policy.

6.2 SUDS:

- 6.2.1 No information has been provided to show how surface water runoff from the application site will be managed, apart from the application form that indicates that soakaways will be used. However, there is no evidence submitted to show that infiltration is feasible.
- 6.2.2 British Geological Survey (BGS) data shows that groundwater is less than 3m below ground level at the application site and that there is a 'potential for groundwater flooding...' Borehole records close to the site (available on the BGS website) and within the same geological layer show that groundwater was recorded at 1.8m below ground level. Therefore, infiltration systems in the form of soakaways are unlikely to be feasible.
- 6.2.3 The public sewer record indicates that there is a public surface water sewer that the application could discharge surface water runoff into. However, the proposals increase the impermeable area at the application site, which increases the surface water runoff from the site even if the current property is connected to the public sewer. Therefore, any proposed discharge into the public surface water sewer has to be agreed by Southern Water.
- 6.2.4 The applicant should provide a robust surface water manage strategy, which manages surface water runoff appropriately. If discharge to the public sewer is proposed, evidence that Southern Water has agreed to the discharge rate should be provided together with the hydraulic calculations showing surface water will be discharged at the agreed rate without increasing flood risk.

6.3 ESCC Highways:

- 6.3.1 Consulted on 25<sup>th</sup> November. No response received to date. Standing advice has been followed.

6.4 Meads Community Association:

- 6.4.1 Glebe Cottage is a detached four bedroom house with a good sized garden laid to lawn opposite an open space Grange Gardens. Next door are 2 semi-detached houses with other similar houses along Grassington Road. There is a block of apartments the other side, 2 Saffrons Mead which was constructed in 1987/8 following the sale and demolition of a larger property belonging to Eastbourne College, Pennell House.

- 6.4.2 The developers are using the Saffrons Mead development and have cited other developments in the area as reasons to promote the development of Glebe Cottage. None of those examples referred to in the planning statement have the same impact on neighbouring properties as this proposed development. We consider that such large scale development as proposed is now out of keeping with the layout and environment of Meads. Our objections are as follows:
- 6.4.3 The site is too small to accommodate a development on the scale proposed - a four storey block of 11 apartments plus 10 parking spaces behind, replacing a two-storey detached house with garden. The previous application was for 14 two bedroomed flats and two three bedroomed flats. This application is for a one bedroom flat and 10 three bedroom flats therefore the possible number of residents could be well above thirty residents.
- 6.4.4 Adjoining properties on both sides of the proposed development site would suffer from loss of light, over-shadowing and loss of privacy as would the properties at the rear of the development. The north wall of the proposed new block is just one metre from the boundary of the 4 Grassington Road site and four metres from the wall and windows of the flats on the south side of the adjacent Saffrons Mead block (2 Grassington Road). The site plan with the application suggests that the rear wall of the proposed block will be at least 2 metres further back than the rear walls of the adjoining properties.
- 6.4.5 When Saffrons Mead was built in 1987/88 it replaced a building of very similar size and it is located on the corner of Meads Road. The same is not true of the proposed development at 4 Grassington Road; moreover, the latter will be directly across the road from the important Grange Gardens open space. The proposed development will not provide “aspirational homes”, i.e. housing suitable for young families, in The Meads.
- 6.4.6 Most of the rear lawn garden would disappear to be replaced with concrete hard standing for resident’s vehicles. The plan makes no provision for visitor parking, or residents who own more than one car. Parking is at a premium at all times in Grassington Road being close to the town centre and the development would add to that pressure.
- 6.4.7 The objection submitted by the Pevensey & Cuckmere Water Level Management Board on 10 December notes that the applicant has provided insufficient information to allow assessment of the proposed development in flood risk terms and that a robust strategy to manage surface water runoff appropriately needs to be provided. The application only mentions soakaways but British Geological Survey data for the vicinity apparently suggest that infiltration of surface water is not feasible.
- 6.4.8 The development site’s location is likely to be within the extension to the Eastbourne College Conservation Area recommended in the recent consultant’s report due for consideration imminently by the Council’s Planning Committee. This area of Meads is also designated as an “area of high townscape value”.
- 6.4.9 The development site’s location is likely to be within the extension to the Eastbourne College Conservation Area recommended in the recent consultant’s

report due for consideration imminently by the Council's Planning Committee and Cabinet. This area of Meads is also designated as an "area of high townscape value".

**6.5**      Specialist Advisor (Regeneration):

6.5.1      In line with the Local Employment and Training Supplementary Planning Document, adopted November 2016, this planning application qualifies for a local labour agreement as it meets the threshold for a residential development.

6.5.2      The proposed development will offer employment, contracting and supply trade opportunities to the local economy.

6.5.3      In light of the above, Regeneration supports the proposal and requests the inclusion of a local labour agreement should the application receive planning approval.

**7**          **Neighbour Representations**

7.1          Following public consultation, 12 letters of objection have been received, the contents of which are summarised below:-

**7.2**          Design/Visual Impact

- Overly dominant towards houses on Meads Road and Grassington Road and Saffrons Mead;
- Majority of nearby buildings are two-storey;
- Overdevelopment of site;
- Loss of house that gives character to area;
- Presence of large structure close to Saffrons Mead would increase impact of strong winds;
- Not enough space to sides of building to allow for maintenance;
- Existing building could be extended and converted instead;
- Insensitive design;
- Will impact setting of Grange Gardens;
- Unsuitable external materials;
- Loss of trees.

**7.3**          Residential Amenity

- Noise and light pollution from vehicles and from windows and balconies;
- Noise survey is inadequate;
- Level of activity would be disruptive;
- Loss of natural light;
- Loss of privacy;
- Breach of Protocol 1, Article 1 of Human Rights Act (1998) – Protection of Property);
- Noise and disruption due to proximity of driveway and building entrance to 6 Grassington Road;
- Windows in southern elevation facing directly towards 6 Grassington

- Road;
- Rear wall of building would project further to the rear of the site than neighbouring buildings;
- Northern elevation will be closer to the site boundary;
- Views from balconies into conservatory at 6 Grassington Road would be possible;
- Loss of tranquillity.

#### 7.4 Highway Impact/Parking

- Not enough car parking provided and on-street spaces will also be lost;
- No visitor parking provided.

#### 7.5 Infrastructure/Drainage

- Increased risk of surface water flooding;
- Pressure on infrastructure due to cumulative impact with nearby development.

#### 7.6 Accommodation Provided

- Loss of a family house;
- Variety of housing needed, not just flats;
- Would not provide 'aspirational homes';
- No private outdoor space for use by families.

#### 7.7 Accommodation Provided

- Loss of a family house;
- Variety of housing needed, not just flats;
- Would not provide 'aspirational homes';
- No private outdoor space for use by families.

#### 7.8 Other Matters

- Imminent extension of Conservation Area should prevent this form of development;
- Covenants restrict the use of the land to maximum of two houses;
- Inconsistencies between plans and comments in Planning Statement (position of access).

### 8 **Appraisal**

#### 8.1 Principle

- 8.1.1 The site is located within the built-up area, where the principle of residential development is acceptable. The site also falls within an area identified as predominantly residential within the Eastbourne Borough Plan. The redevelopment of sites in predominantly residential areas is encouraged by Policy HO2 of the Borough Plan.

- 8.1.2 Para. 11 of the revised NPPF (2019) states that decision taking should be based on the approval of development plan proposals that accord with an up-to-date development plan without delay.
- 8.1.3 Where the policies that are most important for determining the application are out of date, which includes, for applications involving the provision of housing, situations where the local authority cannot demonstrate a five year supply of deliverable housing sites, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the NPPF as a whole. Currently, Eastbourne is only able to demonstrate a 1.43 year supply of land (as of October 2019). This proposal, for 10 additional units, would make a contribution towards increasing the number of year's supply of housing land.
- 8.1.4 Para. 122 of the Revised National Planning Policy Framework (NPPF) states that planning decisions should support development that makes efficient use of land. This is caveated by section (d) of the paragraph which instructs decision to take into account 'the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change.
- 8.1.5 Para. 123 instructs local planning authorities to seek optimal use of land in terms of residential density, particularly where there is a shortage in housing land supply. Para. 118 (e) identifies extensions into airspace above existing residential premises as a means to achieve this, where the development would be consistent with the prevailing street scene.
- 8.1.6 Para. 127 refers to potential impacts on character and remarks that development should be 'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)' and that development should also create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.1.7 The scheme would therefore need to satisfy all other relevant local planning policies, which reflect NPPF requirements for good design and protection of visual and residential amenities (Chapter 12), community needs and social interaction (Chapter 8), highway impacts (Chapter 9). This will be assessed in the main body of this report.

## 8.2 Affordable Housing

- 8.2.1 Para. 62 of the Revised NPPF states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:
- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and



- b) the agreed approach contributes to the objective of creating mixed and balanced communities.

The proposed development involves the net gain of 10 residential units and, therefore, represents major development. Para. 64 of the Revised NPPF states that a minimum of 10% of units within major development should be provided as affordable housing.

- 8.2.2 Policy D5 of the Eastbourne Core Strategy reflects this national position and sets a requirement for 40% of units to be provided in 'High Value Areas' (of which the Meads Ward is an example).
- 8.2.3 The adopted Affordable Housing Supplementary Planning Document, which provides a companion to Policy D5, states that, in circumstances of negative viability, the applicant should follow a hierarchy of alternative ways to provide affordable housing. The applicant has stated that it would not be viable to provide affordable housing either on-site as part of the development, off-site or via a commuted sum. Para. 7.8 of the Affordable Housing SPD provides the following commentary for these circumstances:-

*To abandon the requirement for affordable housing to be provided or funded as a consequence of the development. This option will not normally be considered unless there is clear, justifiable and independently verified evidence that none of the options detailed above are viable.*

- 8.2.4 The applicant provided a Financial Viability Assessment which concluded that the delivery of, or contribution towards, affordable housing would render the scheme unviable. This document was independently assessed by a Chartered Surveyor, who also concluded that the development would not be viable if a contribution towards affordable housing was required. In this instance, it is therefore considered that there is a clear and justified reason for omitting affordable housing from the development.

### 8.3 Loss of Existing Building

- 8.3.1 Whilst of pleasant appearance, the existing building, which is relatively modern, is not the subject of any special designations, be it local or national listing, nor is it considered to possess any attribute to make it worthy of such a status.
- 8.3.2 The existing dwelling is notably smaller than the majority of buildings on Grassington Road but is located on a sizeable plot. It is therefore considered entirely reasonable to explore possibilities for a more efficient use of the site, as encouraged by the National Planning Policy Framework.
- 8.3.3 It is therefore considered that no objections should be raised to the removal of the existing building.

### 8.4 Impact upon Conservation Area

- 8.4.1 The site is currently designated as an Area of High Townscape Value but is positioned on land within the proposed enlarged College Conservation Area.

Given the advanced stage of the consultation process relating to this expansion, a suitable degree of weight is attached in terms of the impact of the development upon the heritage status of the site and the wider surrounding area.

- 8.4.2 As set out above, it is not considered that the exiting building possesses any significant heritage value, as confirmed in the Appraisal for the potential expansion of the College Conservation Area, which designates the building as making little or no contribution to the character and appearance of the area. The appraisal notes there is a variation in built form within the surrounding area due to the 'plot-by-plot' nature of development, the presence of defined building lines and the importance of public and private green space and boundary walls.
- 8.4.3 There is an established presence of larger buildings on this part of Grassington Road and that a new building could be accommodated within the site if is of appropriate design and respects general characteristics of the surrounding area, such as the presence of front boundary walling and landscaping as well as street landscaping, and does not obscure or damage any important views or architectural features, or the setting of nearby buildings.
- 8.4.4 It is considered that the proposed development preserves important aspects of the street scene in the form of boundary walls and landscaping and would also retain a suitable level of open green space to the rear of the site. Established building lines are not compromised and, as such, the 'planned' nature of the development on this part of Grassington Road would not be compromised.

## 8.5 Density

- 8.5.1 As stated above, para. 123 of the Revised NPPF encourages intensification of residential density in new development, particularly in areas where there is a shortfall on housing land supply. The proposed development would provide 11 residential units on a site with an area of approximately 1230 m<sup>2</sup>, equating to a residential density of approximately 89 dwellings per hectare. Meads is identified as one of the six most sustainable neighbourhoods within the borough by Policy B1 of the Eastbourne Core Strategy, which states that development of a density of up to 127 dwellings per hectare would be supported. The density of the proposed development is therefore considered to be in compliance with this policy, particularly as it would be located within a part of Meads that is in relatively close proximity to the Town Centre (approx. 200 metres walking distance) as well as public transport links and hubs.

## 8.6 Design issues

- 8.6.1 Grassington Road is characterised by buildings of various designs, with more modern structures, such as the flats at Saffrons Mead being an established presence within the street scene. Prominent wide building frontages are also an established feature. The main unifying characteristic displayed within the street scene is the building line, with properties being set back from the road, and the presence of low boundary walling along site frontages.
- 8.6.2 The proposed building includes elements of contemporary design, in contrast to the existing more traditional dwelling that occupies the site. It would also be

significantly larger than the existing building, in terms of height, width and depth. Given the mix of architectural styles present within the street scene and the desirability for a development of this size to possess its own distinctive character, it is considered that a certain level of juxtaposition is acceptable, provided spatial characteristics are preserved. It is also noted that the proposed building incorporates architectural features that relate to similar features on neighbouring properties, such as gable ended dormer windows and ground floor bay windows. Although the main entrance to the building would be to the side, the street frontage contains a good level of architectural detail and fenestrations and would clearly engage with the street scene.

- 8.6.3 The building frontage would be more advanced towards the highway than that of the existing dwelling. However, it would not project significantly further forward than 6 Grassington Road, the neighbouring property to the south, and be in broad alignment with Saffrons Mead, the neighbouring building to the north. The building frontage is also staggered and is stepped further back towards the sides, creating an element of relief and softening any sense of over-dominance towards the buildings on either side of the site. The low brick wall would be maintained along the front boundary, other than a section to be removed to allow for the new site access. This would be mitigated through the stopping up of the existing site access with a matching section of wall.
- 8.6.4 A previous application for a five-storey building accommodating 16 x flats was refused under application 190264 due, in part, to the significant height, bulk and mass of the building and the resultant overbearing and oppressive relationship that it would have had towards 6 Grassington Road. The current scheme has omitted a storey off the building, reducing its ridge height from 16 metres (approx.) to 13.3 metres. The flank southern elevation would be stepped a further 2.85 metres in from the site boundary (4.25 metres in total), and a further 0.7 metres away than the existing dwelling. It is considered that these measures, combined with a more effective articulation of the front elevation and substitution of the large gable ended projections of the original scheme with more modestly sized roof dormers, would soften the visual impact of the building in relation to street scene presence and its relationship with neighbouring buildings. The abrupt increase in building height that the previous scheme prevented would now be managed to a more suitable level, resulting in a managed transition building heights between the 6 Grassington Road and Saffrons Mead, thereby improving visual integration between buildings.
- 8.6.5 The previous scheme also included a large, hard surfaced car parking area for 16 vehicles to the rear of the site. This area occupied the majority of the rear garden space, and was therefore considered harmful towards the character of the area on account of replacing a landscaped garden that contributed towards its spacious and verdant nature. Car parking spaces were also located adjacent to boundaries shared with neighbouring residential properties, with particular concerns being raised about the proximity of parking spaces to the small rear gardens at 15b – 15d Meads Street, which back onto the northern site boundary. The current scheme has reduced the car parking area from approximately 400 m<sup>2</sup> to approximately 306 m<sup>2</sup> and the amount of parking spaces provided to 10. The majority of parking spaces would be positioned away from site boundaries and none would be provided adjacent to the sensitive northern boundary. It is

considered that the reduction in parking area combined with the repositioning of parking spaces would allow the parking area to be integrated without compromising the overall character of the surrounding area or the amenities of neighbouring residents. Notwithstanding the above, the impact of the parking area could be further mitigated through the use of appropriate landscaping, which will be secured by planning condition.

- 8.6.6 It is therefore considered that the proposed scheme has addressed the objections to the previous submission in terms of the overbearing and oppressive impact of the building upon neighbouring properties and the wider surrounding area, the loss of open garden space and level of disruption towards neighbouring residents and, as such, would comply with Chapter 12 of the Revised NPPF, policy D10a of the Eastbourne Core Strategy and saved policies UHT1, UHT4 and UHT5 of the Eastbourne Borough Plan.

## 8.7 Residential Amenity

- 8.7.1 The proposed building would be positioned between an existing 5-storey block of flats (Saffrons Mead) and a 2½-storey semi-detached dwelling (6 Grassington Road). The site also adjoins residential dwellings and flats on Meads Road.
- 8.7.2 Windows and openings, including balconies, would be restricted to the front and rear elevations of the building, other than obscure glazed windows serving bathrooms or forming secondary windows to bedrooms. Although the proposed building would project approximately 9.5 metres further towards the rear of the site than the existing dwelling, it is considered that there is sufficient distance between the windows on the those of neighbouring properties that may be subjected to direct overlooking (not at acute angles) to prevent intrusive views towards these properties. The rear of properties on Meads Road, in a realistic field of vision, would be approximately 27 – 30 metres away. It is also noted that windows on Redman King House, which is to the rear of the site, approximately 38 metres from the rear elevation of the proposed building, do not serve habitable rooms.
- 8.7.3 As the rear balconies would be provided within a recessed area, the elevation walls of the building would provide impermeable screening, thereby preventing direct views towards properties either side of the site, these being 6 Grassington Road and Saffrons Mead.
- 8.7.4 The proposed building is substantially larger than the existing dwelling in terms of bulk, mass and height. The building would reach within close proximity of the side boundaries of the site, and would flank the side elevations of Saffrons Mead and 6 Grassington Road to the north and south respectively. It is acknowledged that these existing windows are already subject to a certain level of overshadowing from the existing dwelling occupying the site.
- 8.7.5 The ground, first, second and third floor windows to the side elevations at Saffrons Mead do not provide the main source of natural light and outlook to any primary habitable rooms and therefore are considered not to be materially impacted by this development.

- 8.7.6 It is noted that there is a balcony and larger windows at fourth floor level of Saffrons Mead, however the proposed building would not reach the height of these features and it is therefore not considered that these windows and balcony would suffer an unacceptable impact by way of overbearing or overshadowing.
- 8.7.7 The previous application for the redevelopment of the site was refused, in part, due to the overbearing and oppressive relationship between the proposed building and 6 Grassington Road. The revised application has stepped the building in further from the site boundary, maintaining a degree of separation of some 4.5 metres between the flank wall of the proposed building and the site boundary and 6.2 metres between the proposed building and the neighbouring dwelling. The rear portion of the proposed building is stepped further away from site boundaries so as to create further space between buildings and soften visual impact. Additional articulation has been added to the flank wall as well as obscurely glazed window in order to overcome previous objections relating to the oppressive appearance of a tall, featureless wall when viewed from neighbouring properties. These steps, combined with the reduced height of the building and less cumbersome roof form. Would combine to prevent the proposed building from appearing unacceptably overbearing or oppressive towards the occupants of 6 Grassington Road.
- 8.7.8 The proposed access drive would run alongside the southern boundary of the site, shared with 6 Grassington Road, which is marked by an approximately 2 metre high brick wall. The parking spaces themselves would be stepped away from the boundary. It is considered that the level of use associated with a development of this size would not be unacceptably disruptive towards the occupants of 6 Grassington Road and that boundary wall would help mitigate noise and light disturbance caused by moving vehicles. Car parking spaces predominantly be sited away from site boundaries and boundary screening would provide a level of screening in regard to noise and light emissions. A planning condition would be used to control the provision of any external lighting within the car parking area to ensure that it is low level and angled downwards so as to not cause a nuisance to neighbouring residents.

## 8.8 Living Conditions for Future Occupants

- 8.8.1 Each flat provides a level of Gross Internal Area (GIA) that complies with the DCLG's Technical housing standards – nationally described space standard, as is shown in the table below:-

Unit Number	Unit Size	Required GIA	Provided GIA
1 (GF)	1 bedroom, 2 person	50 m <sup>2</sup>	52.9 m <sup>2</sup>
2 (GF)	3 bedroom, 4 person	74 m <sup>2</sup>	85 m <sup>2</sup>
3 (GF)	3 bedroom, 5 person	86 m <sup>2</sup>	91.3 m <sup>2</sup>
4 (1 <sup>st</sup> )	3 bedroom, 5 person	86 m <sup>2</sup>	89.5 m <sup>2</sup>
5 (1 <sup>st</sup> )	2 bedroom, 3 person	61 m <sup>2</sup>	64.2 m <sup>2</sup>
6 (1 <sup>st</sup> )	3 bedroom, 5 person	86 m <sup>2</sup>	89.5 m <sup>2</sup>
7 (2 <sup>nd</sup> )	3 bedroom, 5 person	86 m <sup>2</sup>	89.5 m <sup>2</sup>
8 (2 <sup>nd</sup> )	2 bedroom, 3 person	61 m <sup>2</sup>	64.2 m <sup>2</sup>
9 (2 <sup>nd</sup> )	3 bedroom, 5 person	86 m <sup>2</sup>	89.5 m <sup>2</sup>

10 (3 <sup>rd</sup> )	3 bedroom, 6 person	95 m <sup>2</sup>	103.2 m <sup>2</sup>
11 (3 <sup>rd</sup> )	3 bedroom, 6 person	95 m <sup>2</sup>	103.2 m <sup>2</sup>

- 8.8.2 The internal layout of each unit is simple and avoids overly lengthy corridors or awkwardly shaped rooms. All habitable rooms are served by clear glazed windows that would provide good access to natural light and ventilation as well as an unobstructed outlook. Upper floor flats would be accessible via a staircase and a lift. No main habitable room windows would face over the access driveway.
- 8.8.3 A landscaped amenity space of approximately 328 m<sup>2</sup> area, which would be accessible to all occupants, would be provided to the rear of the site. It is considered that this amount of space would be acceptable for the level of development proposed. It is also noted that there are public amenity areas nearby that would be easily accessible to future occupants and that occupants of the top floor flats (which are the largest within the development) have additional private amenity space provided on balconies.
- 8.8.4 The low walled frontage ensures defensible space is provided for occupants of ground floor flats whilst not impacting upon levels of surveillance from the street or creating a secluded environment within the site itself. The car parking area is overlooked by a number of habitable room windows, thereby acting as a deterrent to crime and anti-social behaviour to the rear of the site.
- 8.9 Highway Impacts
- 8.9.1 It is not considered that the amount of additional trips generated by the proposed development would be to a degree that would result in an unacceptable or unmanageable increase in traffic on the surrounding highway network.
- 8.9.2 The proposed building would be accessed from Grassington Road via a new dropped kerb crossover. This existing crossover serving the site would be obsolete and would be stopped up. The access drive is 4.5 metres wide, allowing two vehicles to pass each other. There is a small cantilevered projection over part of the driveway below which vehicles could safely pass. The access would be straight and level, allowing for good visibility. The pedestrian access to the building would utilise the driveway and, as such, a pedestrian route would need to be marked out. This would be secured by condition.
- 8.9.3 The development would be served by a total of 10 x off street car parking spaces. The ESCC car parking demand calculator tool states that the development is likely to generate a demand for 9 car parking spaces, provided these are not allocated to specific properties. Whilst the formation of a new dropped kerb crossover would result in the loss of an on-street parking space, this would be mitigated by the stopping up of the existing access serving the site. The car parking spaces would be provided directly to the rear of the building, and sufficient turning space would also be provided in order to ensure that vehicles can enter and leave the site in forward gear. A total of 3 x disabled bays would be provided, in excess of the 5% ration required by Manual for Streets. Two of these spaces are close to the entrance to the building. A further space is provided at the far end of the car park and is therefore considered to

have little merit is a disabled parking bay due to the distance from the entrance to the building.

8.9.4 A bin store would be provided to the front of the building. Given the sensitive location, it is important bins are accommodated within secured, covered housing of a sympathetic appearance. Details of the design and scale of the structure would need to be the subject of a planning condition in order to ensure that it would appear sympathetic towards the surrounding street scene. The store would be easily accessible to refuse collection crews, allowing for the development to be serviced in an efficient manner.

8.9.5 A cycle store would be provided to the rear of the site, in order to encourage the use of this mode of transport. Full details of the store, which would need to have the capacity to provide 0.5 spaces per 1 and 2 bed flat and 1 space per 3 bed flat, as per the standards set out in para. 3.8.5 of ESCC Highways standing advice. This equate to 10 spaces (rounded up). A requirement for a minimum of one Electric Vehicle Charging Facilities will also be made, in order to encourage uptake in the use of electric cars.

## 8.10 Landscape Impact

8.10.1 The front of the site would incorporate a significant amount of soft landscaping which would contribute towards the verdant street scene and also compliment the general pattern of landscaped frontages which is present within the street scene.

8.10.2 Unlike the previous scheme, the proposed development would not result in the loss of a street tree as the site access would be repositioned. There is, however, a lamppost that would need to be relocated in order to allow for the proposed new access to be formed. This would be carried out under licence from ESCC Highways. It is considered there is adequate space to allow for the lamppost to be repositioned without causing detriment to the character of the area.

8.10.3 Although part of the existing landscaped rear garden would be removed in order to accommodate car parking, a significant amount of landscaped garden space (approx. 328 m<sup>2</sup>) would be maintained to the rear of the site and would continue to contribute towards the spatial characteristics of the surrounding area, where open green spaces to the rear of buildings are prevalent.

## 8.11 Drainage

8.11.1 The site falls within Flood Zone 1 and so is not at increased risk of flooding from tidal or fluvial sources. However, it is important that surface water is managed in a way that does not compromise drainage infrastructure capacity or allow for surface water to build up on the site, on neighbouring property or be discharged onto the public highway.

8.11.2 The proposed development would introduce a building with an increased footprint as well as additional hard surfacing to be used for car parking. The proportion of the site that is hard surfaced would therefore increase from approx. 35% to approx. 58%. The applicant has indicated that soakaways would be used

for surface water drainage but this has not been supported by any infiltration testing results and the Lead Local Flooding Authority (LLFA) have raised concerns over the feasibility of the use of infiltration due to high groundwater levels below the site. This may also impact on any potential use of underground attenuation tanks. It is clear that implementation of this development would be reliant on a functioning surface water attenuation scheme. Given this it is recommended that if Members choose to support the proposal then a condition be attached to any approval stating that no development can commence until such time as a suitable/appropriate surface water attenuation scheme has been agreed.

- 8.11.3 There is also a public surface water sewer on Grassington Road into which surface water could be discharged (subject to agreement with Southern Water) but discharge rates would have to be managed to an appropriate rate. The rate of discharge could be managed through the use of permeable paving on hard surfaced parking areas as well as rainwater harvesting equipment. A green roof would also provide some level drainage capacity. Suitable measures to minimise surface water discharge and, would be required, regardless of the effectiveness of the use of soakaways, in order to maximise the drainage capacity of the site in accordance with para. 080 of the Government Planning Practice Guidance for Flood risk and coastal change.

## **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**

Approve subject to the conditions listed below:-

1. **Approved Plans:** 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:-

- 2937 21 – Site Location & Block Plans;
- 2937 25 Rev. C – Proposed Site Layout;
- 2937 26 Rev. C – Proposed Site Layout;
- 2937 27 Rev. B – Street Elevations;
- 2937 28 Rev. B – Proposed Ground Floor;
- 2937 29 Rev. B – Proposed First and Second Floors;



- 2937 30 Rev. B – Proposed Third Floor;
- 2937 31 Rev. B – Proposed East Elevation;
- 2937 32 Rev. B – Proposed North Elevation;
- 2937 33 Rev. B – Proposed West Elevation;
- 2937 34 Rev. B – Proposed South Elevation.

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

3. **External Lighting:** Prior to the first occupation of the development hereby approved a detailed scheme of all external lighting (including full specifications) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter and no other external lighting shall be installed unless agreed in writing with the Local Planning Authority.

Reason: In the interests of environmental, residential and visual amenity, in accordance with saved policies NE28, HO20, UHT1 and UHT4 of the Eastbourne Borough Plan.

4. **Hard and Soft Landscaping:-** Notwithstanding the approved plans, 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 which should be permeable where feasible;
- b) details of all boundary treatments;
- c) details of all balcony screening;
- d) details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees. Planting should be carried out using predominantly native species;
- e) Cycle and bin store structures;

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: In the interest of environmental, residential and visual amenity and biodiversity in accordance with saved policies NE28, HO20, UHT1, UHT4, UHT5 and UHT7 of the Eastbourne Borough Plan and Policy D9 of the Eastbourne Core Strategy.

5. **Sustainable Initiatives:** No development associated with the construction of the building shall take place until details of how the development will incorporate measures to reduce carbon energy use, facilitate renewable

energy installations, and lower household water consumption, have been submitted to and approved in writing by the local planning authority. The approved measures shall be put in place prior to the first occupation of the new flats as they are each completed, and retained as such thereafter.

Reason: In order to improve the sustainability of the development and to meet the challenge of climate change in accordance with policy D1 of the Eastbourne Core Strategy and section 14 of the Revised National Planning Policy Framework.

6. **Electric Vehicle Charging Points:** Prior to the first occupation of the development, a scheme showing the number and location of electric vehicle charging points shall submitted to and approved in writing by the Local Planning Authority. The details as approved shall be installed and operable prior to the first occupation of any of the units. These charging points shall thereafter be maintained in place throughout the lifetime of the development.

Reason: In order to improve the sustainability of the development and to meet the challenge of climate change in accordance with policy D1 of the Eastbourne Core Strategy and section 14 of the Revised National Planning Policy Framework.

7. **Obscure Glazing:** Prior to the first occupation of the development hereby approved, the all windows on the northern and southern elevations shall be obscurely glazed and permanently fixed shut, other than fanlights a minimum of 1.7 metres above the finished floor level of the rooms they serve and shall be retained as such, unless in accordance with a subsequent planning permission granted by the Local Planning Authority.

Reason: In the interests of environmental and residential amenity, in accordance with saved policies NE28 and HO20 of the Eastbourne Borough Plan.

8. **Closure of Existing Access:** Before preparation of any groundworks or foundations, details of the proposed means of closure of the existing vehicular access onto the site from Grassington Road shall be submitted to and approved in writing by the Local Planning Authority and the access shall be closed off in accordance with the approved details prior to the first occupation of the development.

Reason: In the interests of visual amenity and highway safety in accordance with saved policy UHT1 of the Eastbourne Borough Plan and para. 109 of the Revised National Planning Policy Framework.

9. **New Site Access:** No development approved by this permission shall take place until full details of the means of vehicular access into the site, including the road width, kerb radii, visibility splays, surfacing materials and pedestrian routes have been submitted to and approved in writing by the Local Planning Authority. The approved details of the access shall be completed before the commencement of the use of the land or buildings hereby permitted and the visibility splays maintained free of all obstruction to visibility above 0.6 metres

above ground level.

Reason: In the interests of highway safety in accordance with saved policy UHT1 of the Eastbourne Borough Plan and para. 109 of the Revised National Planning Policy Framework.

10. **Parking/Turning Space:** The development hereby approved shall not be occupied until the parking spaces and turning areas shown on approved plan 2937 26 Rev. C have been constructed, surfaced and marked out to a suitable standard. These areas shall not be used for any purpose other than for the parking and turning of vehicles thereafter.

Reason: In the interests of highway safety in accordance with saved policy UHT1 of the Eastbourne Borough Plan and para. 109 of the Revised National Planning Policy Framework.

11. **External Materials:** Before the commencement of any construction works above foundation level of the development hereby approved, a schedule of external materials to be used in connection with the development shall be submitted to and approved in writing by the Local Planning Authority, and the approved materials shall be used in the implementation of the development and thereafter so retained.

Reason: In the interests of visual amenity in accordance with saved policy UHT1 of the Eastbourne Borough Plan and policy D10a of the Eastbourne Borough Plan.

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

Reason: In the interest of environmental amenity and highway safety in accordance with saved Policy NE28 of the Eastbourne Borough Plan and Policy D8 of the Eastbourne Core Strategy.

13. **Surface Water Drainage:** No development shall commence at the site until such time as a full surface water drainage strategy has been implemented at the site. This drainage strategy should highlight the engineering/architectural/design solutions along with maintenance regime to ensure that the surface water discharge rate is no worse than the existing.

Reason: in the interest of localised flooding.

14. **Local Labour Agreement:** Prior to Commencement of Development, Construction and Operational (if applicable) Employment and Training Plans shall be agreed with the Local Authority detailing how the developer will

undertake the works in accordance with the Local Employment and Training Supplementary Planning Document. In order to enable the drafting of the Employment and Training Plans by the Council the developed is requested to submit Appendix 3 – Proforma for Construction Phase and Appendix 4 – Proforma for Operational Phase to the Council.

- a) The Employment and Training Plan, will include, but not limited to the following:
- Details of the monitoring fee;
  - Evidence of awareness and compliance with the Employment and Training Plan in the tendering and award of contract in the construction phase;
  - Submission of a detailed programme of works;
  - Contact details for all organisations awarded contracts for the development;
  - Completion of a monthly monitoring form (Appendix 5) and quarterly economic impact checklist – 25% of employees and contractors to be resident/based in East Sussex;
  - Promotion/advertising of all sub-contracting opportunities to local business and construction/operational vacancies to local people;
  - Work experience for the unemployed/those aged 14 – 18 years, apprenticeship starts/completions, NVQ starts/completions, curriculum/employability activities and guaranteed job interviews for those unemployed who have participated in site specific training.
- b) The agreed ETP 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 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 Land Local Plan Policy EL1 and to meet the requirements of the Local Employment and Training Supplementary Planning Document adopted on 16 November 2016.

### **Informatives**

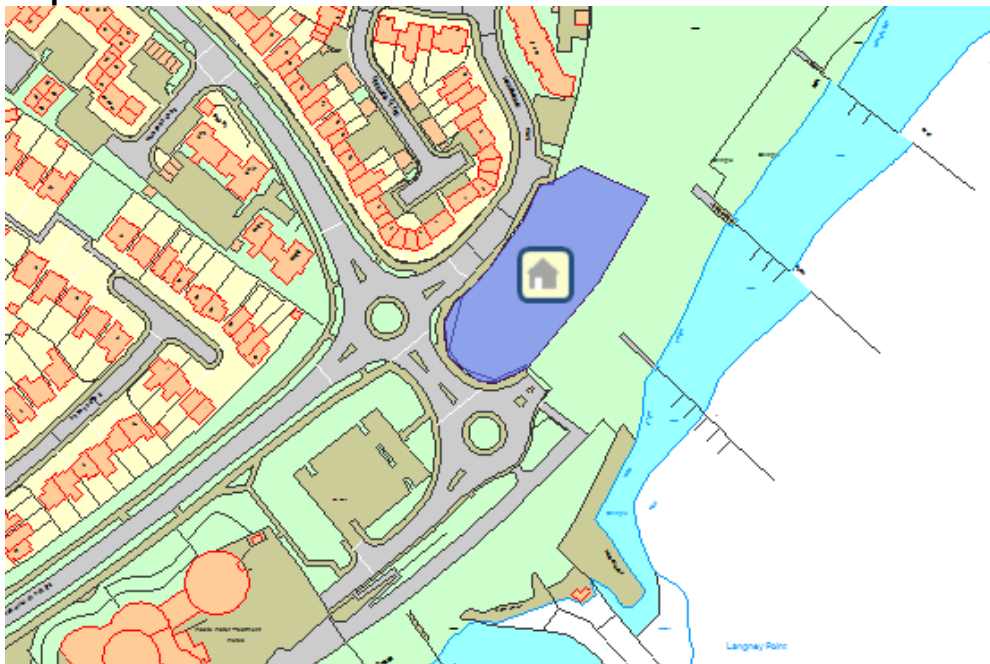
1. **New Access:** The applicant will be required to enter into a Section 184 Licence with East Sussex Highways, for the provision of a new vehicular access. The applicant is requested to contact East Sussex Highways. (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place.



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<b>App.No:</b> 190933	<b>Decision Due Date:</b> 3 February 2020	<b>Ward:</b> Sovereign
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 9 March 2020	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 12 January 2020 <b>Neighbour Con Expiry:</b> 12 January 2020 <b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> n/a		
<b>Location:</b> Site 1 off Martinique Way, Martinique Way, Eastbourne		
<b>Proposal:</b> Installation of Clear glazed balustrades to beach side terraces of 1- 10 White Point.		
<b>Applicant:</b> Marlborough Homes Southern Ltd		
<b>Recommendation:</b> To delegate to the Head of Planning to grant planning permission subject to conditions, following a decision on 190932. If 190932 is not decided within 3 months (as per the recommendation) or is refused then to refer the application back to planning committee for determination.		
<b>Contact Officer(s):</b>	<b>Name:</b> Anna Clare <b>Post title:</b> Specialist Advisor Planning <b>E-mail:</b> anna.clare@eastbourne.gov.uk <b>Telephone number:</b> 01323 4150000	

## Map location



## **1 Executive Summary**

- 1.1 This application relates to 10 units (5 pairs of semi-detached properties) located between Martinique Way and the Sea from the Southern Water treatment Works to the west to the Martello Tower to the East adjacent the Harbour.
- 1.2 As part of the original design each of the units had an area of decking on the seaward side of the property. This application proposes the erection of the of glass balustrades to delineate the edge of the decking and provide an element of defensible space.
- 1.3 This means of enclosure if provided in a uniform manner across all 10 units would give consistency to the design and would give rise to limited impact upon the host properties in particular and the wider street scene in general.
- 1.4 Application is recommended for approval subject to conditions.

## **2 Relevant Planning Policies**

### **2.1 Revised National Planning Policy Framework 2019**

12. Achieving well-designed places

### **2.2 Eastbourne Core Strategy 2013**

C14 Sovereign Harbour Neighbourhood Policy  
D10a Design

### **2.3 Eastbourne Borough Plan Saved Policies 2007**

UHT1 Design of New Development  
UHT4 Visual Amenity  
UHT7 Landscaping

## **3 Site Description**

- 3.1 The site is that previously referred to as 'Site 1 Sovereign Harbour'. Situated between Martinique Way and the Sea from the Southern Water treatment Works to the west to the Martello Tower to the East adjacent the Harbour. The site was previously granted planning permission for 72 dwellings, consisting of a row of 10 (5 x pairs of semi-detached properties) houses, and 62 flats contained in two blocks to the west of the site.
- 3.2 The 10 dwellings themselves have been completed at the site and are now referred to as White Point, however landscaping works are outstanding. During construction it became evident that the dwellings themselves varied significantly from the approved plans, and landscaping works had been undertaking outside of the approved drawings and plot boundaries varied significantly from that approved. An application for a variation of the original consent is currently under consideration to remedy the breach of planning control.



## **4 Relevant Planning History**

### **4.1 151056**

Application for approval of reserved matters (Access, Appearance, Landscaping, Layout and Scale) following outline approval(Ref: 131002) for the development of Site 1, Sovereign Harbour for 72 Residential Units, consisting of 62 Apartments over two blocks and 10 houses.

Reserved Matters

Approved Conditionally

17/05/2016

### **4.2 131002**

Outline Planning permission for the development of sites 1, 4, 5, 6, 7 and 8 at Sovereign Harbour.

Outline (all matters reserved)

Approved conditionally

02/12/2014

### **4.3 The variation of condition to remedy the breach of planning control is being considered under application 190932.**

### **4.4 There is a further application (Ref: 200101) under consideration in relation to works carried out at Plot 1 to remedy breaches of planning control including installation of swimming pool, additional fences, extended decking and planting.**

## **5 Proposed development**

### **5.1 The application proposes the erection of balustrading to the beach side terraces of the dwelling houses. The balustrading is proposed 1.1m in total height atop the retaining walls.**

## **6 Consultations**

### **6.1 None.**

## **7 Neighbour Representations**

### **7.1 1 and 4 White Point have written in support of the application for privacy and security reasons.**

## **8 Appraisal**

### **8.1 Design**

#### **8.1.1 Balustrading was resisted at the original design stage as the concept of the development was beach houses that flowed onto the shingle landscaping. However much of this concept has been lost by the variations from the original design. The purchasers want more security and it is considered that failure to approve a balustrade will probably lead to individual householder placing inappropriate 'temporary' barriers which are not fixed to get around the requirement for planning permission.**

- 8.1.2 Therefore the glazed balustrading is considered to be the best way of providing some additional security and privacy to the occupants in a uniform manner. A condition requiring all to be undertaken at one time and maintained is considered appropriate to ensure uniformity.

## **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 As a technicality this permission cannot be determined until such time as the variations under 190932 have been decided as technically the houses/decking do not have planning permission therefore permission could not be granted for balustrading to unauthorised decking/properties. Therefore the recommendation is to delegate to the Head of Planning to grant planning permission subject to the conditions below, following a decision on 190932. If 190932 is not decided within 3 months (as per the recommendation) or is refused then to refer the application back to planning committee for determination.

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 approved drawings no. BIR4832\_10A.

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

3. The development approved shall only be constructed in its entirety as a single development, therefore all properties must be installed with the balustrade and maintained in their entirety as such thereafter. If replaced, replacement must match the approved design unless agreed otherwise. Openings in the balustrade shall be in the side elevations only.

Reason: to ensure the properties maintain a uniform appearance.

4. Notwithstanding the approved drawings, this consent relates solely to the erection of balustrading the decking areas and for no other development shown on the approved drawings.

Reason: For clarity and in the interested of proper planning.

5. For clarity the height of the balustrading approved shall be including retaining wall for each property a height of 1.1m in total height above the level of the decking.

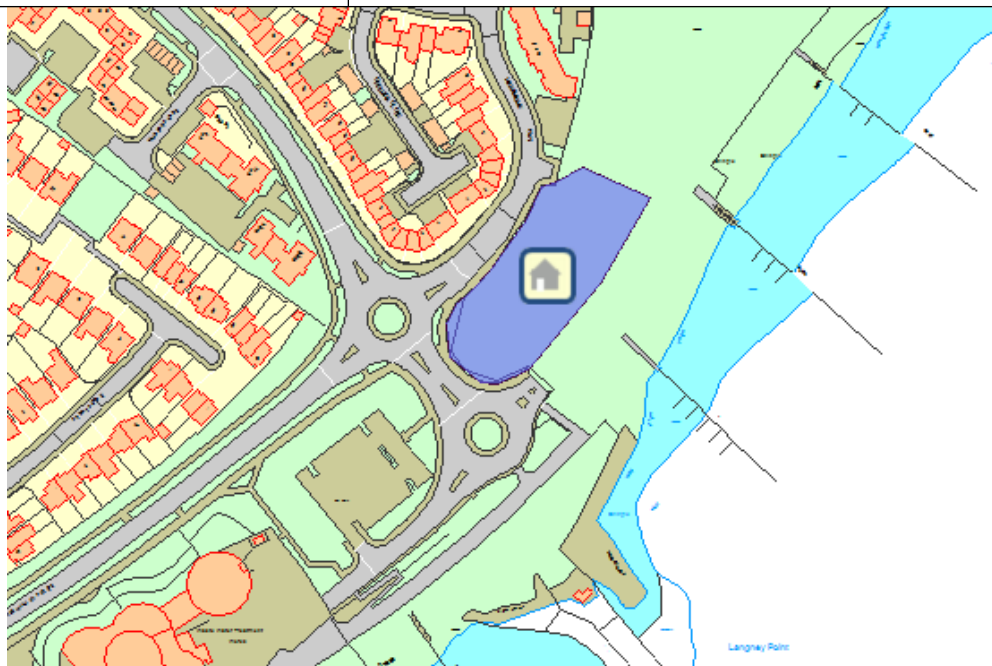
Reason: To ensure uniformity and given the difference in levels between the properties.

## **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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<b>App.No:</b> 190932	<b>Decision Due Date:</b> 6 March 2020	<b>Ward:</b> Sovereign
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 9 March 2020	<b>Type:</b> Variation of Condition
<b>Site Notice(s) Expiry date:</b> 14 February 2020 <b>Neighbour Con Expiry:</b> 14 February 2020 <b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> To negotiate amendments and to bring before committee		
<b>Location:</b> Site 1 off Martinique Way, Martinique Way, Eastbourne		
<b>Proposal:</b> Variation of condition 4 of Reserved Matters (Ref:151056) following grant of outline planning permission (Ref: 131002). Amendments are to detailed design of dwellinghouses, omit canopies over beachside terraces, reconfiguration of beach side decked terraces, provision of railings and automatic gates on Martinique Way frontages including south of Plot 1, paving and shingle finishes to beach access footways in place of timber boarding, privacy screen between terraces amendments to plot 1 boundaries and arrangement of beach side public open space.		
<b>Applicant:</b> Marlborough Homes Southern Ltd		
<b>Recommendation:</b> To delegate to the Head of Planning to grant the variation of condition on completion of the works to the access.		
<b>Contact Officer(s):</b>	<b>Name:</b> Anna Clare <b>Post title:</b> Specialist Advisor - Planning <b>E-mail:</b> anna.clare@eastbourne.gov.uk <b>Telephone number:</b> 01323 4150000	



## **1 Executive Summary**

- 1.1 The development of the site was approved under the original outline consent for various sites across the harbour (Ref: 131002). A subsequent reserved matters permission granted consent for the development of Site 1 for 10 dwellings and 62 flats.
- 1.2 The dwellings have been completed but the development has not been carried out in accordance with the approved drawings. The application seeks to remedy the breaches of planning control by agreeing a new set of approved drawings and if approved then this will match the dwellings that have been built.
- 1.3 Negotiations have taken place and works undertaken to remove the works of main concern. The design of the buildings on balance is acceptable as set out in the report. The main concerns were regarding landscaping and the impact on the public open space of works the developer had carried out to the rear (beachside) these have subsequently been removed and a more appropriate landscaping scheme has been approved/implemented.
- 1.4 Therefore it is recommended that the variation of condition is granted.

## **2 Relevant Planning Policies**

- 2.1 Revised National Planning Policy Framework 2019  
12. Achieving well-designed places
- 2.2 Eastbourne Core Strategy 2013  
C14 Sovereign Harbour Neighbourhood Policy  
D10a Design
- 2.3 Eastbourne Borough Plan Saved Policies 2007  
UHT1 Design of New Development  
UHT4 Visual Amenity  
UHT7 Landscaping

## **3 Site Description**

- 3.1 The site is that previously referred to as 'Site 1 Sovereign Harbour'. Situated between Martinique Way and the Sea from the Southern Water treatment Works to the west to the Martello Tower to the East adjacent the Harbour. The site was previously granted planning permission for 72 dwellings, consisting of a row of 10 (5 x pairs of semi-detached properties) houses, and 62 flats contained in two blocks to the west of the site.
- 3.2 The 10 dwellings themselves have been completed at the site and are now referred to as White Point, however landscaping works are outstanding.
- 3.3 During construction it became evident that the dwellings themselves varied significantly from the approved plans, and landscaping works had been

undertaking outside of the approved drawings and plot boundaries varied significantly from that approved.

#### **4 Relevant Planning History**

- 4.1 151056  
Application for approval of reserved matters (Access, Appearance, Landscaping, Layout and Scale) following outline approval(Ref: 131002) for the development of Site 1, Sovereign Harbour for 72 Residential Units, consisting of 62 Apartments over two blocks and 10 houses.  
Reserved Matters  
Approved Conditionally  
17/05/2016
- 4.2 131002  
Outline Planning permission for the development of sites 1, 4, 5, 6, 7 and 8 at Sovereign Harbour.  
Outline (all matters reserved)  
Approved conditionally  
02/12/2014
- 4.3 There are two other applications with the Council for consideration, listed below, it is considered neither of these applications can be considered until the principles of the variation have been determined:
- 190933  
Installation of clear gazed balustrades to beach side terrace of 1-10 White Point.  
Planning Permission
- 200101  
Retrospective application for installation of hydrotherapy pool, additional decking, privacy screen and amendments to location of glass balustrade.

#### **5 Proposed development**

- 5.1 The application proposes to vary condition 4 of Reserved Matters granted 17 May 2017 (Ref: 151056) for the development of Site 1 Sovereign Harbour. The purpose of the variation is to:
1. amend the design of the dwellings as follows:
    - Omission of first and second floor handrails to terraces on Martinique Way Elevations;
    - Omission of downpipes, accent panels, side elevation feature windows to properties;
    - Omission of covered walkway, door and garages projecting features and overhang to rear (beachside) terraces;
    - Reconfiguration of rear (beachside) terraces
    - Omission of brick plinths to ground floor.

2. amend the landscaping of the scheme as follows:

- Provision of railings and automatic gates to Martinique Way frontages;
- Paving and shingle finishes to the beach access footways in place of approved timber boarding;
- Privacy screens between terraces;
- Amendments to boundaries of Plot 1;
- Amendment to the layout of Beachside landscaping/public open space.

## **6 Consultations**

### **6.1 Environment Agency/PCDL**

Object to the landscaping encroaching onto the access track and the lack of maintenance of the track.

## **7 Neighbour Representations**

7.1 No.1 and 4 White Point have written in support of the application.

## **8 Appraisal**

### **8.1 Principle of Development**

8.1.1 The principle of the development is already established by the previous consents. This application can only consider whether the amendments/revisions to the approved scheme are acceptable.

### **8.2 Amendments to the design of the buildings**

8.2.1 Each of the elements omitted in and of themselves are generally minor, however the concern is that the overall design concept has been lost by the omission of so many features. The walkway overhangs, door and garage projecting features and projections over the terraces amount to a very visually different row of buildings than were actually agreed.

8.2.2 However, if the development before us now was originally submitted it is unlikely that a refusal of the permission would have been substantiated. The loss of some features is unfortunate and results in buildings not to as high a standard as was originally wanted for such a prominent site. However on balance the dwellings as built are acceptable, the main material palette has not been changed and as such no objection is raised to the dwellings as built.

8.2.3 Balustrade screens to the edge of the decking are proposed under application 190933. This application also proposes privacy screens between the terraces which are considered acceptable, are glazed and will assist with providing privacy in a uniform manner to prevent occupiers from erecting their own inappropriate privacy screens.

### **8.3 Landscaping**

8.3.1 The landscaping amendments are more visually prominent. The landscaping to



the site is very important given the location adjacent the public beach which is well used.

- 8.3.2 The works to the front of the properties, the installation of railings and automatic gates and railings to the side of Plot 1 all make the development more domesticated than the original design concept. The moving of the boundary of plot 1 out to the pavement edge has allowed for the installation of domestic paraphernalia and a degree of the 'beach' house design has been lost.
- 8.3.3 To the front elevation on Martinique way this is more acceptable as the beach views are limited and the domestic character does not look out of place as such. However to the beach side it is considered important to maintain the 'beach' house appearance, maintaining the concept that the properties are the edge of public open space.
- 8.3.4 Negotiations have taken place over the landscaping proposals, and the submission is now considered broadly acceptable. There are no physical boundaries between the houses and the public open space, the two are proposed to be separated by a raised shingle bund, which is planted with vegetation suitable to the shingle landscaping, and balustrade to the terraces proposed under application 190933. This provides some level of differentiation between the private properties and the public open space whilst not appearing domesticated or overly dominant or oppressive.
- 8.3.5 It is unfortunate that the developers/owners have taken to posting private property signs along the edge of the public open space, these are visually inappropriate and detract from the pleasant openness. Unfortunately they benefit from deemed consent under the advert regulations, the Council will consider if there are grounds to seek formal discontinuance of these signs as they are considered a proliferation of an unsightly addition totally inappropriate to the setting. It is also acknowledged that over time when the landscaping becomes more established and the terrace balconies (separate application on this agenda) are implemented that these signs may become redundant and therefore removed.

## **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 To delegate to the Head of Planning to grant the variation of condition on completion of the works to the access.
- 10.2 If the works to the access are not completed within 3 months of the resolve to grant this permission then to refer back to planning committee with a recommendation to refuse permission.

Condition 4 will be amended to include the revised drawings as follows, the other conditions of the Reserved Matters consent will remain unchanged.

4. The development hereby permitted shall be carried out in accordance with the following approved drawing nos:

HPE850 PA 01  
HPE850 PA 02C  
HPE850 PA 03B  
HPE850 PA 04A  
HPE850 PA 05A  
HPE850 PA 06B  
HPE850 PA 07  
HPE850 PA 08  
HPE850 PA 09 - Flat Block Sections Only  
HPE850 PA 10A House Plans  
1551.105 Rev A House Rear and Side Elevation  
1551.104 Rev A House Front and Side Elevation  
1551.205 Rev A House Rear and Side Elevation  
1551.304 Rev A House Front and Side Elevation  
BIR4832 – 03 – 1 Illustrative Landscape Masterplan  
BIR4832 – 05 - To apartment blocks only  
BIR4832 – 06 C  
BIR4832 – 07 B Soft Landscape Proposals- To apartment blocks only  
BIR4832 – 08 A Soft Landscape proposals

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

## **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.

<b>Report to:</b>	<b>Planning Committee</b>
<b>Date:</b>	<b>March 2020</b>
<b>Title:</b>	<b>College Conservation Area Appraisal</b>
<b>Report of:</b>	<b>The Head of Planning</b>
<b>Ward(s):</b>	<b>Meads</b>
<b>Purpose of report:</b>	<b>To note the College Conservation Area Appraisal and to recommend to Cabinet the designation of the revised College Conservation Area</b>
<b>Officer recommendation(s):</b>	<b>(1) To note the revised College Conservation Area as set out in Appendix 1, and recommend to Cabinet its designation</b>  <b>(2) To delegate authority to the Director of Regeneration and Planning in consultation with the Chair of Planning to make minor or technical amendments as necessary to the revised College Conservation Area</b>
<b>Reasons for recommendations:</b>	<b>To allow the expansion of the College Conservation Area Appraisal as detailed in the draft in Appendix 1</b>
<b>Contact Officer(s):</b>	<b>Name:</b> Chris Connelley <b>Post title:</b> Conservation Specialist, Conservation <b>E-mail:</b> chris.connelley@lewes-eastbourne.gov.uk <b>Telephone number:</b> 01323 415673  <b>Name:</b> Jenny Martin <b>Post title:</b> Conservation Specialist, Conservation <b>E-mail:</b> jenny.martin@lewes-eastbourne.gov.uk <b>Telephone number:</b> 01323 415942

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## **1 Executive Summary**

- 1.1 Conservation areas were introduced nationally in the late 1960s to support heritage retention at a time of significant change in the built environment through designating areas of architectural and historic interest that were able to benefit from additional protection. Previously, protection tended to be concentrated on individual assets such as scheduled monuments or listed buildings rather than broader settings such as streets, neighbourhoods and squares.
- 1.2 In the half century since the passage of the original 1967 Civic Amenities Act, there are now over 10,000 conservation areas across the UK. There is no typical form, and they come in different sizes, cover different property periods and types, and evidence different conditions.

- 1.3 Eastbourne Borough Council has adopted 12 conservation areas since the passage of the original legislation. They very much mirror the national situation, covering different size areas and different property periods and types, though they are concentrated in central and southern areas of the town.
- 1.4 College Conservation Area was first adopted in 1986 to cover a central area immediately adjacent to Eastbourne College, the institution that confers it with meaning and provides its distinctive identity.
- 1.5 Independent heritage consultancy Locus Consulting was commissioned to lead on this review during Autumn 2018, with a brief to produce an appraisal document, to include a consideration of the area's current boundaries.

## **2 Methodology**

- 2.1 The appraisal was undertaken by heritage and planning consultancy Locus Consulting on behalf of Eastbourne Borough Council.
- 2.2 A detailed survey of the conservation area and immediate setting was undertaken on the 2nd and 3rd of October 2018. The character and appearance of the conservation area was recorded according to established townscape characterisation methodologies (Historic England, 2017) and guidance regarding the production of conservation area appraisals (Historic England, 2016). Relevant documentary, cartographic and other archival resources were consulted as set out within the Bibliography of the draft report attached at Appendix 1. The appraisal also assessed the current boundaries and made suggestions for possible extensions.

## **3 Statement of Significance**

- 3.1 The suburb at Lower Meads, within which the College Conservation Area lies, is a well-executed and well preserved example of a 'residential park' suburb. The residential parks influenced the garden suburb movement that emerged in the late 19th century, going on to herald new orders of town planning, including the Garden Cities Movement that prevailed well into the 20th century.
- 3.2 The College Conservation Area, and surrounding suburb, is a planned townscape with a consciously designed aesthetic. A rich assemblage of 19th-century private villas can be observed within and outside of the area. Prestigious through their spacious size and ornate decoration, the villas embrace many of the Revival styles distinctive of the late Victorian era, notably Gothic and Queen Anne styles. The architecture of many houses is influenced by the Arts and Crafts movement and appears as an early example of the movement nationally, before it became popularised.
- 3.3 Eastbourne College campus has architectural and historical interest in its own right. The establishment of the initial school was subsidised by William Cavendish and was a major investment by the then newly formed town council, creating a new civic landmark. The Tudor revival style distinguishes the college from the remainder of the suburb. The plot also features a series of landmark

structures.

#### **4 Boundary Extension**

- 4.1 The review undertaken by Locus Consulting provided an objective evaluation of levels of special architectural and historic interest in proximity to the Conservation Area, identifying candidate areas for expansion.
- 4.2 Recommended areas of extension were deemed to exemplify those architectural and historical elements that combine to create the special character and appearance of the existing Conservation Area.

#### **5 Consultations**

- 5.1 At its meeting on 22 January 2019, Planning Committee endorsed public engagement in relation to the appraisal of the College Conservation Area, with a formal public consultation established between 14 February 2019 and 28 March 2019. During this period, the draft appraisal document was made available online and in hard copy formats at the Customer Contact Centre and in the library, along with alternative larger print versions for those requiring this adaptation. The consultation cycle was advertised in the local press, and also included a dedicated website and an open public meeting facilitated by Locus Consulting. This allowed for the presentation of headline findings and for questions and comment. A second session was also run for members of the Conservation Areas Advisory Group. 19 responses were received through the portal, along with submissions from the Eastbourne Society and Turley Heritage. These responses where they differ and or raise a new issue are included at Appendix 2.
- 5.2 The responses received were strongly in support of the extension with some suggestions of further extension and better publicity of the consultation.
- 5.3 Following the first consultation, the authority's Conservation team undertook a review of the proposed boundary changes and other suggestions to extend the conservation area. On the basis of the identified characteristics of the area, and further conversations with Locus Consulting and other stakeholders, they agreed a set of proposals which then formed the basis for further consultation.
- 5.4 A second cycle of consultation was undertaken on the proposed extension to the Conservation Area boundary. This ran between 28 October 2019 and 6 December 2019, and involved the establishment of a dedicated website and, in response to requests of better publicity, a door-to-door delivery of postcards within the proposed extension area. This activity generated a total of 23 responses. The responses where they differ and or raise a new issue are included at Appendix 3.
- 5.5 The responses received were broadly in support of the proposed boundary extension. The comments received that did not agree with the extension were based on reasons that would not in fact be affected by the adoption of the boundary extension; such as preventing home owners installing double glazing into their homes.

## **6 Financial appraisal**

- 6.1 There are no identified financial implications.

## **7 Legal implications**

- 7.1 A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance (section 69(1), Planning (Listed Buildings and Conservation Areas) Act 1990. A local planning authority (LPA) is under a duty to designate conservation areas within its locality and to review them from time to time (section 69(2). This can result in:

- New areas being designated.
- Boundaries of existing conservation areas being extended or reduced.
- Cancellation of the designation, if the original special interest of a conservation area has been significantly eroded.

- 7.2 The Act requires the local planning authorities to notify the Secretary of State and English Heritage of any new designations, and to advertise the designation in the London Gazette and a local newspaper.

- 7.3 There is no statutory right of appeal following the designation of a conservation area although it is possible to seek a judicial review of an LPA's decision to designate a conservation area in the event the correct procedures have not been followed.

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## **8 Risk management implications**

- 8.1 There are not considered to be any risk management implications arising out of this report.

## **9 Equality analysis**

- 9.1 There are not considered to be any equality implications arising out of this report.

## **10 Environmental sustainability implications**

- 10.1 Building Conservation is predicated on the repair and re-use of existing buildings and materials wherever possible and the adoption of the report and extension of the boundary is commended as making a positive contribution to the borough's sustainability agenda.


## **11 Appendices**

- Appendix 1 – College Conservation Area Appraisal Draft Document
- Appendix 2 – Public consultation responses March 2019
- Appendix 3 – Public consultation responses December 2019



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# **DRAFT Conservation Area Appraisal: College**

October 2019





Picture Ref: 01

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# 1. Introduction and Method

This conservation area appraisal assesses the special architectural and historical interest of College Conservation Area, and shows those interests are manifested in the area's character and appearance.

Conservation areas are protected by legislation under the Planning (Listed Buildings and Conservation Areas) Act 1990. As designated heritage assets, their preservation and enhancement enjoy a high material consideration in the planning process.

The conservation area appraisal identifies elements, features and characteristics of the suburban townscape that, either individually or cumulatively, create a townscape of high aesthetic quality and historical interest.

**The overall aim of the document is to help future development in the area to sustain and, where possible, enhance the character and appearance of the conservation area.**

The appraisal can be used as an inspiring basis for architectural design, to inform ongoing maintenance, and in support of applications for planning permission. It is an evidence base, when adopted by Eastbourne Borough Council, that will be used to assess the impact of proposed development, both within the conservation area itself and within its setting, where proposals may change how its character and appearance are experienced.

The appraisal gives direction to developers, owners, the local planning authority and other interested parties, informing decision-making within the prevailing framework of legislation and policy.

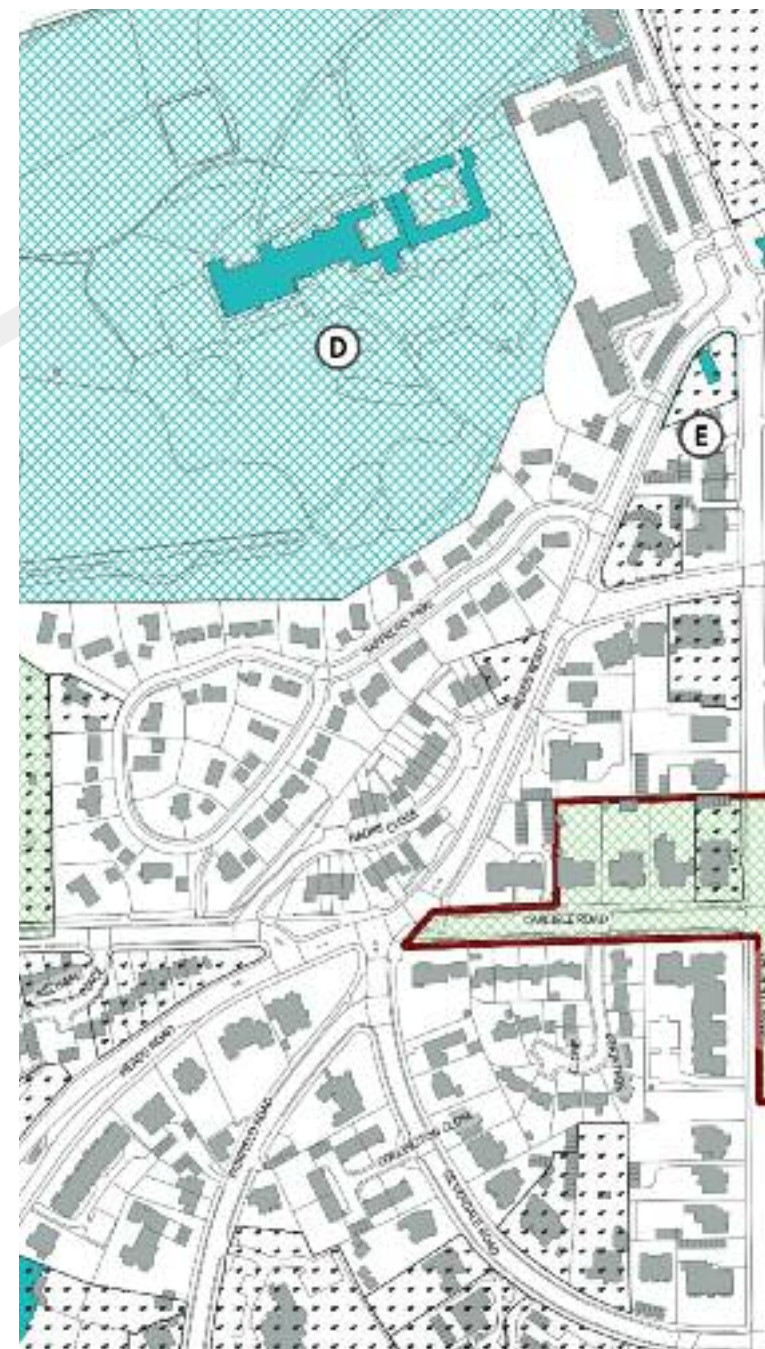
This document should be read in conjunction with the *Conservation Areas in Eastbourne: Companion Document* and *Eastbourne Townscape Guide SPG*, both issued by Eastbourne Borough Council, and guidance on conservation area designation and management from Historic England.

## Method

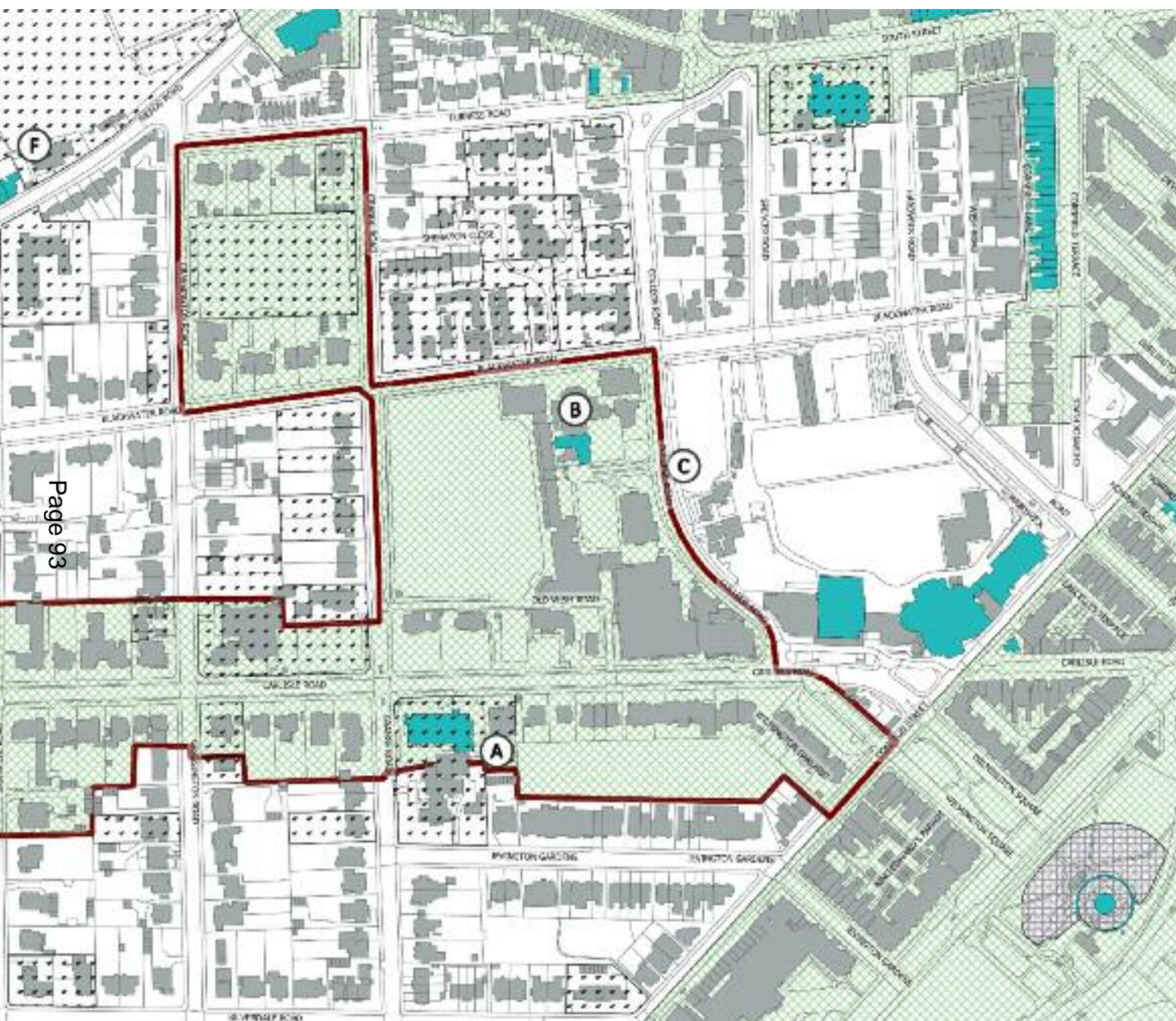
The appraisal was undertaken by heritage and planning consultancy Locus Consulting on behalf of Eastbourne Borough Council.

A detailed survey of the conservation area and immediate setting was undertaken on the 2nd and 3rd of October 2018. The character and appearance of the conservation area was recorded according to established townscape characterisation methodologies (Historic England, 2017) and guidance regarding the production of conservation area appraisals (Historic England, 2016). Relevant documentary, cartographic and other archival resources were consulted as set out within the Bibliography.

A public consultation on the draft appraisal is scheduled for October - December 2019.







# The College Conservation Area and Designated Heritage Assets as of October 2018

- College Conservation Area
- Conservation Areas
- Listed Buildings
- Registered Parks and Gardens
- Scheduled Monuments
- Tree Preservation Order

## (A) Labelled Features

- A Church of All Saints (NHLE 1353110)
- B Warden's House (NHLE 1043672)
- C College gates and wall (NHLE 1190253)
- D Compton Place (NHLE 1000735)
- E Cottage and wall, Granville Road (NHLE 1043648; 1190490)
- F Greystone House & Greystone Haugh (NHLE 1353138)

N

0 100 200 m

## 2. Statement of Significance

The statement of significance for the College Conservation Area sets out the key points of architectural and historical interest that are manifest within its character and appearance. An overview of the suburb's historical development can be read in Chapter 4 of the document, and a detailed appraisal of the area's urban form is provided in Chapter 5.

- 1 The area has strong historical associations with significant individuals of national repute, who made major contributions to Eastbourne's development, notably William Cavendish, Duke of Devonshire, and his favoured architect Henry Currey, both of whom were highly influential in the town's growth in the late 19th century. (As in College Conservation Area, high status mid- to late 19th century suburban estates were often backed by aristocratic investment.)
- 2 The suburb at Lower Meads, within which the conservation area lies, is a well-executed and well-preserved example of a 'residential park' suburb. The residential parks influenced the garden suburb movement that emerged in the late 19th century, going on to herald new orders of town planning, including the Garden Cities Movement that prevailed well into the 20th century. **Due to its quality and condition, the suburb at Eastbourne is likely to rank among the top ten of its type in England.**

The character and appearance of the suburb's designed aesthetic is all the more significant, as it retained precious few features of the original landscape. As such, almost all elements of the development were intentionally designed, providing a clear insight into the traditions of the time and the thinking of the suburb's architect and patron.

Larkfield House, now the College Warden's House, and Old Wish Road are exceptions. The latter originated as a historical track from a small inlet and harbour, and may hold a degree of archaeological interest in respect of the area's early history as a series of small fishing and farming villages.

- 3 The conservation area, and surrounding suburb, is a planned townscape with a consciously designed aesthetic. Set out as a single development unit, an attention to detail is observable from the macro scale such as roads, urban blocks and plot layout, down to the micro-scale (architectural details). Throughout, the townscape is illustrative of the overarching vision for the area and its authoritative execution by William Cavendish and his agents.
- 4 A rich assemblage of 19th-century private villas can be observed within and outside of the area. Prestigious through their spacious size and ornate decoration, the villas embrace many of the Revival styles distinctive of the late Victorian era, notably Gothic and Queen Anne styles. The architecture of many houses is influenced by the Arts and Crafts movement and appears as an early example of the movement nationally, before it became popularised.
- 5 Although the construction of the suburb was clearly administered with a high degree of scrutiny by the aristocratic developer, there is a personalised and at times eclectic level of architectural detailing that creates variety and intrigue within the street scene. The architecture of individual build units reflects the personalised choices of speculative builders and prospective owners, emphasising the plot-by-plot infill of the planned streetscape.
- 6 The stock of middle-class residences, alongside the

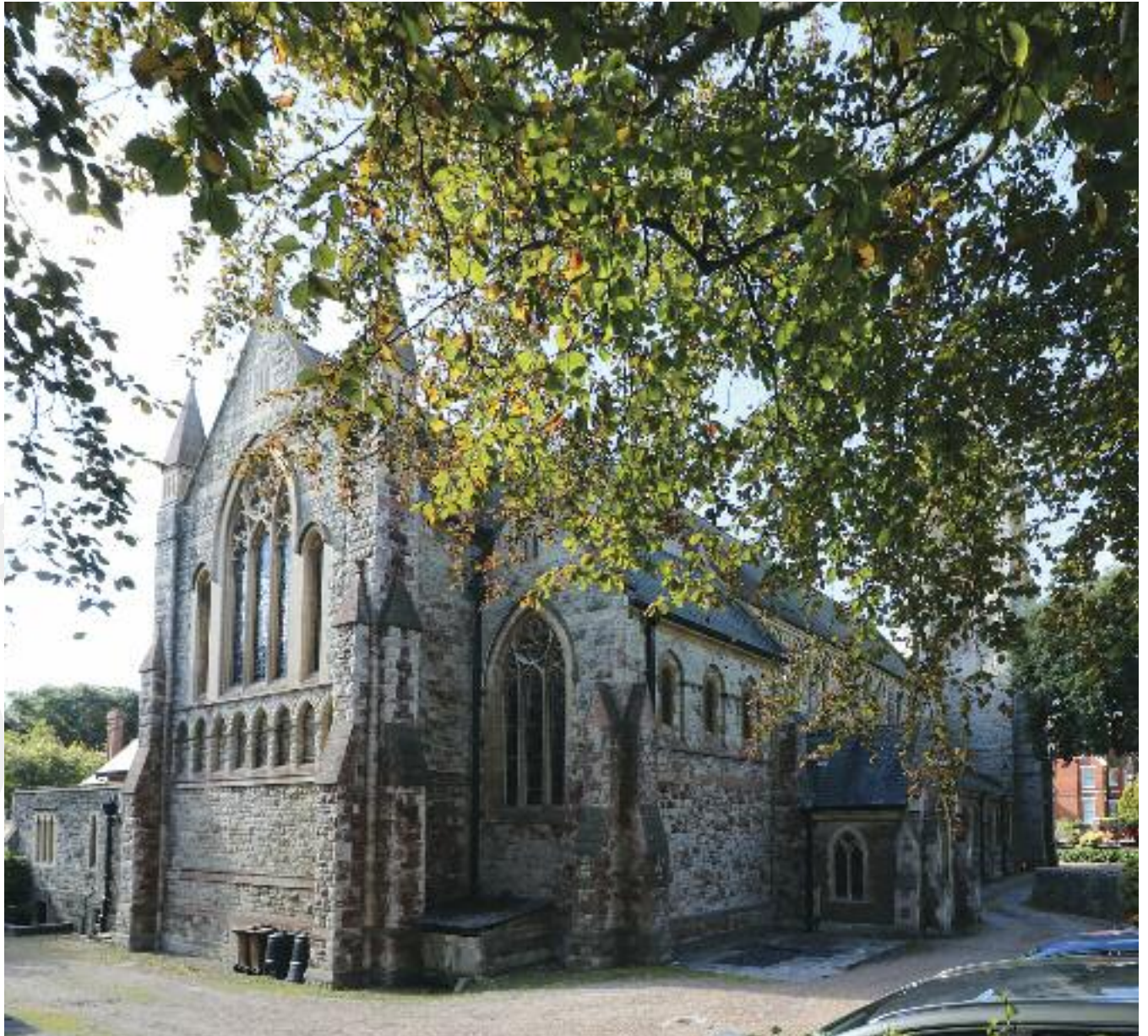
inclusion of large amounts of private open space, illustrates the modernising architecture of domestic houses. Large plots reflect the increasing interest in gardens, translating what was once the preserve of only the wealthiest into middle-class domestic life. The large footprints of dwellings indicate the inclusion of services such as sewerage, running water and lighting into the house itself, a product of a wave of ongoing health and sanitary improvements at the time.

- 7 The walkability and navigability of the suburb, alongside its connectivity to the main town, illustrate the focus on railways as a new form of transport for people and goods. The shift is exemplified by the near wholesale lack of stables, coach houses and mews, amongst other service buildings, typically associated with larger houses.
- 8 At a time of exponential population growth, the area illustrates a changing emphasis in the economies of urban development towards the end of the 19th century, with highly marketable speculative suburban house building increasingly attractive to investors. In addition, the suburb represents a second phase in the growth of seaside towns and resorts, emphasising their increasing national popularity.
- 9 Eastbourne College campus has architectural and historical interest in its own right. The establishment of the initial school was subsidised by William Cavendish and was a major investment by the then newly formed town council, creating a new civic landmark. The campus block is formed of an assemblage of educational buildings, many of which were designed by Henry Currey, and their Tudor-revival style distinguishes them from the remainder



of the suburb. The plot features a series of landmark structures, most notably the Memorial Building, prominently facing Grange Road over the playing field. Celebrated alumni include Gwilym Lloyd George (1894-1967), 1st Viscount Tenby, son of David Lloyd George, and Home Secretary 1954-1957, and Sir Hugh Casson (1910-1999), architect and director of the 1951 Festival of Britain.

- 10 Beyond the campus, the Church of All Saints (1877-1879, rebuilt 1927-1930) is a landmark building at the junction of Carlisle Road and Grange Road.



Picture Ref: 02



### 3. Location and Setting

The conservation area is located in the southwest of Eastbourne, occupying an area of approximately 14 hectares within a suburban area known as Meads. Designed in phases across the late 19th and early 20th century, Meads represents a loosely contiguous residential area that stretches over two kilometres southwest from Eastbourne town centre along the coastline and towards the South Downs.

Meads is unofficially divided into 'Upper Meads' and 'Lower Meads', the former constituting areas elevated by the South Downs escarpment, the latter the plain below. The conservation area occupies much of the lower-lying land, with the terrain rising away to the south and the west, and to a lesser extent the north. The local topography is experienced within long vista views encountered within the conservation area when looking along the linear streets. The views are terminated by prominent landmarks atop the distant hills, given added prominence through their elevated setting, and making both positive and negative contributions; for instance (respectively), views of woodland of the South Downs looking northwest along Carlisle Road, or of large post-war blocks looking southwest along Granville Road.

The conservation area forms an early phase of Eastbourne's southwestern expansion, with its design both pre-empting, and contemporaneous with, much of the Meads area. The conservation area therefore shares many characteristics in terms of layout, street scene, built form, and buildings with its suburban surroundings. The sense of transition between the conservation area and other parts of Meads (much of which is designated as the Meads Conservation Area) is therefore often subtle, and sometimes seamless. Conversely, the character and appearance of the conservation area contrasts markedly with that of the historic town centre and seafront, located immediately to the east and south. The Regency-inspired townscape of the centre and seafront are rapidly superseded by the late

19th-century suburban aesthetic, with little overlap. This firmly establishes the conservation area, and Meads more broadly, as a separate and distinctive locality of Eastbourne, and clearly manifests the chronology of the town's development.



Picture Ref: 03





## 4. Historical Development

Until the mid 19th century Eastbourne was predominately a rural area, with a loose cluster of villages around the area occupied by the current town. Historically referred to as 'Lower Meads', land within College Conservation Area lay to the north of the village of 'Meads' and was mainly used for grazing and arable crops. To the south, towards the location of the Wish Tower, was a small inlet and harbour known locally as 'The Wish'. Few remains of the harbour hamlet and its inlet survive, although traces of the former tow track can be seen at Old Wish Road.

The tithe map of 1841 shows an isolated cluster of buildings around The Wish, including a larger residence called Wish House surrounded by fields. The now demolished property has had a lasting impact on the conservation area. The house and area made such an impression on Mr C W Rawden, a retired Navy Officer visiting in the early-to-mid 19th century, that he built a large house known as 'Larkfield' immediately to the north. The house and its gateway survive today as the Grade II listed Warden's House at the heart of the Eastbourne College campus.



Much of the area now known as Eastbourne lay in the ownership of the Davies-Gilbert family and William Cavendish, Earl of Burlington, who later became the 7th Duke of Devonshire. With a growing national infatuation for seaside retreats within easy reach of urban centres, ambitious plans were hatched by

both families early in the 19th century to establish a new town at Eastbourne. Areas to the east of the conservation area were initially developed in the classically inspired styles that typified the Regency and early Victorian periods, realising Cavendish's dream of bringing London's 'Belgravia' to the new seaside resort.

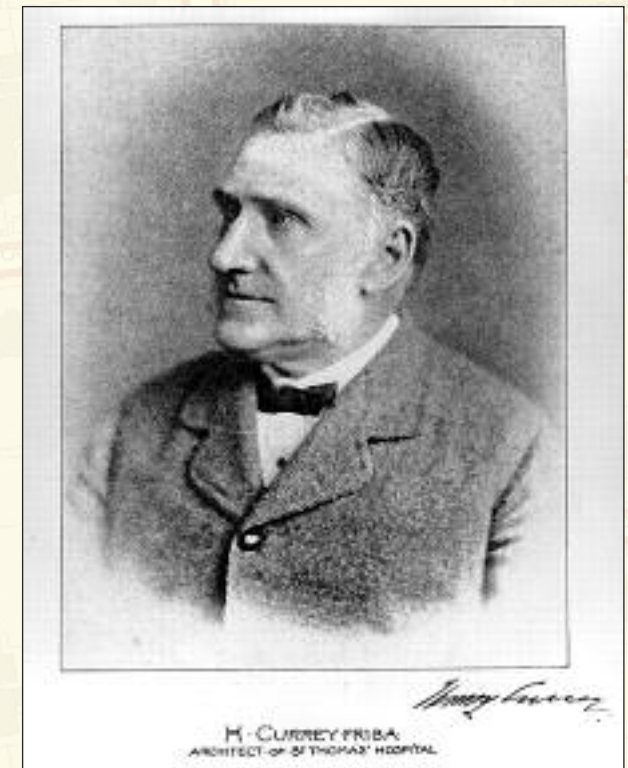
The arrival of the London, Brighton and South Coast Railway in 1849 was a much-needed catalyst for development. In 1859 Cavendish recruited architect Henry Currey to draw up plans for a new town, considering Eastbourne a premier and

upmarket seaside resort. Initial plans did not extend to 'Lower Meads', focussing instead on the town centre and seafront. It was not until Currey's Plan for Modern Meads in 1872 that extensive development within the College Conservation Area began.

Protected from the beach and weather by higher ground to the southeast and insulated from the established town centre by Devonshire Park and the school campus, Lower Meads was ideal for an innovative planned middle-class suburb.

### Henry Currey (1820-1900)

William Cavendish's chosen surveyor was born in Westminster and educated at Eton before embarking on a career in architecture. He trained under prestigious architects of the age including Decimus Burton and William Cubitt, with his early works taking the form of contributions to hospitals, nursing schools and asylums. Following his appointment by William Cavendish, Currey gained responsibility for several of Eastbourne's most prominent developments including the Meads suburban extension, the College House, Chapel and library of Eastbourne College, the theatre, Winter Gardens and pavilion of Devonshire Park, the Bedfordwell pumping station and St Peter's Church in Lower Meads. Currey's architectural taste, originally Italianate, later evolving towards Gothic Revival, would regularly be referenced and replicated across other speculative schemes within the town.





With some foresight, the Duke acquired Larkfield as part of the plans for Lower Meads, bringing all land between Meads and the emerging town centre into his ownership. The Duke also assisted the then inaugural town council to establish an independent school, now Eastbourne College, through the provision of the house and twelve acres of surrounding land at a reduced price. Henry Currey was tasked with designing the new school house and chapel which was opened on 3rd July 1870. Lady Cavendish was invited to lay the foundation stone of the school house, whose Tudoresque style inspired a sequence of future school buildings. Beyond the school, a handful of buildings had also begun to appear within the Lower Meads area, including two houses to the north of the school, one of which, Blackwater Lodge, survives as one of the College's boarding houses.

In advance of housing, long broad streets were created to connect Lower Meads with developed streets to the east around Devonshire Place. Blackwater Road was extended across the area in 1873, Grange Road had been constructed by 1875, and Carlisle Road joined it from the recently created Devonshire Park. The layout of the roads, notably the tangential Carlisle Road which mirrors that of Chiswick Place, suggests that the Duke and his architect had ambitions to replicate the urban form of the established townscapes to the east. Classically styled houses along the eastern extents of Carlisle Road attest to the theory.

Construction of houses started in earnest during the mid 1870s and neared completion a decade later. Silverdale Road was added to the south of the established Carlisle Road and Blackwater Road, which were themselves extended to the west. Three east/west routes defined the planned development unit, meeting with a series of north/south roads – Grange, Grassington, Furness and Granville Roads – to create a broad grid-iron network that formed the basis for 150 new houses.

Houses were mostly built by speculative builders, but with

development along Carlisle Road also opened to individuals who desired to build houses for their own occupation. Catering for Eastbourne's professional elite of and local businessmen, large detached villas set within spacious plots were built for the first time in Eastbourne. All plans had to be checked by the Devonshire estate, often by the Duke's local agent, George Ambrose Wallis, who came to be known for his attention to detail.

The new suburb was heavily influenced by contemporary philosophies of urban design. The roots of the design were within the 'residential parks' movement that had emerged in the early 19th century, incorporating the development of high-status speculative estates, designed with an aesthetic inspired by the English country park. Notable features were tree-lined avenues along streets, capacious planted gardens, and ornate, classically inspired architecture. The suburb also looked forward, however, incorporating elements of the emerging Arts and Crafts and Garden Suburbs movements, and was contemporary with the famed Bedford Park in London, believed by many to be the world's first garden suburb.

The era witnessed an eclectic revival of architectural styles, with Gothic, Italianate and Tudor used in place of the stricter classicism previously favoured in other areas of Eastbourne. Houses at Lower Meads embraced many Gothic and Arts & Crafts features, styles championed by Ruskin amongst other leaders of reform in urban planning.

Services and amenities accompanied the provision of housing, although with the exception of the Church of All Saints and the established school, these seem to have been kept at the peripheries of the new suburb. Consecrated in 1879, the church's foundation stone was laid on 1st November 1877 and was built to the design of T.E.C. Streatfeild.



Picture Ref: 04

# College Conservation Area – 1870

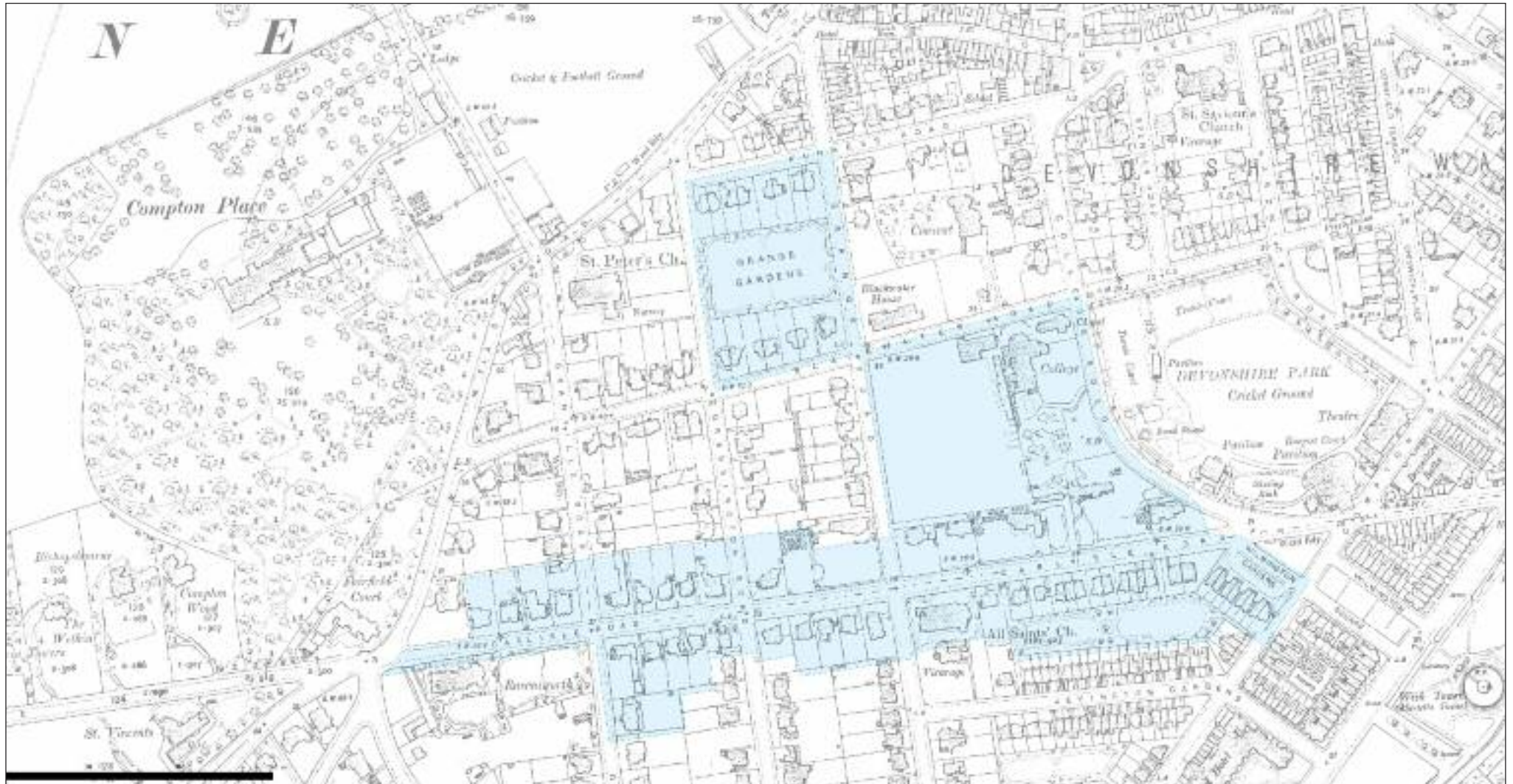


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The two maps shown here identify the growth in the area between 1870 and 1910, the period during which the conservation area grew and adopted its recognisable form.



# College Conservation Area – 1910






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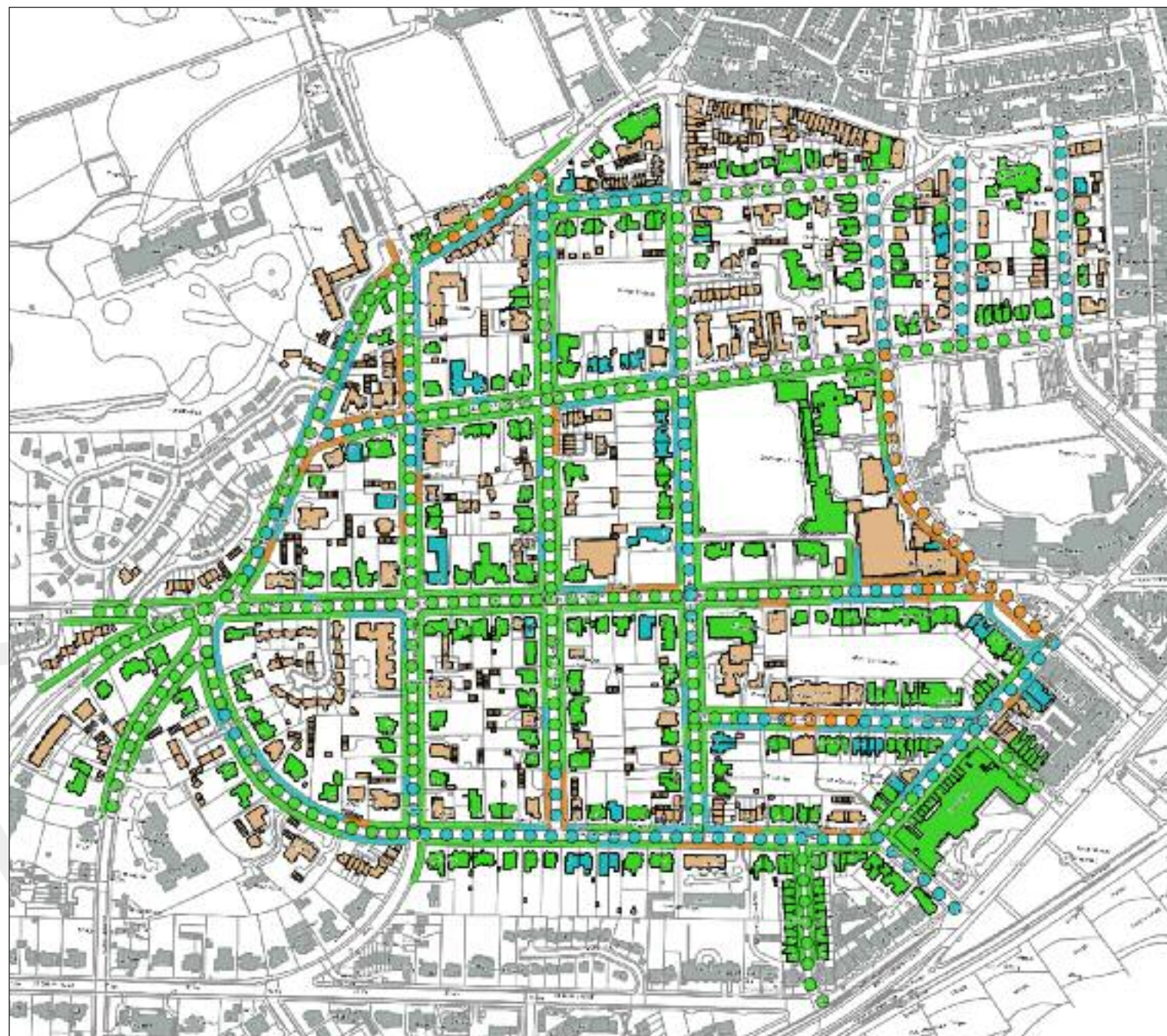
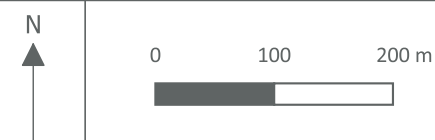
# Analysis of Traditional Buildings, Fronts of Plots and Boundaries, and Street Scenes

## Assessed Feature

-  Traditional buildings
-  Traditional fronts of plots and boundaries
-  Traditional street scenes

## Colour

-  High historical integrity. Features architectural and/or historical interest makes a positive contribution to the character and appearance of the area.
-  Good historical integrity but with some irreversible structural changes. Overall contribution of features architectural and/or historical interest to the character and appearance of the area remains positive.
-  Feature makes little to no contribution to the character and appearance of the area through major alteration or modern redevelopment.
-  Not Assessed



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Picture Ref: 05

## 5. Character and Appearance

This section outlines the character and appearance of the conservation area, through which the special architectural or historic interest of the suburb is experienced.

The appraisal should not, however, be seen as comprehensive list of all features or elements that contribute to its character and appearance. The omission of any particular building, feature, landscaping, material or space should not be taken to imply that it is of no interest.

The historical interest of the late 19th century suburb at Lower Meads can be closely tied to the ambition of the Duke of Devonshire's plans, which were created and executed in a remarkably short period of time. The architectural interest of College Conservation Area cannot be attributed to a single physical feature or component but is instead the sum of many parts appreciated collectively.

Repeated characteristics of the townscape form identifiable threads and reflect the vision behind its planned genesis. Some features are coherently applied, notably the height of front boundary walls, the structural composition and setback of buildings, or the shape of their window openings. Together, these coherent features act as a backbone to the conservation area's designed aesthetic.

Other built features are executed with a degree of individual flair, although still adhering to an underlying design philosophy. Examples might include the use of bespoke decoration, variations in structural form and scale and the application of materials in a personalised way. For example, all houses are built of brick, but different brick bonds may be applied.

Whilst a broader plan philosophy is adhered to, notably seen within the streetscape, there is greater nuance in the plot-by-plot interpretation of it and more so still in the built form. Consequently, clear deviations from the prevailing character of the conservation area are remarkable, commanding a relative prominence in the townscape. The school buildings and campus plot of Eastbourne College

establish themselves in this way and deserve consideration in their own right.

Fundamentally, the character and appearance of the College Conservation Area exemplifies two aspirations. Firstly, that of the Duke of Devonshire's grand vision for a planned suburb, and secondly, that of the individual developers that populated it. Very little of the previous landscape survives, with the suburb reflecting a specific moment in time.

In order to capture both the consistency of the planned townscape and localised expression within it, this appraisal is structured according to three interlinked architectural 'elements':

- Layout and Streetscene
- Built Form
- Buildings

The Eastbourne College campus forms a discrete and definable entity within the broader townscape and is given emphasis in its own regard within each element.



Picture Ref: 06





Picture Ref: 07



## 5.1. Element 1 – Layout and Street Scene

### Key Points

- A designed street scene characterised by repeated features, including roads, verges, avenues of trees, surfaces, open spaces, and boundary walls that cumulatively emphasise the planned nature of the suburb and its authoritative construction.
- A balanced townscape with a subtle hierarchy of streets that promote a strong sense of integrity to the area and the broader suburban development unit within which it lies.
- A series of designed experiences, such as short- and long-range views, and a highly navigable layout of walkable streets that are well-connected to the town centre and seafront.
- A low building density with very high proportions of open space prioritised for private use, emphasising the status of its 19th-century middle-class inhabitants.
- Strong semi-natural suburban character, including a designed visual link to the South Downs alongside gardens, verges, mature trees and communal gardens that are associated with a marked change in late 19th-century approaches to town planning.





The suburb is arranged around a strict grid-iron pattern of roads orientated to the cardinal axes, the geometry of which illustrates its rigorously planned nature. Carlisle Road and, to a lesser degree, Blackwater Road, form east/west backbones to the area. North-to-south aligned roads, such as Grange Road, Grassington Road and Granville Road, come a close second in the hierarchy of streets. The lack of any distinct street hierarchy within the regular and highly navigable layout affords the townscape a balanced sense of integrity.

**Urban blocks** are relatively large, with precious few secondary routes extending into or through them, creating a continual sense of enclosure when moving along streets. The impermeable nature of blocks emphasises the capacious extent of private garden plots and the elevated status of the historically middle-class suburb.

**Roads** are broad, with ample footways and comfortable two-lane-width carriageways. Carlisle Road establishes a relative status through the incorporation of grass verges, illustrating how small deviations can influence the balance of planned elements of the suburb. Much of the public realm has been altered through maintenance and highways upgrades. Where traditional materials and fixtures survive, a clear and positive aesthetic between street scene and other elements of the townscape is re-forged, emphasising the designed aesthetic of the planned suburb. Several footways retain red and black brick paving, characteristic of Eastbourne's suburbs, but the majority has been replaced with modern 20th-century materials such as tarmac and concrete slabs. **Kerbs** are mainly of stone, occasionally flanked by thin brick **gutters**, although many of the latter have been covered by tarmac, which prevails along all road surfaces. **Street furniture** is occasional, with no discernible patterns and lighting is notably sparse. Historic features include cast-iron bollards, vents, lamp posts and post-boxes.

**Avenues of mature trees** line Blackwater Road and College Road, with those in the latter most established. Canopies

are lifted, enabling a highly enclosed but tunnel-like view along streets. Occasional planting can be seen along the footways of north/south roads, and the less systematically planted trees of domestic plots create a similar albeit less designed aesthetic.

**Public open space** is confined to streets and All Saints church yard. Beyond private garden plots, which make up a substantial proportion of the area, open space is limited to two communal gardens, Grange Gardens and Wilmington Gardens, and the college campus playing field. With the exception of the church yard, street access to the area is physically restricted to private gateways, many of which are neglected and in an overgrown condition. In all three instances the open spaces are formal parts of the planned layout of the suburb, with each comprising open grassland to the centre and semi-formal planting around their perimeters.

## Views

The layout of the suburb affords elongated **vista views** along streets, successively framed by mature planting, boundary walls and building lines. The views are experienced within the conservation area along Carlisle and Blackwater Roads and at junctions with the network of north/south roads. Ground-level views along Carlisle Road and Blackwater Road reach to over 700m in length, capturing the full extents of the Duke of Devonshire's vision for the suburb. Notably, to the west, the views terminate with the elevated South Downs, drawing a close historical connection with Eastbourne's rural hinterland.

Elsewhere north/south vista views observed from junctions similarly terminate upon higher ground to the south and north, typically featuring landmark buildings of varying quality which have either positive or detrimental impacts on the character and appearance of the conservation area. Key examples include views of the Town Hall (Grange Road -



Picture Ref: 08 (Top) 09 (Bottom)



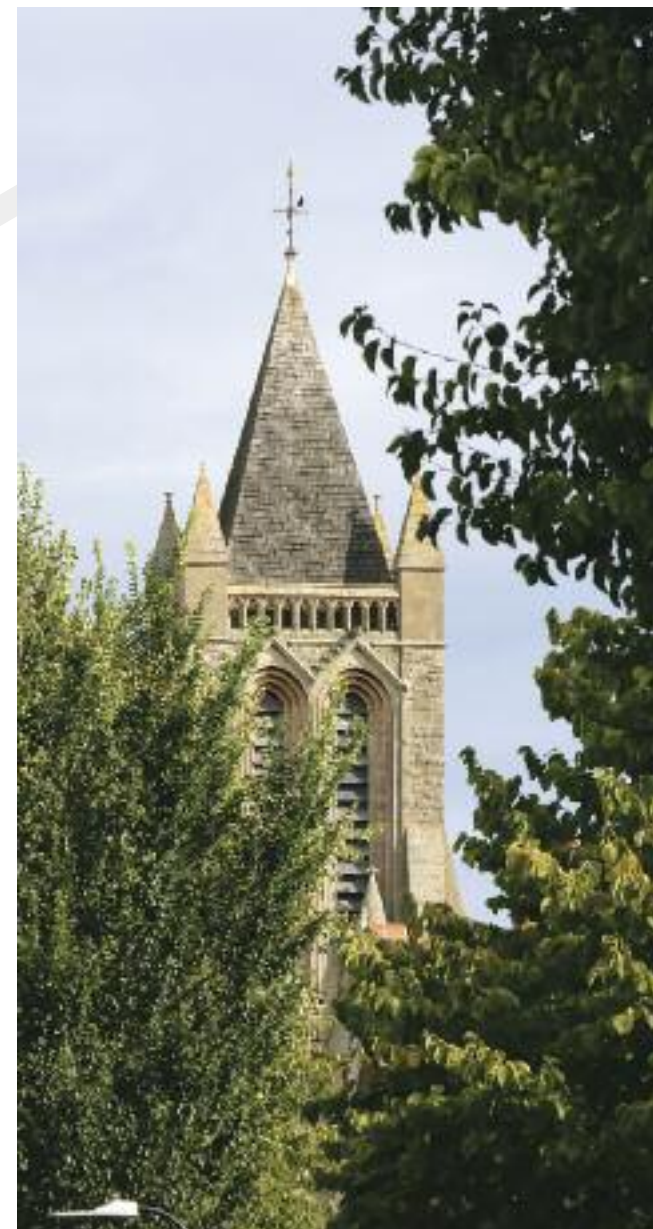


north), South Cliff Tower (Granville Road - south) and The Porters Lodge (Grange Road - south). The views to surrounding higher ground stimulate a broader sense of enclosure than is experienced within the suburb as a whole.

Two **landmark buildings** are located in the conservation area. The college's Memorial Building is a landmark, with its broad façade and central tower prominently facing across the adjacent playing field towards Grange Road. All Saints Church is a landmark at the crossroads of Carlisle Road and Grange Road. The building and spire are set back slightly from the corner, somewhat reducing their visual prominence within the long views down both roads, with the church's prominent status and architecture thus experienced largely in proximity to the crossroad.



Picture Ref: 10 (Top) 11 (Bottom)



Picture Ref: 12





**Short-range views** are limited in the conservation area, serving to focus attention on long-range views or the immediate surroundings. Notable local views include those of Eastbourne College's Memorial Building façade, both from across the open space of the playing field and in the designed view of the tower from College Road. The tall tower and spire of All Saints also attracts views along Grange Road and around its junction with Carlisle Road.

**Corner buildings** enjoy a relative prominence by nature of their position, larger plots, and double-frontage to the street, but generally conform to the prevailing character of other properties.

Throughout the area, gaps between buildings afford glimpsed views of side elevations through to open space above mature garden plots and roofscapes of the rear of properties beyond. Around areas of open space, such as the college playing fields and Grange Gardens, views are less intimate and enclosed, enabling a broader experience of the townscape.



Picture Ref: 13 (Top) 14 (Bottom Left) 15 (Bottom Right)



## 5.2. Element 2 – Built Form & Plots

### Key Points

- High proportions of verdant green spaces that are an integral and mature element of the suburb's designed residential park aesthetic
- A prioritisation of green space within the overall ambience and experience, both in terms of its application in the public and private realms
- A coherent urban grain of plots, detached and semi-detached units set in regular building lines with coherent boundary walls that emphasise the overarching vision and planned aesthetic of the suburb
- A defined historic campus plot of Eastbourne College that formed the precursor to the suburb's development and an early investment by a newly established Eastbourne Local Authority.
- Modest variations to characteristics of the suburb's designed aesthetic, observable within build units, reflecting the more personalised development of the suburb by speculative builders and owners.

The built form and plot-by-plot development of College Conservation Area, and the wider planned suburb within which it sits, reflect both the assiduous administration behind the delivery of the Duke of Devonshire's vision by local agent, George Ambrose Wallis, and its more personalised infill by local house builders and prospective occupiers.

Building plots form a broad convergence between streetscape (Element 1) and the built architecture (Element 3) that makes a strong contribution to the character and appearance of the area. Individually they frame views of buildings within their garden settings, emphasising the intimate relationship intentionally struck between dwellings and semi-natural features as part of the suburb's planned approach.



Picture Ref: 16

**Front plots** combine to form extensive and uninterrupted linear borders along streets. The forecourts typically have low planting surrounding small lawns, many of which have been converted to hardstanding for parking. Trees within plots often overhang the street, softening the public/private boundary and complementing the planting along streets. To the rear, adjacent and opposing rear gardens unite to form more expansive areas of open space that are at times given over to communal gardens or, more recently, car parking. Many feature large areas of lawn with mature planting, including tall trees set within perimeter borders. Collectively the capacious garden plots provide much of the area's green space and emphasise the designed suburban aesthetic.

Spacious plots to the front and rear of houses create an overwhelming sense of low **building density**. Corner plots are relatively broader, with their more capacious plots affording them a relative status in the townscape. Broad gaps from three to ten metres between buildings permit a visual and physical interconnectivity between front and rear garden plots, a relationship best experienced from the street.

The overall arrangement heightens the role played by **open space** in the area, with equal if not greater emphasis placed



Picture Ref: 17



on the openness of plots as on the buildings within them. The dynamic is notable and symptomatic of a designed suburb where a sense of open space and low-density development were prioritised to the benefit of the intended inhabitants who descended from the capital to take the coastal ambience.

There is a regular layout of rectangular **building plots** with their long axes aligned perpendicularly to the street. Buildings along streets front their plots and are arranged in strict building lines with a highly uniform **setback** of circa seven and ten metres that secures prominence to the front plot and emphasises the planned nature of the wider suburb. Together they produce a coherent **grain** to residential parts of the conservation area, creating a rhythm to its character and appearance. Throughout the conservation area, the **aspect of buildings** is to the street, including corner buildings which address both sides of their junctions, creating a sense of continuity along streets and offering a sense of activity and safety.

To the front, plots are defined by low **boundary walls**, generally around four feet in height, which allow for the experience of the architectural interest of buildings along streets. Walls are punctuated by pedestrian gates, many of which have been enlarged or partially reduced for driveway access. The pedestrian gates emphasise the walkability of the suburb, a key planned element of its designed aesthetic. The scale and material construction of walls is highly uniform, with the palette restricted to brick and stone with occasional use of flint. Openings are defined by taller brick piers and the material is used as a decorative accent such as in string courses, panelling and capping. Although a highly uniform characteristic of the street scene, boundary walls display a degree of idiosyncrasy within the application of the seemingly strict material palette. Brick, stone and occasionally flint are arranged in various configurations according to the different build units that make up the area.

Carlisle Road forms the spine of a single **development unit**



constructed according to the late 19th-century (sub)urban plan, with the exception of the College Campus. The area is made up of smaller **build units** of between one and six dwellings. The subtle pattern reflects the process of the sale and development of plots to speculative builders and prospective owners that took place in earnest once the road network had been laid out in advance. Individual build units are made up of single detached properties, with larger groups of plots often developed with up to three pairs of semi-detached houses (for example, 4-7 Grange Road) or up to four repeated detached houses (such as 65-69 Carlisle Road). Short terraces at



Picture Ref: 18 (Top Left) 19 (Top Centre) 20 (Top Right) 21 (Bottom)



the eastern end of Carlisle Road (numbers 31-41) relate to the continuation of an architectural style established earlier to the east.

**College Campus** forms a development unit in its own right, established before the formal layout of the suburb took place and probably forming an anchor from which Carlisle Road and other routes grew. The expansive plot is immediately distinguishable from the finer grained townscape around it. A mixed cluster of detached and attached classrooms, sports facilities and administrative buildings form an identifiable group of educational buildings which are unequally located within the east of the plot and often face internally, refocussing their activity inwards. The set back of buildings from the roadside varies, enabling the movement of pupils within the campus rather than addressing and encouraging movement across the public/private boundary.

Nonetheless, the campus integrates well with the surrounding townscape, with a low overall density of buildings that prioritises the open space of the playing field. The plot is surrounded by low boundary walls, built in flint and brick, with the former emphasising its relative status and non-domestic use. Trees within the inside of the boundary walls similarly contribute to the sylvan street scene. Importantly, the secondary façades of buildings still engage with the street, ensuring a dialogue is retained with the surrounding townscape. Its most notable presence is the broad arcaded façade of the Memorial building, which although distant, faces out of the campus plot across the playing field to its front.

Throughout the area there is a regular and generally low **sense of enclosure** created by the broad streets, set back of buildings, low front boundaries, glimpsed views through the building lines, and long views down streets. However, during summer months, the canopies of trees within gardens and along streets, notably along Carlisle Road, create a more intimate and enclosed feeling.

The interaction of public, college and private spaces across the medium of plots is illustrative of two fundamental drivers that together shaped the character and appearance of the conservation area. On the one hand, high levels of coherence in the spacing and layout of plots, alongside the placement of dwellings within them and the detail of their boundary walls, were subject to close scrutiny by the Duke of Devonshire and his agents. On the other hand, within these strict parameters set out by the Duke, buildings display a degree of individuality in the fabric of the townscape without detracting from the overall coherence of the suburb as a single vision. Greater expression can be observed in the architectural form of buildings (see Element 3).



Picture Ref: 22



## 5.3. Element 3 – Built Architecture

### Key Points

- An identifiable and definable typology of middle class mid-to-late Victorian residential villas, many of which embrace Queen Anne and Gothic revival styles, as well as influences of the Arts and Crafts movement.
- A clear coherence in the scale and massing of buildings, their fenestration, and within the main palette of construction materials. Greater diversity is seen in materials applied for decorative purposes.
- An at times eclectic architectural character of buildings, both between and within build units. Small-scale changes in form and bespoke decoration reflect the plot-by-plot development of the suburb by speculative builders and owners.
- An assemblage of educational buildings within Eastbourne College campus, many of which were designed by Henry Currey, built in the Tudor-revival style. A number are landmark structures, including the Memorial Building.
- The Church of All Saints (1877-1879, rebuilt 1927-1930), is a notable landmark building at the junction of Carlisle Road and Grange Road.

The architectural form, style and detail of buildings in the conservation area is expressive and, of all elements of the townscape, the most illustrative of the individual contributions made by prospective owners and builders, together realising the Duke's overarching vision for a new suburb.

As with the layout and streetscape (Element 1) and the built form and plots (Element 2), the built architecture of the conservation area and wider suburb was controlled to a high degree by the Duke of Devonshire's local agent. With prospective owners along eastern parts of Carlisle Road given licence to build more bespoke properties, the construction of the remainder of the suburb was clearly expected to adhere to a relatively narrower set of design strictures.

Nonetheless, early parts of the suburb built along Carlisle Road (for example, Nos. 31-41) appear to have been largely guided by the classically inspired suburbs already built to the east, suggesting that the style initially remained in favour. The three classically styled buildings are a single build unit comprising a central semi-detached pair of villas flanked by blocks of four terraced townhouses to the east and three to the west. The terraced form or classical style was dispensed with as the suburb spread eastwards, signalling a clear and intentional departure from the then well-established form in Eastbourne.

However, the early classical build unit likely responded to a maximum scale imposed by the Duke and his adviser, dropping to a more modest three storeys, plus garden basement level, from the taller four-and-a-half-storey, plus basement, buildings seen at 1-8 Wilmington Gardens. Later residential properties to the west and north followed suit, with properties in the conservation area ranging from two-and-a-half to three storeys in height to a maximum of four-and-a-half with basements. Exceptions are landmarks in their own right and non-domestic, including the spire of All Saints Church and the central tower of Eastbourne



Picture Ref: 23 (Top) 24 (Bottom)





College's Memorial Building.

The chosen form of buildings was either detached or semi-detached, the latter an emerging form of housing that was to proliferate in late 19th- and early 20th-century suburbs. The overall **massing** of houses is large, with loosely square footprints promoting them as substantial residences fit for their elite inhabitants. The formulaic vertical emphasis of the classical style was substituted for a more horizontal emphasis and diverse, at times asymmetrical, **architectural** form. Buildings, typically on their front façades, frequently incorporate projecting wings, bays and other features including canted bay windows, towers, porches, and oriel windows, as well as complex roof structures.

**Frontages** are generally highly active, with a moderate-to-low solid-to-void ratio, with facades featuring large amounts of fenestration. Traditional **window** forms and arrangement are generally distinctive of individual build units, but with timber vertical sliding sashes, prevailing usually with large single panes below multiple-paned upper sections.

**Doorways** are irregularly positioned, located either to the side or centrally within the façade. A shared characteristic is of ornate doorway detail and construction, with most featuring porches, glazed atriums, or verandas.

**Roof structures** mirror the complexity of the facades beneath, commonly presenting multiple ridge lines and projections. Dormers, cross-gables, and double-pile arrangements all feature, with multiple gable ends facing onto the street a common characteristic. This is particularly evident in corner buildings, which take advantage of their double frontages.

Individual houses define themselves through variation in finer detail and decoration. Bespoke arrangements are adopted from one build unit to the next, with the 'Victoriana' styles of the late 19th century eclectically expressed through a compendium of decorative features.

In terms of architectural style, classicism is rare, with an

Captions??

Picture Ref: 25 (Top Left) 26 (Top Right) 27 (Bottom Left) 28 (Bottom Right)



often-eclectic mixture of Gothic Revival, Queen Anne, and Arts and Crafts prevailing. However, a few notable classical features are included on the eclectic houses, such as the pedimented bay windows seen in Grassington Road.

Many **architectural features** are likely to have been sourced from pattern books at the time, but some are clearly bespoke. Decoration is applied to both the front façades of houses but equally to their roofscape. On front elevations, and to a lesser extent to the sides, features include string courses, dentilated eaves and diapering. **Roofscapes** commonly include multiple chimneys, often of ornate construction, some with moulded brick, and featuring terracotta or cast-iron chimney pots, and projecting high above the roof line. Ridge tiles and finials are also common. Eaves are often deep, and prominent through large bargeboards with brackets, framing and mouldings.

Greater individuality is often seen in the creative use of standard materials such as the arrangement of tiles in dormers and carved stonework. However, some elements such as stained-glass windows and moulded bargeboards are clearly bespoke commissions intended to elevate the status of buildings from their partners and give them a competitive edge.



Picture Ref: 29

Outside of some smaller-scale bespoke features, the material palette of construction materials is limited, probably at the behest of the suburb's designers and patron. Three materials – red brick, sandstone and flint – form a distinctive palette, with most buildings featuring at least two through decoration and detail. All buildings have load-bearing walls of red brick, with a select number using flint nodules, but likely only as a cladding to inner brick structures. Sandstone is often used for lintels and openings, but rarely in walling.

Houses within build units share a common material construction and plan form, bringing a degree of coherence to short stretches of the townscape. Buildings remain differentiated through modulations to their façade or roofscape, such as the use of gabled dormers in place of a gable end, the substitution of a canted bay for a rectangular



Picture Ref: 30

version, and often the symmetrical flipping of the plan form (for example, numbers 2-7 Blackwater Road). Individuality was clearly a premium and a key component of the commercial offer, if not the Duke's vision.

The overall effect is of a highly diverse and intriguing residential street scene that comprises a gallery of buildings constructed using similar techniques and materials, executed to individual effect within an identifiable typology.

Non-residential buildings express their relative status through clear differentiations from the design of domestic houses.

**All Saints Church** is of a Gothic Revival style, having been rebuilt entirely in the 1930s following the destruction of the original church by fire. Built entirely of coursed and rusticated stone, its materiality marks it apart from the brick



Picture Ref: 31

villas and affords it a singular status within the area. The church features an interesting spire at its western façade featuring a tall pyramidal roof, spirelet, and angle buttresses.

Traditional educational buildings in Eastbourne College share some characteristics with their residential counterparts. They are built of brick with stone or flint accents, and are generally two to three storeys in height, with the notable exception of the Memorial Building tower. Buildings are, however, notably broader in scale and offer up fewer doors to their frontages, emphasising the educational space within. The degree of decoration is also more controlled, with many buildings formed around a

Tudor revival style that was extrapolated from the School House, facing onto Blackwater Road, the earliest building and one designed by the suburb's architect Henry Currey. Other key traditional buildings within the campus include the **Memorial Building** (1830), spanning fifteen bays featuring oriel windows and a prominent central tower, the Warden's House, and the chapel amongst other distinctive 19th and early 20th-century buildings. The college campus has gradually expanded in its surroundings, taking in former domestic buildings for conversion to boarding houses, offices and other facilities. Consequently, the clear functional delineation between the suburb and the school has been somewhat blurred.



Picture Ref: 32



Picture Ref: 33



Picture Ref: 34



Picture Ref: 34



## 6. Change

Since its development, the conservation area (and the suburb at Lower Meads more broadly) has undergone a relatively modest degree of change, with many of the key elements of its special architectural and historical interest surviving with good levels of integrity. Nonetheless the area's character and appearance has partially evolved through a process of gradual cumulative change, the principal drivers for which have been:

- Changes in prevailing building practices and materials, notably the replacement of traditional windows and doors with modern alternatives, often uPVC.
- The rapid rise in car ownership over the 20th century precipitating the removal of parts of traditional front boundary walls, street trees, street furniture, street surfacing, and the resurfacing of garden forecourts to provide off-street parking.
- Change of use of historic residential properties, requiring the subdivision and extension of houses for multiple occupancy, either as flats, nursing homes or for use as college boarding houses.
- Extensions to traditional properties to create added floorspace, including rear extensions into the large garden plots, and to a lesser degree, side extensions infilling gaps between buildings. Extensions have generally attempted to resonate with the prevailing architectural character of the area, with some more successful than others. Modern developments around the junction of Carlisle Road and Granville provide good examples of both outcomes.

Within the setting of the conservation area, change has also included the redevelopment of historic plots for modern multi-storey apartment blocks. Prominent corner plots that face into the conservation area, for example, the southwest corner of Carlisle Road and Granville Road, have been susceptible to this change. A degree of new development

has occurred within what were once open spaces within the suburb, leading to a relative increase in density, and a new and distinct architectural form. Notable are those which occupy corner plots that were once part of large gardens associated to adjacent villas, for instance the southwest corner of Granville Road and Carlisle Road, and the corners of Silverdale Road with Granville Road and Grange Road. There are growing trends for the demolition and rebuilding of traditional properties, some attempting to mirror the character and appearance of the suburb, others taking a more bespoke approach. Further afield, large post-war tower blocks on the raised ground to the south are now relatively prominent, terminating long vista views along the north-south aligned roads.

## 7. Legislation and Policy

The prevailing legislation for conservation areas is the **Planning (Listed Buildings and Conservation Areas) Act 1990**, with Part II, Sections 69 through 80 of most relevance.

Section 69 (1a) and (1b) empowers local authorities to determine which parts of their area are of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas.

Section 69 (2) establishes a duty on the local planning authority to periodically review past exercises in the identification and designation of conservation areas to determine whether existing areas and/or further areas warrant continued or new designation. Section 71 (1) establishes the duty of a local planning authority to periodically formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas. This conservation area appraisal fulfils obligations under Section 69 (2) and, in conjunction with the management plan, Section 71 (1) in respect of College Conservation Area.

Section 72 (1) establishes a duty on the local planning authority in the exercise of planning functions to pay special attention to the desirability of preserving or enhancing the character and appearance of a designated conservation area, with respect to any buildings or other land.

Sections 74 through 76 establish control of demolition within conservation areas, with planning permission required for demolition of most buildings, with some exceptions (see Section 71 (1)).

Urgent works can be carried out under Section 54, with the authority of the Secretary of State, relating to buildings in conservation areas that are not listed.

Notification must be given of felling, lopping and topping of trees, to enable a TPO to be served. Section 211 of the Town and Country Planning Act makes it an offence to carry out works to trees in conservation areas in contravention of the controls.

Sections 77 through 80 enable provision of grants and loans towards the preservation or enhancement of the character or appearance of a conservation area.

Conservation areas may include other forms of designated heritage assets such as listed buildings, scheduled monuments, and registered parks and gardens with respective legislative controls to be considered. For instance, Section 66 of the 1990 Act places a statutory duty on local authorities to have special regard to preserving the special architectural and historic interest of listed buildings and their setting.

## 7.1. National Policy

National government policy is set out in the National Planning Policy Framework (NPPF).

Section 16 engages with conserving and enhancing the historic environment. An expectation is placed on local planning authorities to ensure conservation areas justify such status because of their special architectural or historic interest, and the concept of conservation is not devalued through the designation of areas that lack special interest. Paragraph 200 states that local planning authorities should seek opportunities for new development within conservation areas which would enhance or better reveal their significance, and that proposals that preserve those elements of the setting that make a positive contribution to an asset (or which better reveal its significance) should also be treated favourably. Paragraph 201 highlights that not all elements of a conservation area will contribute to its significance, and that the loss of a building (or other element) which makes a positive contribution should be treated either as substantial or less than substantial harm as appropriate, considering the relative significance of the element affected and its level of contribution.

Section 12 engages with achieving well-designated places, including emphasis on the need for planning policies and decisions to ensure that developments “... are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)” (127 (c)).

The NPPF is supported by further advice in the National Planning Practice Guidance and by a range of guidance published by Historic England including:

- Conservation Area Designation, Appraisal and Management (2016)
- The Setting of Heritage Assets (Revised 2017)
- Managing Significance in Decision-taking (2015)
- Conservation Principles (2008)

## 7.2. Local Policy

Local government policy is set out in the Eastbourne Core Strategy Local Plan, adopted in 2013, and establishes the key direction and planning framework for Eastbourne. It provides the strategic policies which, alongside the saved policies of the Eastbourne Borough Plan (2003), are used to determine planning applications.

Conservation Areas feature in Key Spatial Objective 9, which seeks to ensure high standards of design and development throughout Eastbourne.

Policy D10 establishes the overarching presumption in favour of protecting and/or enhancing significant heritage assets, where practicable, from inappropriate change in relation to both designated and non-designated heritage assets.

Policy D10 states that development within conservation areas will be permitted if:

- i. it preserves or enhances the character, setting and appearance of the area;
- ii. it does not involve the loss of important features which contribute to the character of the building itself or wider area;
- iii. its form, bulk, scale, height, massing, materials and function of the development are appropriate to the development site and surrounding buildings, spaces and views;
- iv. it does not involve all or the partial demolition of a building or feature which positively contributes to the character of the area, unless it can be demonstrated to be wholly beyond repair, incapable of beneficial use or is inappropriate to the character of the area.

# 8 Glossary

This glossary contains definitions for most of the terms **highlighted in bold** used within this report.

## Aspect

The direction which a building element, such as a façade, faces (e.g. north, east, south or west).

## Building line

The line formed by the frontages of buildings along a street.

## Build unit

A unit of development formed of buildings constructed at the same time and most often by the same builder/developer. Usually with a shared or very similar scale, form and massing.

## Building plot

A defined piece of land within which a building or buildings are constructed, including the building itself, exterior and ancillary spaces (gardens, yards etc.), and the plot boundary.

## Density

The number of buildings in any given area of land, and the percentage of that area taken up by those buildings' floorspace.

## Development unit

A developed area envisaged, designed, and often (but not always) delivered as part of a unified scheme. For instance, a planned-out suburb would constitute one development unit, even if multiple builders/developers have been responsible for the construction of individual buildings within.

## Fenestration

The arrangement of windows and window decoration on a façade.

## Form

The combination of the layout (structure and urban grain), density, scale (height and massing), appearance (materials and details) and landscape of development.

## Frontage

The area between the front-of-plot boundary and the front of the principal building within the plot. May also include the front façade of the building.

## Grain

The pattern of the arrangement and size of buildings and their plots in an area; and the degree to which an area's pattern of urban blocks is small or large, and regular or irregular.

## Landmark building

A building or structure that stands out from its background by virtue of height, size or some other aspect of design, granting it prominence or dominance, and in turn acting as a useful aid for navigation within an area.

## Massing

The three-dimensional form of a building or group of buildings, the combined effect of the height, bulk and silhouette.

## Material palette

The form and arrangement of materials (e.g. brick, stone, timber etc.) used for both construction and decoration within buildings.

## Roofscape

The design, composition and materials of roofs and roof elements (e.g. dormer windows, bargeboards, chimneys etc.) in an area.

## Scale

The impression of a building when seen in relation to its surroundings, or the size of parts of a building or its details. Sometimes it is the total dimensions of a building which give it its sense of scale, at other times it is the size of the elements and the way they are combined.

## Sense of enclosure

A sense of defined space often formed by buildings and building lines enclosing a definable area.

## Setback

The distance from the front of a building to the pavement or roadside.

## Short-range views

Views which are enclosed or terminated by a visible discernible feature.

## Solid-to-void ratio

Within a façade, the relationship between the voids (e.g. the window and door openings) to the solid (e.g. proportion of the façade that comprises a blank or solid wall).

## Street furniture

Structures in and adjacent to the highway which contribute to the street scene, such as telephone and letter boxes, seating, lighting, railings and signage (etc.).

## Street hierarchy

The local arrangement of different scales and categories of roads, encompassing major highways down to local lanes.

## Urban block

An area fully enclosed by streets, usually containing buildings, particularly evident in highly planned areas

## Vista views

An enclosed view, usually a long and/or narrow one.



# 9 Bibliography

Affleck Greeves, T. 1975 "Bedford Park, the First Garden Suburb",  
Jones Bolsterli, M. 1977 "The Early Community at Bedford Park :  
"Corporate Happiness" in the First Garden Suburb".

Allom, V. (1967). Ex Oriente Salus, A Centenary History of  
Eastbourne College. Eastbourne: Eastbourne College.

Armstrong, R. (1984). Robert Armstrong's Guide to Eastbourne.  
Sound Forum

Brandon, P. (1974). The Sussex Landscape. Hodder and  
Stoughton.

Crook, R. (1981). A Peep at Victorian Eastbourne. Eastbourne:  
Eastbourne Antiquities Research Group.

Crook, R. (2015). Eastbourne in Detail. Eastbourne: Aves Press  
Limited.

Eastbourne Borough Council. (2004). Eastbourne Townscape  
Guide. Eastbourne: Eastbourne Borough Council.

Eastbourne Borough Council. (2011). Conservation Areas in  
Eastbourne: Supplementary Planning Guidance. Eastbourne:  
Eastbourne Borough Council.

Elleray, D. R. (1995). Eastbourne: A Pictorial History. History Press  
Limited.

Enser, A. G. S. (1979). A Brief History of Eastbourne. Eastbourne  
Local History Society

Gordon, K. (2010). Eastbourne Through Time. Stroud: Amberley  
Publishing Limited.

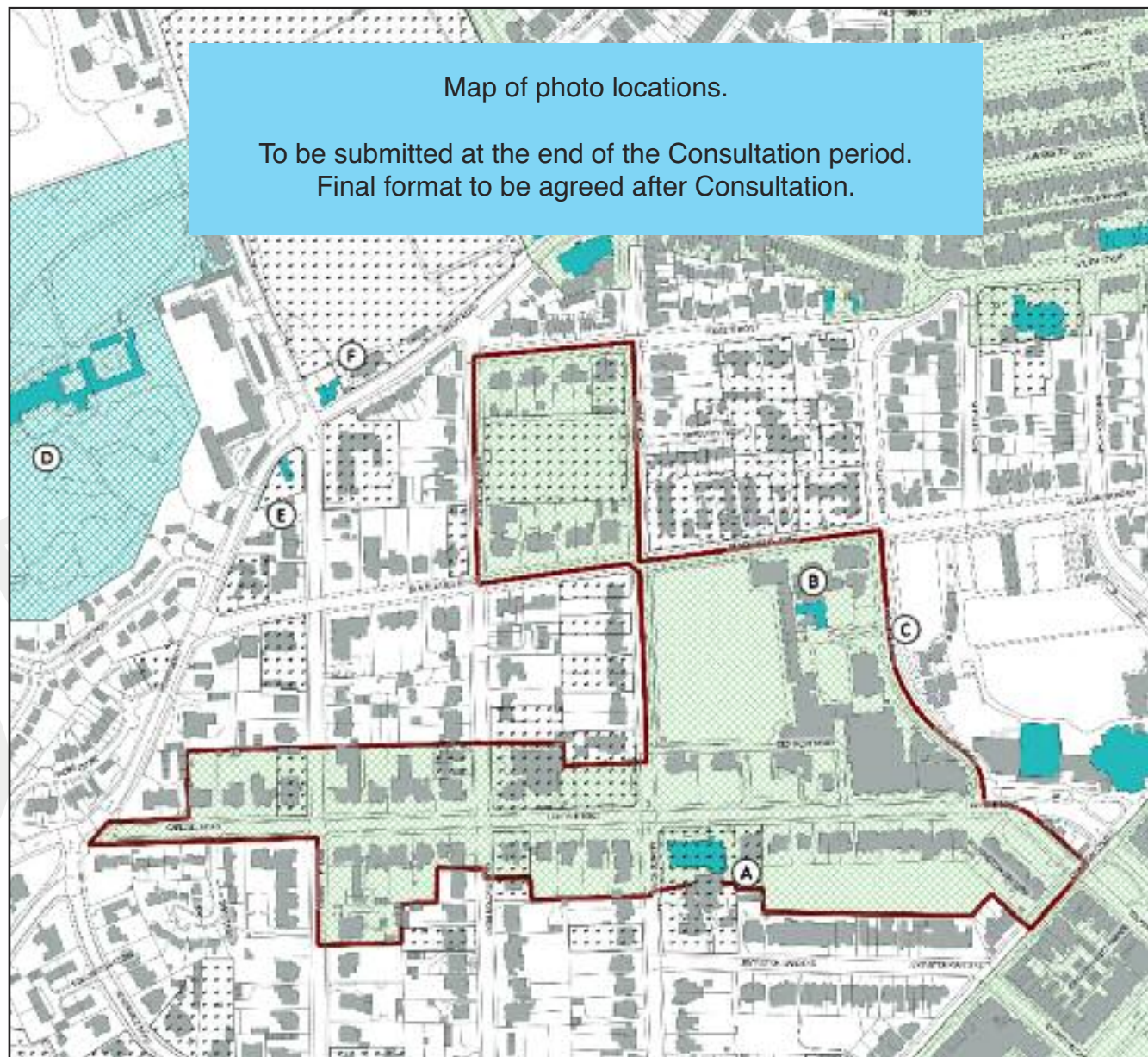
Harris, R. B. (2008). Eastbourne Historic Character Assessment  
Report. Sussex Extensive Urban Survey. West Sussex County  
Council, East Sussex County Council, English Heritage

Historic England. (2016). Conservation Area Designation,  
Appraisal and Management. Historic England Advice Note 1.  
Swindon: Historic England.

Neville, G. (1982). Religion and Society in Eastbourne 1735-1920.  
Eastbourne: Eastbourne Local History Society.

Surtees, J. (2005). Eastbourne's Story. Eastbourne: SB  
Publications.

Pevsner, N. & Nairn, I. (2003). The Buildings of England: Sussex.  
Yale University Press



# 10 Addendum

## Review of the College Conservation Area Designation and Management Framework

### Background

This document is an addendum to a review of the College Conservation Area (C-CA) undertaken by Locus Consulting in October 2018 on behalf of Eastbourne Borough Council (EBC), exploring potential alteration to the existing C-CA boundary. The review provided an objective evaluation of levels of special architectural and historic interest in proximity to the C-CA, identifying candidate areas for expansion. This document gives a subsequent recommendation relative to these candidate areas, provided following discussions between Locus Consulting and EBC Officers on 12th November 2018. A public consultation was held between 14th February and 28th March 2019. 19 responses were received, all in support of extending the C-CA boundary. EBC officers reviewed the suggestions received for further extension and, of these, Jevington Gardens was assessed as meeting the criteria for inclusion within the C-CA boundary.

### Recommendation

The proposed extension area includes plots adjacent to the following roads (either wholly or in part):

- Blackwater Road
- Grassington Road
- Grange Road
- Granville Road
- Silverdale Road
- Meads Road
- Fairfield Road
- Beristede Close (see Notes)
- Jevington Gardens

The existing and proposed C-CA boundary are mapped in Figure 1.

Recommended areas of extension were deemed to exemplify those architectural and historical elements that combine to create the special character and appearance of the existing C-CA, sharing characteristics including (but not restricted to):

- A coherent 'planned' urban morphology, laid out within a designed townscape in the late 19th century, and representing an early example of Victorian (sub)urban development.

### and/or

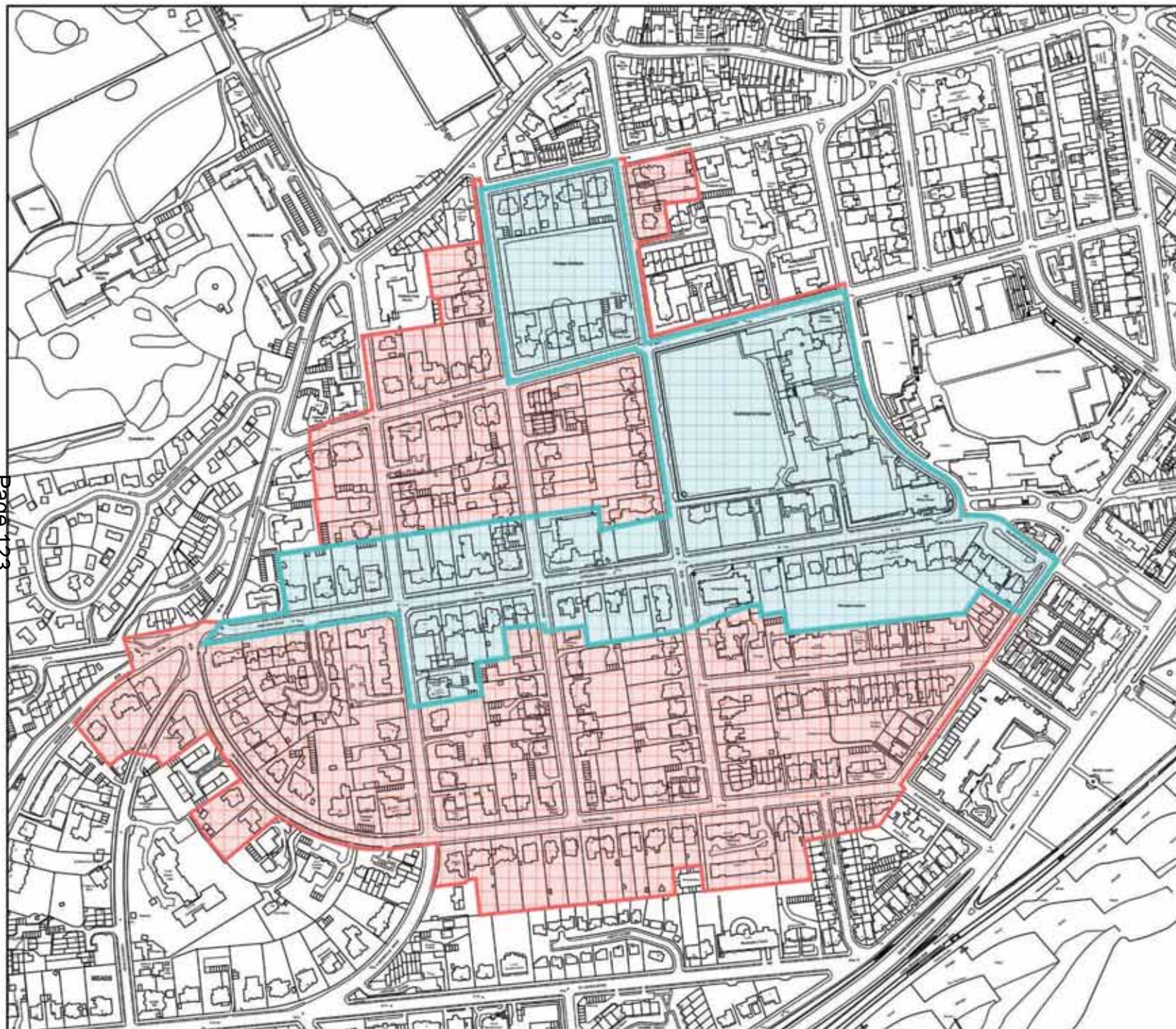
An association to the development and operations of Eastbourne College since the 19th century.

- Large detached and semi-detached villas ornately designed using architectural form and materials distinctive of middle- and upper-class domestic architecture in the region during the late Victorian era.
- A sylvan character created by mature street trees and planting within large domestic gardens.
- Long views created by the highly linear, 'grid iron' street pattern.
- Wide streets with traditional public realm including street furnishings and surfacing.
- Boundary walls of flint, brick and stone.

### Notes

- Beristede Close and a number of plots located to the south of Carlisle Road towards and at the corner of Granville Road do not represent an area of special interest, nor do these buildings reflect the character and appearance of the existing C-CA. They are however surrounded by areas that are strong candidates for expansion. The conservation area appraisal for a revised C-CA should ensure this absence of special interest is noted.





# College Conservation Area Boundary Review September 2019



Conservation area as of  
September 2019



Prospective conservation  
area boundary

Produced by



for Eastbourne Borough Council



Working in partnership with **Eastbourne Homes**



## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
<b>687360</b>	Having moved to Eastbourne under 5 years ago I have delighted in exploring all the streets, gardens and facilities available in the whole of the town. I have become acutely aware of the high level of historic and architectural buildings and points of interest particularly in the College Area. As I live in the 'poorer' part of town the other side of the Pier I have noticed how little by little buildings being renovated have had their more interesting features removed. I myself had to seek out expert builders in an attempt to keep some architectural features, which is costly and time consuming, something many builders will not bother to do. So I AGREE with extending the College Conservation Area.	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.
<b>687393</b>	I approve and wholeheartedly support the expansion of the Lower Meads College conservation area. The buildings are beautiful and every reasonable effort should be made to conserve the Victorian and Edwardian buildings which remain.	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.
<b>687536</b>	I am the Chair of the Meads Community Association representing some 500 households in Meads. We fully support the proposed extension and welcome the review as we consider it will provide a layer of additional planning protection to this historic and unique area of Eastbourne. We have become increasingly concerned at proposals from developers wishing to demolish fine Victorian Villas just outside of the existing College Conservation Area and replace with large scale modern apartments. An example is Kempston 3 Grange Road where the owners a property company situated in the north of England have allowed this rental property to fall into disrepair and then wished to demolish and build 16 apartments on the site. Kempston is an historic building used in WW1 as a hospital and has many interesting architectural features. The planning application has been submitted twice to EBC Planners and both times it has been rejected by the	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these. The designation of Conservation Area does not prevent demolition but consent will need to be granted and the impact on the Conservation Area will be a consideration.



## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	Planning Committee. The owners aware of the impending extension of the Conservation Area have notified (as this is all they need to do outside of a Conservation Area) that they will be demolishing the building and leaving the site bare in March. We believe this is vandalism and the extension of the Conservation Area will allow in future the need for consent from the Planning Authority.	
<b>688178</b>	<p>I have already stated that I approve and support to this proposal to extend the College Conservation area via an earlier response. But I wanted to reiterate and confirm that this view is mine as a local resident and not as an employee of the College (which I happen to be).</p> <p>I would also point out that I think it would be helpful for the area to be known as the Lower Meads Conservation Area, as opposed to the College Conservation Area. Lower Meads is a simple statement of fact as a geographical area whereas reference to the College implies that it is in someway reliant on or affiliated to the College. Thank you</p>	The change of the Conservation Area name was considered but was felt more appropriate to remain 'College Conservation Area' due to the original designation being strongly linked to the College as the 'heart' of the area.
<b>689167</b>	<p>I would support the recommendation to extend the boundary of the College Conservation Area as set out by Locus Consulting.</p> <p>By simply and factually describing its significance, without a shred of sentimentality, they have come to the same conclusion as the majority of us who live here: that the area is special and should be protected.</p>	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.
<b>689305</b>	I have only today been forwarded this link by a contact. As far as I can ascertain, no one living near me has had any notification of the publication, or advance notice of the meeting that happened yesterday! Hardly a way to encourage participation, but here is my comment:	Better publicity was taken into account for the second round of public consultation. The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and

## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	<p>I have been very aware of the loss of corner plots over the last 30-40 years in the area generally, and Lower Meads in particular:</p> <ul style="list-style-type: none"> <li>• Grange and Furness replaced with small houses many years ago</li> <li>• West corner Grange and Blackwater, block of flats</li> <li>• Blackwater and Granville, 2 corners lost many years ago, a third under great threat</li> <li>• Meads street and top of Blackwater, Fulbourne House</li> <li>• Meads Street and Granville, Redmond King</li> </ul> <p>I could go on Slowly our heritage is being lost at our peril, and official protection needs to be provided. I live in Blackwater Road between Granville and Grassington. Presently we are just one lonely block between, but excluded from, College and Meads Conservation areas. We need to be included to protect our beautiful buildings.</p> <p>I welcome this review and the proposed extension of the College Conservation Area</p>	<p>preserve these.</p>
<b>689774</b>	<p>I agree with the extension of the College Conservation area in order that we preserve the historical heritage of EASTBOURNE and the magnificent Edwardian and Victorian architecture.</p> <p>I was disappointed that I only found out the consultation was active when a neighbour posted it on Facebook 2 weeks after it began and too late for me to attend the meeting. A better effort is required to publicise this for future reviews.</p>	<p>Better publicity was taken into account for the second round of public consultation. The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.</p>
<b>689916</b>	<p>This initiative is long overdue to help preserve a unique and substantial part of Lower Meads. The appraisal document</p>	<p>The College Conservation Area Appraisal highlights the special features that give the area</p>

## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	appears very comprehensive. I give it full support, and I am pleased that my own property comes within the proposed new boundaries. Thank you.	its unique character and quality and will help retain and preserve these.
<b>689924</b>	A much needed plan to protect one of the unique areas of our town and you have my full support!	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.
<b>691855</b>	<p>Local Plans and ancient woodland – Forestry Commission approach</p> <p>The Forestry Commission is not in a position to input into the consultation process for Local Plans. However, the information below is provided to assist you in assessing the appropriateness of sites for future development, and to highlight opportunities for achieving your renewable energy obligations.</p> <p>A summary of Government policy on ancient woodland</p> <p>National Planning Policy Framework (Published July 2018) Paragraph 175c "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient trees or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists"</p> <p>Natural Environment and Rural Communities Act 2006 (published October 2006). Section 40 – "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper</p>	The response and guidance is welcomed.

## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	<p>exercise of those functions, to the purpose of conserving biodiversity".</p> <p>National Planning Practice Guidance – Natural Environment Guidance. (Published March 2014)</p> <p>This Guidance supports the implementation and interpretation of the National Planning Policy Framework. This section outlines the Forestry Commission's role as a non-statutory consultee on "development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in Natural England's Ancient Woodland inventory), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings"</p> <p>It notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions, Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland in the National Planning Policy Framework. It highlights the Ancient Woodland Inventory as a way to find out if a woodland is ancient.</p> <p>Standing Advice for Ancient Woodland, Ancient trees and Veteran Trees. (Published November 2018)</p> <p>The Forestry Commission has prepared joint standing advice with Natural England on ancient woodland and veteran trees which we refer you to in the first instance. This advice is a material consideration for planning decisions across England. It explains</p>	

## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

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	<p>the definition of ancient woodland, its importance, ways to identify it and the policies that relevant to it. It also provides advice on how to protect ancient woodland when dealing with planning applications that may affect ancient woodland. It also considers ancient wood-pasture and veteran trees.</p> <p>The Standing Advice website will provide you with links to Natural England's Ancient Woodland Inventory, assessment guides and other tools to assist you in assessing potential impacts. The assessment guides sets out a series of questions to help planners assess the impact of the proposed development on the ancient woodland.</p> <p>The UK Forestry Standard (4th edition published July 2017). Page 23 "Areas of woodland are material considerations in the planning process and may be protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance SLNCIs)".</p> <p>Keepers of Time – A Statement of Policy for England's Ancient and Native Woodland (published June 2005). Page 10 "The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland".</p> <p>Natural Environment White Paper "The Natural Choice" (published June 2011) Paragraph 2.53 - This has a "renewed commitment to conserving and restoring ancient woodlands".</p>	



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	<p>Paragraph 2.56 – "The Government is committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland sites".</p> <p>Biodiversity 2020: a strategy for England's wildlife and ecosystem services (published August 2011).</p> <p>Paragraph 2.16 - Further commitments to protect ancient woodland and to continue restoration of Plantations on Ancient Woodland Sites (PAWS).</p> <p>Renewable &amp; low carbon energy</p> <p>The resilience of existing and new woodland is a key theme of the Forestry Commission's work to Protect, Improve and Expand woodland in England we will continue to work with Forestry / Woodland owners, agents, contractors and other Stakeholders to highlight and identify, pests and diseases and to work in partnership to enable Woodlands and Forests are resilient to the impacts of Climate Change.</p> <p>Woodfuel and timber supplies continues to be an opportunity for local market growth whilst also enabling woodlands to be brought back into active management.</p> <p>Flood risk</p> <p>The planting of new riparian and floodplain woodland, can help to reduce diffuse pollution, protect river morphology, moderate stream temperature and aid flood risk management, as well as meet Biodiversity Action Plan targets for the restoration and expansion of wet woodland.</p> <p>The Forestry Commission is keen to work in partnership with Woodland / Forest Stakeholders to develop opportunities for</p>	

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	<p>woodland creation to deliver these objectives highlighted above.</p> <p>In the wider planning context the Forestry Commission encourages local authorities to consider the role of trees in delivering planning objectives as part of a wider integrated landscape approach. For instance through:</p> <ul style="list-style-type: none"> <li>• the inclusion of green infrastructure (including trees and woodland) in and around new development; and</li> <li>• the use of locally sourced wood in construction and as a sustainable, carbon lean fuel.</li> </ul> <p>Yours sincerely,</p> <p>Forestry Commission England, South East and London Area Office</p>	
706720	<p>I moved to Eastbourne from Brighton some 12 years ago. I was born and raised in Brighton and loved the town. Instrumental in its growth, I was part of the group that made it 'The Place to Be' and then the millennial city. But that had adverse effects, shining a light on a lovely open-minded city with a fast link to London. Outsiders moved in, locals moved out and the new influx cared little for the City's history. It made a choice and it's living with the consequences.</p> <p>I recognise Eastbourne as a proto Brighton, but having immersed myself in the history of this relatively new town - basically having been designed and built from scratch from the 1850s onwards - I am amazed the town still shows to this day the vision from that time, and the vision of people now long dead who looked to</p>	<p>The inclusion of Devonshire Park was considered but was felt to have its own distinct quality from the College Conservation Area.</p>

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	<p>protect its future. Perfect example - the buying up of the land between Eastbourne and East Dean to make sure there would never be development there like the disaster that is Peacehaven. Eastbourne has an edge - and that makes for keeping the town's identity intact. Yes, we don't have the fastest trains to London. Again, a good thing. If people wish to live in this town and commute to London then time is the price to pay and a price worth paying.</p> <p>Eastbourne is a town with an ever-growing population and for good reason - it's a caring town and a wonderful place to live. It's had to make choices about old and new - what to keep and what to get rid of. It may not look like it now but once all the roadworks, scaffolding and temporary bus stops have gone the town should look rather special. The centre can be new and I support this. I also suspect that the Central Library buildings - currently owned by East Sussex County Council and Eastbourne Borough Council - will be and should be demolished in the next five years. With no disabled access it is not fit for purpose and the 60s design is, I feel, a blot on the landscape of the town. With a unitary council very much on the cards I expect the demolition of the whole site and something new envisioned has already taken place.</p> <p>And so to the proposed College Conservation Area. I not only fully support this, but I would also support an further expansion of this to include the private gardens at the back on the Grand Hotel and anything around the Devonshire Park not currently covered by Gradings.</p> <p>As someone who loves this town greatly (and, as such, became and now am a trustee of the Eastbourne Society) I implore all of you in positions of authority to be guardians of this town.</p> <p>Eastbourne is unique and a very rare treasure, with many</p>	

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	<p>stunning examples of the vision and architecture of the 19th century and a few from the 20th. Please be mindful - once something is gone, you can never get it back.</p> <p>I am always mindful of the Eastbourne Society's motto: An eye to the past with a vision for the future. Yes, the town needs to grow. Accommodation wise, let that do that in the suburbs or (as is already happening) in the town houses where it becomes lots of flats. Wait and see what comes from the completion of the Beacon and the Devonshire Complex. No doubt there will be unforeseen issues with cars and parking. But there always going to be problems - that's just the way it is as every new project is unique. Rome wasn't built in a day, and Eastbourne doesn't need to be either. The conservation area is a bold step to keeping this gem of a town a diamond of the future.</p>	
<b>710047</b>	<p>I support the proposed extension to the College conservation area. As a local resident, I am very appreciative of the variety of interesting and attractive period architecture in the area, and I am keen to see it safeguarded.</p> <p>If asked, I would also in fact favour an extension of the conservation area beyond what is proposed, for example to take in the rest of College Road (which covers our home) for the same reasons as those set out above. But my main priority in submitting this response is to see the current proposal implemented.</p>	The rest of College Road was considered to be included but was felt more appropriate to be included within the Town Centre and Seafront Conservation Area if it were to be included within one of the existing Conservation Areas.
<b>710105</b>	Yes, I wholeheartedly support the extension of the College Conservation area to preserve the unique historic buildings, layout and Victorian planning schemes of Eastbourne. In addition, I would be very keen to see the College Conservation area expanded further towards the town centre, to preserve the historic buildings of College Road, Furness Road and South Street.	The suggested further extensions were considered to be included but were felt more appropriate to be included within the Town Centre and Seafront Conservation Area if it were to be included within one of the existing Conservation Areas.
<b>712820</b>	I write on behalf of the Eastbourne Society as their Architectural	The suggested further extensions were

## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	<p>Advisor, as the RIBA representative on the Conservation Area Advisory Group of Eastbourne Borough Council, and as a local resident of Meads.</p> <p>We thoroughly agree with the principle of extending the College Conservation Area which is something the Eastbourne Society has been pressing for over many years. The draft report is an excellent document and we support wholeheartedly its findings. However, we believe that the proposed boundary as shown outlined in red on the plan does not go far enough and should be extended to link with the Meads Conservation Area to the south and the Town Centre and Seafront Conservation Areas to the south and east.</p> <p>We have provided a fuller response to Eastbourne Borough Council which includes photographs and a proposal map which we hope will be available to anyone who is interested.</p> <p>As the report emphasises the area of the proposed College Conservation Area is a nationally important asset, created by the 7th Duke of Devonshire and his architect Henry Currey in the 1870s. It encompasses not only fine architecture carefully placed in generous garden plots but also surrounded with a grid of wide tree lined streets, boundary walls of local materials, local brick pavements, grass verges, historic cast iron street furniture, vistas and focal points. It is the relationship of all these parts in a lived in environment that makes this area so distinctive. As the late Christopher Hussey wrote in Country Life "it should be recognised by Town Planners as a masterpiece of its genre." In the draft proposal there are small gaps between the College Conservation</p>	<p>considered to be included. To the east of the College CA was felt more appropriate to be included within the Town Centre and Seafront Conservation Area if it were to be included within one of the existing Conservation Areas. Through the inclusion of Jevington Gardens the College CA will create a full joined up boundary with the Town Centre and Seafront Conservation Area. Jevington Gardens was considered to have characteristics and qualities identifiable with the existing College Conservation Area.</p> <p>The areas to the west were considered but were felt to be more appropriate to be included within the Meads Conservation Area or were not thought to have the enough retained characteristics that are distinctive of the College Conservation Area. Conservation Areas should not necessarily be joined up to enable blank coverage as this can dilute the strength of reasoning behind the designation of the area as a place of special quality and character.</p>



## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	Area and the adjoining Conservation Areas where insensitive development could ruin its character. It is essential therefore that the whole area is protected by Conservation Area status which will also ensure that any proposed alterations or new developments will only be allowed if they enhance and preserve the character of this outstanding area.	
<b>713018</b>	<p>Town &amp; Country Planning Solutions have submitted a consultation response on behalf of City Executive (Europe) Limited, who own The Congress Hotel (Nos. 31 – 41 Carlisle Road) which is situated within the College Conservation Area. This response requests an alteration to the prospective southern boundary of the College Conservation Area to remove Wilmington Gardens from the Conservation Area.</p> <p>The College Conservation Area currently includes Wilmington Gardens (following the most recent Conservation Area Appraisal), with the southern boundary of the Conservation Area running along the Gardens' southern boundary.</p> <p>The Council is seeking to expand the Conservation Area boundary to the south / south east, although it continues to exclude the properties along Jevington Gardens, on the southern side of Wilmington Gardens, which are presumably not considered to be of significant architectural or historical merit to warrant inclusion. Wilmington Gardens remains included however, notwithstanding that this private space (which is not accessible to the public or is prominent in any public views from within or looking towards the Conservation Area) and it does not have any historical merit as a communal garden area serving the surrounding properties (which is maintained and managed via a</p>	<p>The removal of Wilmington Gardens and the inclusion of Jevington Gardens was considered. Jevington Gardens was considered to have characteristics and qualities identifiable with the existing College Conservation Area and was decided upon reflection to be included within the College Conservation Area. It was, therefore, felt appropriate to retain Wilmington Gardens within the boundary.</p>

## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	<p>service charge paid by the owners of the said properties). As such this private communal garden does not make any positive contribution to the overall character or appearance of the current Conservation Area.</p> <p>Furthermore, the review of the Conservation Area boundary would provide an opportunity to remove Wilmington Gardens to provide a more logical boundary to this part of the College Conservation Area so as to instead be defined by the built development on the southern side of Carlisle Road.</p> <p>The Conservation Area boundary should therefore be amended accordingly.</p>	
<b>713132</b>	<p>The MCA has responded favourably to the extension of the College Conservation Area as proposed by the consultants. We have just been made aware of the comments by the Eastbourne Society to not only approve but to extend the area so it merges with the existing Meads Conservation Area. We have no objections and would welcome this suggestion but do not wish this to hold up the decision making process.</p>	<p>The proposed further extension is addressed below.</p>
<b>713490</b>	<p>Representing The Eastbourne Society as its Planning Advisor I welcome and fully support the extension outlined in the excellent Conservation Area Appraisal: College proposal. However, I do consider that it does not extend quite as far as hoped for and feel that it could be enhanced by the following additions -</p> <ol style="list-style-type: none"> <li>1): both sides of Spencer Road with its fine Italianate villas;</li> <li>2): the section of Blackwater Road facing the back of Devonshire Park;</li> <li>3): the north-east side of Granville Road, south of Silverdale</li> </ol>	<p>The suggested further extensions were considered to be included. To the east of the College CA was felt more appropriate to be included within the Town Centre and Seafront Conservation Area if it were to be included within one of the existing Conservation Areas. The south-east side of Meads Road was not felt appropriate to be included within the College Conservation Area as most of the buildings were found to make little to no contribution to the</p>

## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	<p>Road, noted for its high historic integrity, and providing access to St John's Road; and</p> <p>4): the south-east side of Meads Road between Granville Road and Carlisle Road that includes a Grade II listed building.</p> <p>As already noted in the draft appraisal Meads is one of the finest examples in the country of fine 19th Century town planning and architecture, a merit that makes Eastbourne such an attractive seaside resort, and the proposed extension is absolutely necessary in order to secure the heritage assets within areas of Meads that are not currently included in the existing Conservation Area.</p>	<p>character and appearance of the area through major alteration of modern redevelopment as detailed within the draft College Conservation Area Appraisal document prepared by Locus Consulting.</p>
713502	<p>I live in the area recommended to be included in the extended conservation area, and I have researched the area being consulting on in detail, and given two public presentations on the history of the area. The architectural history of the area as an example of modern town planning, conceived by the Duke of Devonshire and his agents, and the social history of the area as a centre of educational excellence at boarding schools such as the prestigious Eastbourne College, and the history of Eastbourne as a Red Cross Town in WW1, are inextricably linked with the architectural heritage of the large elegant period buildings, which strongly relate to each other, many still serving as boarding houses, and the majority of which still have a high level of architectural integrity. The area is also defined by strategically designed green spaces in the form of communal and private gardens, which not only add so much to the character of the area, but are an important haven for wildlife, and assist to support the already over burdened Victorian combined drainage system. The area recommended for inclusion in the new College Conservation</p>	<p>The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.</p>

## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	Area, which is so important to the unique character and identity of Eastbourne, with it's celebrated Victorian architectural heritage, should be preserved by the extension of the College Conservation Area, in the name of public amenity, and to safeguard the heritage resources which are so important to the future of the town as an attractive tourist destination.	
<b>713519</b>	<p>The College Conservation Area is a very distinct neighbourhood and its heritage gives a sense of place and a special character worthy of the designation. We are pleased to note the appraisal report comments on Eastbourne College's history and a number of our buildings (both old and new) are represented in the document. Eastbourne College is proud that the conservation area is named after it. The College's land and properties must provide the bulk of the buildings contained within the existing area.</p> <p>The College is generally supportive of the need to preserve and enhance the local area and to reduce the threat of poor development, which would dilute the history and character of this fine area. The appraisal report gives a compelling case to justify expansion.</p> <p>We do have understandable concerns that an extension to the area will increase costs for future external refurbishment works of College properties. Over 30 properties owned by the College will fall within the conservation area.</p> <p>The College is rightly proud of its development achievements during its long history with our most recent project being the opening of the Winn Building and the Nugee Building, which</p>	<p>The aim of the boundary extension is not to prevent or restrict development. The Local Authority welcomes development and investment in the area. The boundary extension will look to support development and manage the impact it may have on the Conservation Area to prevent any negative impacts or dilution of the special quality and character of the area.</p> <p>The proposed boundary extension has been carefully considered and is not felt to dilute the existing special quality and character of the area. As noted above, suggestions for further extensions have not been included for this reason.</p>

## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	<p>celebrated our 150th anniversary. We wish to posit the view that conservation areas are not meant to be museum pieces and hope the long term view of the Council will be to acknowledge that good new development makes a positive contribution to an area, its history and culture.</p> <p>Our track record of development has ensured the character and appearance of the College Conservation Area has been preserved, enhanced and made increasingly interesting over the years. It will remain our mission to continue this tradition of good design and development as our campus continues to evolve in order to meet the educational and residential demands of future pupils.</p> <p>The proposed increase of the area is quite dramatic. Visually the proposed footprint looks to be double in size. A number of buildings in the new area do not meet the criteria due to their modernisation or major alteration. As such we do wonder if an area this size could not be controlled through the normal planning process to protect those historically important elements of the area?</p> <p>Finally, we do observe that the extension is potentially quite excessive and by increasing it by so much, we question whether it dilutes the very nature of what makes the College Conservation Area so unique and special.</p> <p>Eastbourne College reserve the right to amplify these comments with further submissions.</p>	



## Appendix 2 – Summary responses received for Public Consultation 14 February 2019 to 28 March 2019

Rep ID	Comment	Response
	Should the Council adopt the proposal, we understand the next stage of the Area Appraisal would be the formation of a Conservation Area Management Plan. Eastbourne College would welcome the opportunity to participate and be involved in this process.	

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## Appendix 3 – Summary responses received for Public Consultation 28 October 2019 to 06 December 2019

Rep ID	Comment	Response
<b>763918</b>	For our little corner of Grange Road, my vote is no. I don't think the added restrictions are necessary here. In the age of climate change and a national housing crisis, I would much rather people were made as free as possible to install things like double glazing and adapt their homes for their families; otherwise we may have to start building on greenbelt instead. I would much rather have the council use it's resources on other issues, such as looking at ways to make the area more pedestrian friendly. In my opinion, the things that spoil the area far more are heavy traffic and dangerous parking.	The aim of the boundary extension is not to restrict or deter householders from improving the impact their home has on the environment but instead to preserve those features that give the area its special quality and character. The designation of Conservation Area does not remove Permitted Development rights of dwellinghouses to replace their windows.
<b>764215</b>	As a resident of Grassington Road I am very pleased by and supportive of the proposal to extend the College conservation area. The lower Meads character as a whole needs greater protection from unsympathetic development including small-scale damage such as converting gardens to parking, removing boundary walls, and replacing original windows and features on domestic and other buildings. The trees are a special joy and need care and replacement where they have gone. The brick pavements should be safeguarded and where lost replaced.	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.
<b>766050</b>	I do not agree to 6 Silverdale Road being part of the conservation area. 4 Silverdale Road which is the semi-detached to the 6 Silverdale Road, already has double glazed windows. They are tasteful and match the appearance of the original windows. In the future, particularly with climate changes, energy economies and elderly residents, 6 Silverdale Road may want to consider double glazing in keeping with 4 Silverdale Road. If the property is part of a conservation area this will make it more difficult and takes some freedom away to the owners of the flats. When my flat was purchased at 6 Silverdale Road, I checked to ensure it was not a	The aim of the boundary extension is not to restrict or deter householders from improving the impact their home has on the environment but instead to preserve those features that give the area its special quality and character. The designation of Conservation Area does not remove Permitted Development rights of dwellinghouses to replace their windows. However, flats are already required to apply for planning permission to replace their windows; the designation of Conservation Area will not change

### Appendix 3 – Summary responses received for Public Consultation 28 October 2019 to 06 December 2019

	listed building or conservation area before I bought it. I fear other buyers would feel the same and the property could lose value rather than gain it.	this. It is entirely possible to reconcile the need for double glazing with conservation area status.
<b>768015</b>	I live at 10 Grassington Road and I can't understand why Blackwater Road, Grassington Road and the other areas are not in the College Conservation Area and believe wholeheartedly that the conservation area should be expanded to include these roads and the other areas suggested. The Victorian and Edwardian heritage and wonderful architecture is one of the items that makes Eastbourne so attractive. It will not be such a pleasant place to live if all these wonderful buildings are destroyed and replaced with soulless modern buildings. I just wish this action would save Kempton at 3 Granville Road but for some reason this consultation was delayed beyond that sad decision.	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.
<b>768152</b>	I think the restrictions on solar panels in the conservation area need rethinking. If we really want to conserve the area this should include the environment and anything that encourages use of renewable energy should be encouraged rather than restricted.	The designation of Conservation Area only removes the Permitted Development right of domestic premises to install solar PV or solar thermal equipment on a wall which fronts a highway as per Part 14 Class A paragraph A.1(c). The installation of solar panels is not completely prohibited and is felt to still reasonably allow domestic premises to install solar panels.
<b>762163</b>	The MCA representing over 550 households in Meads responded to the initial consultation on the extension of the College Conservation Area on the 3rd April 2019 giving our full support to the proposed extension. Our position in this consultation remains the same and we look forward to the implementation of the proposed extension as soon as possible.	Their comments were responded to during the first consultation.
<b>761597</b>	I fully support the proposed extension of the Conservation area in all aspects.	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.

## Appendix 3 – Summary responses received for Public Consultation 28 October 2019 to 06 December 2019

<p><b>761443</b></p>	<p>The college conservation area extension is long overdue. My immediate neighbourhood is a small section just outside, and wedged between the College and Meads conservation existing areas. We have the description of High townscape value, which is said to add to heritage/architecture and cohesion of the surrounding area.</p> <p>However with no protection we have become a magnet to developers to the detriment of not only the architectural quality but also the social mix and community ambience of our neighbourhood. A number of corner plots have already been lost to soulless blocks. A rare example of a complete row of original Victorian houses along Blackwater Road is about to lose that status due to another demolition, to be replaced with a large out of character block of flats.</p> <p>As can be seen in many of the photos within the draft appraisal document, boundary walls throughout this area are stone/flint with brick capping. It gives a great sense of integrity, but even this has no protection at present. Please ratify this extension without delay to hinder yet more erosion of our neighbourhood.</p>	<p>The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.</p>
<p><b>762183</b></p>	<p>I have read and considered the proposed extension of the College Conservation Area and I fully support the proposal. It is not before time that this area is to be extended. It should have been done some 5 years earlier as part of a regular review. So let's get it done now.</p>	<p>The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.</p>
<p><b>768235</b></p>	<p>I have a number of points to make re the proposed Conservation Area extension: I have made the assumption that the line drawn on the plan will always protect the pavement and boundary wall along which it runs.</p> <p>Silverdale Mews Stables to the rear of 35 and 37 Silverdale Road. Whilst these have been redeveloped, the exterior walls and structure are still original and form an important and original</p>	<p>Pavements and boundary walls form a key part of the character of the area and the intention is to provide protection for these. There are already special arrangements in place for footway works in conservation areas and this will ensure that new coverage sites benefit from this.</p> <p>There is an issue aligning boundaries with Meads</p>



### Appendix 3 – Summary responses received for Public Consultation 28 October 2019 to 06 December 2019

garden wall boundary to the villas of 35 and 37 Silverdale Road. Looking at historic maps I can conclude that they were built at the same time as the villas and therefore must have been a request of the original owner occupiers. I propose that these are included.

14 Furness Road, the last villa on the corner with Grassington Road is currently not included in the proposed extension. Looking at the old maps it is the remaining half of the original semi detached double villa. It has been extensively altered and split into flats but some of the original boundary walls and arts and crafts detailing survive. I believe consideration should be given to inclusion of this building to prevent detrimental loss to development in a similar way to the recent issue with Kempston on Granville Road.

Most of the old flint estate walls of Fairfield Court and Compton Place have been excluded yet this wall forms an important and original part of the view west down Blackwater Road. Those parts that have been included protect the view west down Carlisle Road. I believe the view down Blackwater Road is equally important. There are also parts of the original brick pavers here on the Eastern side of the road. I believe the entirety of these flint walls from Blackwater Road to Carlisle Road should be included in the extension. This will also allow for some excluded red brick villas, Mondello and Meadhurst, to be included that sit on the junction of Blackwater Road and Meads Road. These villas, whilst altered and split into flats, still contribute to the character of the Conservation Area. It would be highly detrimental to the character of the corner of Blackwater Road were they ever to be significantly remodelled/ demolished for redevelopment.

The view south up the steep slope of Granville Road from

and this is a project that it is recommended should be picked up at the next review of that neighbouring conservation area. Some of the roads suggested for inclusion within the College CA, such as St Johns Road, are already included in other existing Conservation Areas.

The boundary extension will help to promote trees and their replacements during development works.

Silverdale Road is characterised by the stepping flint wall and some notable mature trees. Of note, the brick pavers on the south eastern side especially, are in very good condition. All these features are characteristic of the College Area vernacular. Currently none of this is proposed for inclusion in the extension but I believe the entirety of the wall and pavements should be included running all the way up to St Johns Rd. This would protect important and original elements of the view. In addition a significant portion of the wall is the original garden wall to 59 Silverdale Road which is included in the proposed extension.

Wood Winton on Silverdale Road has been excluded in its entirety from the extension but it's flint driveway walls are a characteristic vernacular of Meads. They are in poor condition but form an important part of the view up the drive from Silverdale Road. I believe the Conservation Area should be extended to include the entirety of the driveway walls to ensure that they are preserved where possible and rebuilt in their existing design by the current developer owner.

In addition, I am extremely concerned at the lack of new street tree planting going on in the Conservation Area. We are naturally losing trees due to age and illness but I have seen almost no new trees being planted. This lack of foresight will mean a loss of the characteristic avenues of mature street trees that the College Area enjoys. I hope that with the Conservation Area extension that more thought will be given to the future. I would like to see more provision made to plant trees in a manor to retain the avenue views for future generations, where possible replacing each lost tree for another tree of similar quality.

I am also concerned at the continued removal of the original brick

## Appendix 3 – Summary responses received for Public Consultation 28 October 2019 to 06 December 2019

	<p>pavers in and around the Meads area, most recently for the addition of poor quality and inappropriate concrete blister paving. This area is one of the few areas listed by English Heritage in the UK as having a streetscape that directly relates to the architecture of the same period. If the brick pavers are eventually all removed there will be no relationship. In addition the use of tarmac and concrete pavers etc is detrimental to the overall character. Along with the extension of the area I would like to see an increase in responsibility taken by the Council to take up and relay the pavers or replace with very similar bricks where necessary. This should be done in place of using other materials, and where other materials are required such as in blister paving that there is a more sensitive choice of in-keeping materials that maintain character.</p> <p>I welcome the extension of the College Conservation Area and hope that it helps protect a very valuable place from further loss of the character that makes it so special.</p>	
<b>763611</b>	<p>The following should be addressed in Jevington Gardens and Compton Street:</p> <p>There are too many unscreened refuse bins. No. 29 has industrial bins on front path. A number of front gardens are completely neglected. Numbers 27 to 33 and 30/32 are used to house homeless people. They cause anti-social problems. Such use of the properties is inappropriate in a conservation area. This can be remedied by proper management controls.</p>	<p>During future development, the storage of bins should be considered and how this will impact the Conservation Area.</p> <p>The housing of different social groups is not a consideration of the boundary extension, nor is it controlled by the designation of a conservation area.</p>
<b>764213</b>	<p>As a resident of Grassington Road I am very pleased that the College Conservation Area may be extended and I fully support the proposal and the criteria for it. The interesting architecture of the older houses, the brick pavements, and detailing on the</p>	<p>Retention of trees in conservation areas is a priority and the borough's climate emergency status will add weight to that concern.</p>

### Appendix 3 – Summary responses received for Public Consultation 28 October 2019 to 06 December 2019

	boundary walls are all impressive and need sympathetic conservation. The trees and gardens give a wonderful airy feel to the neighbourhood; I hope trees will be preserved, and replaced where they are lost and that the practice of building on gardens or tarmacing them for parking will cease.	
<b>764331</b>	I approve of the extension of the College Conversation Area.	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.
<b>766028</b>	I agree that the character of the proposed extension to the Conservation Area should be preserved. I hope the preservation extends to the trees in the area.	The College Conservation Area Appraisal highlights the special features that give the area its unique character and quality and will help retain and preserve these.

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**Report to:** Planning Committee

**Date:** 24 March 2020

**Title:** Local Labour Summary Report in connection with Langney Shopping Centre Extension

**Report of:** The Head of Planning

**Ward(s):** All

**Purpose of report:** To note the content of the attached report

**Contact Officer(s):** **Name:** Leigh Palmer  
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## **1 Introduction**

- 1.1 Below is a summary record of the local labour initiatives in connection with the extension to Langney Shopping Centre.
- 1.2 Members should note from this report that with the appropriate intervention at the S106/condition stage of the planning application process that we can make a meaningful impact upon the local jobs market and career opportunities.

## **2 Appendices**

- Appendix 1 - Local Labour Summary Report: Langney Shopping Centre Extension.

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## Langney Shopping Centre – Section 106 Local Labour Agreement Summary Report

### Development Description

An extension of the existing shopping centre to provide additional retail units, reconfiguration of the car park and internal access road, amended service facilities and landscaping.

### Local Labour Obligations

A S106 Local Labour Agreement in respect of the Langney Shopping Centre development was signed on 26 September 2014. The agreement specified:

- **25% of the work during the construction phase should be for small and medium enterprises unless otherwise agreed with the Council;**
- **Guaranteed job interviews for unemployed persons who have undertaken specific pre-employment training related to the development;**
- **A commitment of advertising new vacancies locally;**
- **sing reasonable endeavours to work with the Council in the development and implementation of an Employment and Training Plan (ETP) to deliver a recruitment and training campaign linked directly to the construction and operational jobs within the Development to prepare the labour market and match suitable candidates to job specifications;**
- **Measures to seek the recruitment of apprentices, the provision of work experience placements for unemployed persons, the provision of work experience placements for those aged 14 – 18 years in education and NVQ training for sub-contractors associated with the construction of the Development.**



For the construction phase Local Business and Regional People was defined in the Section 106 as those whose principal place of business was in Sussex and Kent. For the operational phase Local People was counted at two levels, within the Borough of Eastbourne and East Sussex - the obligation was for East Sussex.

The development had an estimated build programme of 12 months. Building commenced in September 2018 and completed in October 2019.

### Engagement

The main contractor, Marbank Construction Ltd engaged in July 2018 to agree the construction Employment and Training Plan (ETP). A further meeting with Marbank Construction took place in October 2018 to discuss progression of the local labour obligations. Regular contact with the on site team continued until completion of the construction of the development.

### Local Construction Employment and Training

Area of Focus	S106 Obligation	Development Achieved	Overall Outcome
Regional People <ul style="list-style-type: none"> <li>Eastbourne</li> <li>Sussex and Kent</li> </ul>	25%	21% 51%	
Local Business	25%	33%	
Apprenticeship Starts	1	1	*
NVQ Starts for Sub-contractors	1	0	
NVQ Completions for Sub-contractors	1	1	
Work Experience - unemployed	3	0	**
Work Experience – 14 to 18 years	1	3	
Extra Curricula Activities	1	6	

Including the main contractor, a total of 18 sub-contractors were on site, six of whom were based in Sussex and Kent, achieving 33%, in excess of the 25% target for local small and medium enterprises (SMEs). Of the six local SMEs, two were based in Eastbourne, one was on site for 12 months and another for three months. Employment of Regional People (Sussex and Kent) ranged from 38% to 100% during the 14 month build.

The site advertised and recruited a local Apprentice via Training and Apprentices in Construction (TrAC). However, the Apprentice decided not to continue; further advertising did not attract a suitable applicant so it was agreed a local TrAC Apprentice who had completed with an Eastbourne based contractor would be appointed. The obligation for the development was one Apprentice Start. As Marbank had made every effort to appoint an Apprentice without success, it was agreed the Apprentice Completion would be taken in lieu of an Apprentice Start\*. The appointment ensured the Apprentice gained valuable construction experience and remained in the industry.

During the build there were no new NVQ starts and one NVQ completion on the site. The NVQ Start target was not met mainly because the sub-contracting employees on site were low in numbers and already had the required industry specific qualifications. Other sub-contractors had NVQ Starts but the staff were not on the Langney Shopping Centre site. The target was one NVQ start and one NVQ completion for sub-contractors.

Three work experience placements for those aged 14 – 18 years were accommodated during the build phase enabling a valuable insight to the construction sector. Work experience for the unemployed was difficult to achieve in the current climate as those seeking employment in the sector attend short construction training programmes and are offered agency work on completion. The work experience target for the unemployed\*\* was three and for those aged 16-18 years was one. The non-achievement of the work experience target for the unemployed was compensated by additional work experience for those aged 14 – 18 years and extra curricula activities, as detailed below. The target for extra curricula activities was one.

Year 11 Mock Interview Day, Causeway School  
Year 11 Mock Interview Day, Ratton School  
Year 9 What's My Line, Ratton School  
Year 9 and 10 Careers Fair, Ratton School  
Construction Careers Talk, West Rise Primary School  
Site Visit, West Rise Primary School



Following the visit to West Rise Primary School the pupils produced artwork which was displayed on the site's hoarding. An article relating to the artwork and school's site visit featured in the local press.



## S106 Operational Obligations

Area of Focus	S106 Obligation	Development Achieved	Overall Outcome
Local People <ul style="list-style-type: none"> <li>Eastbourne</li> <li>East Sussex</li> </ul>	25%	84% 100%	

The obligations for operational employment were with the Principal Tenant, Home Bargains (T J Morris). Telephone discussion with Home Bargains commenced in April 2019 continuing until the opening of the new store on 25 January 2020.

The new store employed 56 new staff, 47 of whom were residents in the Borough of Eastbourne. Twenty-two of the new staff were previously unemployed with seven of the twenty-two being in education (students). Home Bargains will continue to submit operational monitoring data each quarter until December 2020.

In Autumn 2019, in conjunction with the Jobcentre and Sussex Skills Solutions, discussions commenced regarding operational recruitment. In November, following release of store vacancies on the Home Bargains website, the Jobcentre promoted vacancies to local jobseekers. Sussex Skills Solutions organised a three week Sector Based Work Academy for ten jobseekers which completed in mid-December. Two regional management staff from Home Bargains attended the training programme to provide further information on the store vacancies and working with Home Bargains. On completion of the training, eight jobseekers were interviewed by Home Bargains and all were offered employment ranging from eight to 20 hours in the first instance. One successful candidate had learning disabilities and had been long term unemployed. Two remaining candidates were not interviewed as one had secured employment at a local supermarket and the other progressed to an English Foreign Language course.



## Community Engagement

The visit to West Rise Primary School by Marbank, artwork project and school site visit generated local interest and captured the imagination of the school pupils by combining the world of work with the school curriculum.

Participation in the secondary school career programmes was welcomed by the Causeway and Ratton Schools and received positive feedback by all involved.

One of the work experience placements continued on a one day per week placement for the Summer term enabling the pupil to benefit from a practical work environment.

## Local Economic Benefits

- Approximately, two thirds of the workforce based outside Sussex and Kent stayed at B&Bs/hotels generating around £79,000 to the local economy
- Supply chain spend was estimated at £25,000+per quarter
- Unexpected spend was estimated between £5,000 to £10,000 per quarter
- Plant and materials were sourced locally.

## Observations

The NVQ Start target was not met because the sub-contracting employees on site had the required industry specific qualifications. Some sub-contractors had NVQ Starts, however, the staff were on other developments.

The Apprentice Completion proved extremely beneficial for both the Main Contractor and individual. Marbank were pleased with the appointment and offered a position on another scheme in Billingshurst.

Participation in the extra-curricula activities and work experience programmes was appreciated by the local schools.

## Summary

The development enabled local SMEs to tender for contracts, contributed to the local community and economy, as well as, provided operational employment to those who were previously unemployed.

## Recommendations

- To negotiate alternative solutions when obligations cannot be achieved
- Maintain regular communication during all phases of development.

Sara Taylor  
Regeneration Officer  
February 2020

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FEBRUARY 2020 FINAL.DOCX

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**Report to:** Planning Committee

**Date:** March 2020

**Title:** Appeals Record

**Report of:** The Head of Planning

**Ward(s):** All

**Purpose of report:** To note the appeal decisions made Jan – Mar 2020

1.1 Below is a summary of all planning appeal decisions received in the current Quarter. There is further evidence from these appeals that schemes that are promoting new residential units are being supported by the appeals inspector.

**Key to Appeals Reporting**

<b>Method of decision</b>	All are delegated decisions unless otherwise specified	<b>Allowed</b>	A
<b>Appeal method</b>	All are through written representations unless otherwise specified	<b>Dismissed</b>	D

**Planning Appeals**

Planning Application No	Authority	Site	Description of Development	Decision
190437	EBC	8 Chiswick Place, Eastbourne	Demolition of existing single storey garage and construction of a two storey house	<b>A</b> 03 January 2020
<b>Inspector's Reasoning</b> <ul style="list-style-type: none"> <li>The appeal site is located to the rear of 8 Chiswick Place (No. 8), between that property and 27 Wish Road (No. 27), and fronts Blackwater Road. The site currently comprises a single storey single garage and an area of hardstanding with access off Blackwater Road. The site is located within the Eastbourne Town Centre and Seafront Conservation Area (the Conservation Area), at a point where the predominantly Victorian villas of the seafront, including Chiswick Place, give way to the more varied mix of properties of a range of ages on Blackwater Road, which are outside the Conservation Area.</li> <li>In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Moreover, paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.</li> <li>The appellant refers to the draft Conservation Area Appraisal (the dCAA) for the Conservation Area. This explains that the designated Area was built as a planned new town in the mid-to-late 19th century around a core of 18th century buildings. The special architectural and historic interest of the Conservation Area lies principally in the buildings and the planned layout. The west side of Chiswick Place comprises 19th century 4-storey, rendered villas, the rear elevations of which are clearly visible from Blackwater Road.</li> <li>From the evidence before me and my observations during my site visit, the appeal site once formed part of the rear garden of No. 8 but is now separated from it by a wooden fence. The form and external finish of the garage on the appeal site are at odds with those of No. 8. Notwithstanding the Council's contention that the garage appears ancillary to No. 8, it appears to me to have no clear relationship to No. 8 other than being adjacent to the end of No. 8's rear garden. The garage has a closer physical and visual relationship with No. 27 being immediately to the east of that property with the gap between filled by a single-storey extension to No. 27. The garage and the associated hardstanding do not make a positive contribution to the Conservation Area.</li> <li>The proposed development has evolved as the result of the appellant seeking to address the reasons for refusal of two previous applications to demolish the garage, move the rear garden boundary within site and erect a 2-storey 2-bedroom detached dwelling on this site. In particular, the appeal site in the proposal before me is restricted to the garage and area of</li> </ul>				



hardstanding whereas, from the evidence before me, the previous proposals incorporated part of the garden to No. 8. The proposed dwelling would not project forward of the side elevation of No. 8 and the fenestration has been designed to limit the potential for overlooking.

- The proposed dwelling would be of a contemporary design deliberately not copying the architectural style of either No. 8 or No. 27 which I consider to be an honest approach. Given the variety of architectural styles along Blackwater Road, I do not consider that it would be a discordant feature in the street scene. Although the design has given rise to some objections by third parties, I consider the design to be acceptable in this context, a view I note is shared by the Council.
- The proposed dwelling would be set approximately 0.7 m below the existing ground level and would be lower than the ridgeline of No. 27. Whilst clearly visible, it would not therefore be unduly prominent or dominant in the street scene, being seen in the context of taller buildings to either side and not projecting forward of the side elevation of No. 8. The proposed development would not interrupt or detract from the view along Blackwater Road to the South Downs, which I note the dCAA identifies as important, given its modest size and positioning relative to existing development on Blackwater Road.
- Although relatively modest in size, the proposed dwelling would have a significantly greater bulk than the existing garage and would thus have a different relationship with No. 8. However, I have noted above that the existing garage does not relate closely in form or appearance to No. 8 and the appeal site appears as a distinct site in its own right with a road frontage rather than as part of No. 8's rear garden. I am not persuaded therefore that it is necessary for any building on the site to appear as being ancillary to No. 8 for it to be acceptable.
- The site forms part of the gap between the rear elevations of No. 8 and No. 27 and the proposed dwelling, having a greater bulk than the existing garage, would reduce the extent of this gap. From certain angles it would partially block the view of the rear elevations of Chiswick Place. Whilst the space to the rear of Chiswick Place and the view of the rear of these properties make a positive contribution to both the character and appearance of the Conservation Area, from the evidence before me, neither are identified as making a particular contribution to the character or appearance of the Conservation Area in the dCAA. Furthermore, a sufficient gap would remain between No 8 and the proposed dwelling to allow an appreciation of both the open space to the rear of Chiswick Place and of the rear elevations of those properties from Blackwater Road.
- The plot size of the proposed development would be substantially smaller than those of other properties on Blackwater Road, which are predominantly larger buildings on larger plots which provide space around the buildings. However, the proposed development would have open space to the front and rear and, in my judgement, the size of the plot relative to the size of the proposed dwelling would be acceptable. Given the variety of sizes and forms of existing properties along Blackwater Road, I do not consider that the proposed development would be materially harmful to the character and appearance of the road due either to its plot size or to the extent of built development proposed relative to the size of the plot

- I therefore conclude that the proposed development would not be harmful to and thus would preserve the character and appearance of the Conservation Area. Consequently, I find no conflict in this respect with Policies D10 and D10A of the Eastbourne Core Strategy Local Plan (2013) (ECSLP) or saved Policies UHT1, UHT4 and UHT15 of the Eastbourne Borough Local Plan (2001-2011) (EBLP) which seek to ensure good design that respects local character, protect and enhance, where applicable, significant heritage assets and protect visual amenity. I also conclude that the development would not conflict with Policy D5 of the ECSLP, which supports the delivery of housing or saved Policy HO6 of the EBLP which supports well-designed infill development. I also find no conflict in this respect with paragraph 193 of the Framework regarding designated heritage assets.

#### Other Matters

- The side elevation of Cornfield Terrace is located on the other side of Blackwater Road to the appeal site. The Terrace is listed as Grade II. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
- The view from Blackwater Road allows an appreciation of the side elevation of Cornfield Terrace. This view would not be interrupted by the proposed development. Given the modest size of the proposed development relative to the side elevation of the Terrace the development would not visually compete with or otherwise distract from Cornfield Terrace. I therefore conclude that the proposed development would not be harmful to the setting of the listed building and would thus preserve that setting. In this respect, the proposed development would not conflict with paragraph 193 of the Framework as regards development affecting the significance of a designated heritage asset.
- The Council acknowledges that it is unable to demonstrate a 5-year supply of deliverable housing sites as required by paragraph 73 of the Framework. From the evidence before me, as at 1 October 2018, the Council could only demonstrate 1.57 years' supply. Therefore, in accordance with footnote 7 of the Framework, the most important policies for determining the application are out-of-date and clause d) of paragraph 11 of the Framework is engaged.
- Under this clause permission should be granted unless either the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- In this case, I have concluded above that the proposed development would not harm either the Conservation Area or the setting of Cornfield Terrace and would thus not conflict with the policy for the protection of designated heritage assets as set

out in paragraph 193 of the Framework. Accordingly, the application of these policies does not provide a clear reason for refusing the development. I have not identified any adverse impacts of granting permission as regards other policies of the Framework that would significantly and demonstrably outweigh the benefits of an additional dwelling. Consequently, under paragraph 11 d), permission should be granted.

- I note that objections were raised to the proposed development by a number of third parties, with common themes being the design of the proposed dwelling and the effects on the Conservation Area, air quality and circulation, the living conditions of the occupiers of neighbouring and nearby properties and car parking. I consider the design of the proposed development to be acceptable in itself and I have considered the effect on the Conservation Area above.
- As regards air quality, I have little evidence of the causes of air pollution in Eastbourne and I am not persuaded that the proposed development would significantly add to this pollution, either by itself or in combination with the permitted flats at St Andrew's URC Church. I have no evidence that it would disrupt the flow of air in nearby gardens such as to be harmful to the enjoyment of these gardens by their owners.
- The only windows in the south elevation facing the rear gardens of the properties on Chiswick Place and No 27 are at ground floor level and at high level above head height. Accordingly, the development would not result in significant additional overlooking and loss of privacy for the occupiers of neighbouring and nearby dwellings and their gardens. Although the high-level window might lead to some perception of being overlooked, this would principally be limited to the ends of the gardens of the properties neighbouring No. 8. I have no evidence that the windows in the rear elevation of the proposed dwelling would allow harmful levels of additional light, smells or noise to emanate from the proposed dwelling given the existing residential nature of the area, street lighting and traffic on Blackwater Road and Chiswick Place.
- Given the extent of the openness to the rear of Chiswick Place, the proposed development would not result in an unacceptable loss of light to neighbouring and nearby dwellings or their gardens. Whilst the development would block some views from neighbouring and nearby properties, the planning system does not operate to protect private interests such as private views.
- The proposed development would result in the loss of off-road parking spaces. However, from the evidence before me, the garage and hardstanding are currently used by a third party not associated with any of the surrounding properties. Accordingly, the loss of the appeal site would not create a demand for additional parking in the vicinity. Even if it did, I have no persuasive evidence that this would be harmful to highway safety or the living conditions of the occupiers of surrounding dwellings. The appeal site is within walking and cycling distance of a range of facilities and services in the town centre and the proposals include a cycle storage facility. There is thus the opportunity for the proposed development to be car free.
- In response to the other concerns raised, as the site currently accommodates a garage and hardstanding, the proposed

development would not result in the loss of any garden area for No. 8 or any other property. I have no evidence that the appeal site is of particular archaeological interest. The attachment of the proposed dwelling to No. 27 and potential damage to the existing walls would be private matters between the parties involved and are outside the scope of this appeal. The granting of permission for this development would not set a precedent for further development in the rear gardens of 2 – 7 Chiswick Place as the site before me is previously-developed land with a road frontage, which differentiates it from these rear gardens.

#### Conditions

- I have based the conditions attached to this permission on those suggested by the Council with some amendment in the interests of consistency. Planning permission is granted subject to the standard 3-year time limit condition. It is also necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty.
- A Construction Management Plan is necessary in the interests of highway safety and the living conditions of the occupiers of nearby dwellings. It is necessary for this to be a pre-commencement condition to ensure that the Plan covers demolition and site clearance. Conditions regarding materials and details of windows and doors are necessary in the interests of the character and appearance of the proposed development, of the area and of the Conservation Area. Conditions regarding surface water drainage are necessary to reduce the risk of flooding and pollution.
- Condition 8 is necessary to safeguard the living conditions of the occupiers of neighbouring properties. Conditions 9 and 10 are necessary to safeguard the character and appearance of the area and the living conditions of the occupiers of neighbouring properties with the restriction of permitted development rights for the extension, enlargement or alteration of the proposed dwelling being justified by the restricted size of the site and proximity to neighbouring dwellings.

#### Conclusion

- In reaching my decision, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and had special regard to the desirability of preserving the setting of the listed Cornfield Terrace. I have concluded that the proposed

Planning Application No	Authority	Site	Description of Development	Decision
190437	EBC	8 Chiswick Place	Costs Decision	<b>D</b> 03 January 2020
<b>Inspector's Reasoning</b>				

- Paragraph 030 of the Government's Planning Practice Guidance advises that, irrespective of the outcome of the appeal, costs may be awarded where a party has behaved unreasonably and that unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Although costs can only be awarded in relation to unnecessary or wasted expense at the appeal, behaviour and actions at the time of the planning application can be taken into account in the consideration of whether or not costs should be awarded.
- The application for a full award of costs is made following the refusal of planning permission for the demolition of existing single storey garage and construction of two-storey house within the existing site boundary walls.
- The applicant has not explained in what way the applicant considers the Council was inconsistent in the way it dealt with the application. I note that the Council has previously refused to grant planning permission for development on the appeal site, both for reasons that included the effect of the development on the character and appearance of the Town Centre and Seafront Conservation Area. Although, from the evidence before me, the proposal before me differs from these previously refused proposals and I have found it to be acceptable, this does not necessarily indicate that the Council has been inconsistent in its approach. I therefore find that the Council has not acted unreasonably in its handling of the application in this respect.
- The applicant's appeal statement indicates that over three months elapsed between the request for pre-application advice and a formal acknowledgement of that request, which I consider to be an unreasonable delay. However, a response from the Council was received after two months and the Council did offer a pre-application meeting. Accordingly, I do not find the Council's behaviour overall in this respect to be unreasonable. Even if I had, the applicant has not demonstrated that the delay in arranging the meeting has led to any additional costs being incurred in the appeal process.
- The applicant maintains that had the pre-application advice been consistent the cost of making the planning application could have been avoided. However, from the evidence before me, one pre-application meeting was held which was the only source of pre-application advice. Although the applicant considers the discussions at the meeting to have been positive, the only evidence I have of those discussions is the email from the Council's Planning Consultant to the applicant's architect of 11 June 2019. From this it is apparent that the Council had concerns with the pre-application proposal. Nevertheless, the applicant decided to submit the planning application. Even if I was to accept the applicant's contention on this point, costs can only be awarded in respect of costs necessarily and reasonably incurred in the appeal process, not for the costs of the planning application.
- The emails between the Council's Planning Consultant and the applicant's architect submitted as part of the applicant's appeal evidence confirm some discussion following the submission of the planning application regarding materials and a minor amendment to the drawings to achieve consistency. However, the email from the Council dated 24 July 2019 identifies the broad conclusion of the refusals of the previous applications that, in the Council's opinion, the site is unsuitable in

principle for a new dwelling.

- The Council had identified the need to take the issues with the previous refusals into account in its email of 11 June 2019. I therefore consider that the Council did not act unreasonably in raising this objection to the principle of the development during the course of the determination of the application. Even if I did consider it unreasonable, I have no evidence that it led to any additional costs being incurred in the appeal process.
- Although the applicant was willing to discuss the Council's concerns further, with such a fundamental objection in principle I consider it improbable that any further discussion would have overcome the Council's concerns and resulted in the granting of permission. I therefore consider that the Council did not act unreasonably in refusing to discuss it further.
- Following the refusal of the application and in full knowledge of the Council's concerns, it was the applicant's decision to submit an appeal. Parties in planning appeals are normally expected to meet their own expenses.

#### Conclusion

- I therefore find, for the reasons given above, that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated in this appeal.
- The application for the award of costs is therefore refused.

Planning Application No	Authority	Site	Description of Development	Decision
190843 Enf: 123178	EBC	26 Mountbatten Drive	Fence erected without planning permission	<b>D</b>  20 January 2020

#### Inspector's Reasoning

- I note that since the enforcement notice was issued, a regularising planning application was submitted to the Council (PC/190648) to retain the fence. This application was refused on 22 October 2019. I have had regard to this decision and the Council's reasons for issuing the notice. I therefore consider that the main issue is the effect of the development on the character and appearance of the area.
- The appeal site is a single storey dwellinghouse sited on the corner of Mountbatten Drive and Beatty Road. The immediate area comprises detached bungalows of similar scale and design, set within small front gardens. The frontages of the bungalows are characterised by generally low boundary walls giving an attractive open appearance to the area. From the evidence I have before me, prior to the construction of the fence, the appeal site followed this general pattern of development, contributing to the open and spacious character of the area, on this important corner plot.
- It was clear from my site visit, that the fence exceeds one metre in height and has been constructed immediately behind the



low brick wall that marks the boundary. It is of timber construction and surrounds the front garden of the site. To my mind it has an enclosing effect, obscuring views of the bungalow and the garden. Rather than providing screening, the siting of the fence behind the original brick wall, draws attention to its existence. This is particularly apparent when travelling south east down Mountbatten Drive towards Beatty Road.

- I acknowledge that the fence has been provided to give some privacy and security for the owner's pets. However, the height and design of the fence, together with the materials used and its proximity to the highway, results in an overly stark, dominant and incongruous feature, that is significantly at odds with the open and spacious character of the surrounding area.
- For the above reasons, I find that the development significantly harms the open and spacious, character and appearance of the area, due to its height materials and design. It therefore conflicts with Policy D10a of Eastbourne Core Strategy Local Plan (2013) (the CS), and saved policies UHT1 and UHT4 of the Eastbourne Borough Plan (2001-2011) (2007). These policies when taken together, seek to ensure that new development makes a positive contribution to the appearance and context of the townscape, by harmonising, respecting, preserving or enhancing local character and distinctiveness.
- I note the appellant's concern about the relevance of Policy DA10 of the CS to this appeal. Both the reasons for issuing the notice and the decision to refuse planning permission, refer to Policy D10a of the CS. I acknowledge that this may be a typing error on the part of the appellant. Nonetheless, I have considered this policy in the context of this appeal. Whilst I acknowledge that the site does not lie within a conservation area or affect any listed buildings, I consider that this design based policy is relevant to the determination of this appeal.

#### Other Matters

- My attention has been drawn to other examples of similar boundary treatments in the area and observed several of these at my visit. I do not have any information about the relevant planning history or circumstances for these sites. From my observations, some appear to integrate more successfully than others. In any event, I have to determine this appeal on its own planning merits, and their presence would not justify granting this appeal. Overall, I consider that granting a further inappropriate boundary treatment, would further erode the sense of space and cohesion of the area.
- I note the appellant's concerns that it has taken some time for the Council to serve the enforcement notice. S172(1)(b) empowers a Council, as the local planning authority, to issue an enforcement notice, when it appears to them that there has been a breach of planning control and they consider it expedient, having regard to the provisions of the development plan and other material considerations.
- This is a discretionary power and it is for the Council to decide whether it is expedient and proportionate to issue a notice. I am satisfied that in this instance, there was a breach of planning control and the Council's decision to exercise their discretionary powers to issue the enforcement notice in April 2019, and sometime after the breach was first identified, did not

amount to acceptance of the unauthorised development, or fetter their right to issue the notice.

#### Conclusion

- For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Planning Application No	Authority	Site	Description of Development	Decision
180068	EBC	2 Old Camp Road	Application for a Lawful Development Certificate for use of land to station a mobile home/annexe for use incidental to the main dwelling house.	<b>A</b> 06 February 2020

#### Inspector's Reasoning

- The appeal property is a substantial detached house with a generous garden in a residential road in Eastbourne. The appellants consist of an elderly couple who presently live in the main house and their daughter and her husband. They are hoping to have a 'twin unit' mobile home stationed in the rear garden of the property to provide annexe accommodation for the older couple.
- They state that the couple using the mobile home will be cared for and supported by their daughter and son-in-law and, whilst sleeping in the annexe, will still use the main house for meals, laundry facilities and socialising as a family. This arrangement would mean that the use of the site would remain as a single dwellinghouse, with the mobile home providing ancillary accommodation.
- The appellants also submit that the mobile home that they are hoping to install meets the definition of a twin-unit caravan as defined by Section 29(1) of the Caravan Sites & Control of Development Act 1960 (CSCDA). This definition includes '*any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer)*'.
- Section 1 of the first Schedule of the CSCDA states that a site licence is not required for the use of land as a caravan site if the use is '*incidental to the enjoyment as such of a dwellinghouse within the curtilage of which the land is situated*' and, as noted above, the Council has accepted that this applies to the smaller unit. The appellants submit that the larger unit can also therefore be lawfully stationed on the site to provide ancillary residential accommodation in association with the main house.
- Limits on the size of twin-unit caravans are found in Sections 13(1) & (2) of the Caravan Sites Acts 1968 (as amended) (CSA) and they must not '*exceed any of the following limits, namely:- (a) length (exclusive of any drawbar):- 65.616 feet (20m); (b) width:- 22.309 feet (6.8m); (c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level):- 10.006 feet (3.05m)*'.

- Also, they must be '*composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices*'. The fact that the unit may not be able to be lawfully moved on a highway does not prevent it from being classified as a caravan, it just needs to be physically capable of being so moved.
- The appellants note that the mobile unit proposed in the appeal scheme and the smaller one subsequently granted an LDC are both twin-units. The only difference between the two applications is that the appeal unit would be longer but, as accepted by the LPA, its dimensions also fall within the maxima provided by the CSA. However, the Council is concerned that the larger unit would not meet the construction and mobility tests as set out in the CSA and that it would be too large to be properly considered as incidental to the main dwelling.
- The submitted plans show that it would be about 6.3m wide, 18.3m long and have a maximum internal floor to ceiling height of 3.027m and would therefore meet the size requirements for a twin unit caravan in the CSA.
- The appellants have provided confirmation from a structural engineering company that the twin-unit mobile home proposed for this site could be craned into position in 2 pieces which are designed to then be joined together on site, thereby meeting that requirement of the CSA. They also confirm that the unit, once assembled, could again be craned off the site in one piece. The Council, nevertheless, still questions whether this would be possible and states that the appellants have given insufficient details as to how this would be achieved.
- In response, the appellants draw attention to another appeal decision<sup>2</sup> where permission was granted for a unit in 2 sections which had originally been fabricated in a factory but '*after ascertaining that access to the site was not conducive to delivery in two sections, it was taken apart and transported to the site in smaller segments. It was then re-assembled into two sections which were bolted together in the conventional way envisaged by section 13*'. The Inspector found: '*That would meet the provision in section 13 for the final two sections to be assembled on site.*'
- However, there are other decisions that take an opposite view and I am not persuaded that the meaning of the CSA necessarily envisages the operation described in the above paragraph. If it did, there would seem to be no reason for the specific requirement to have a unit limited to 2 sections which are assembled on site. It therefore seems to me that, if it proved impossible to lift the 2 halves of the proposed unit over the existing house by crane, the unit would not meet the definition of a 'caravan'.
- Nevertheless, it has not been shown that this could not be achieved and, as noted above, the ability to do so would be a prerequisite of the issue of a LDC. If the proposed unit proved not to be able to meet the practical requirements of the CSA, it would not be covered by the LDC and could be required to be removed. With respect to whether it could be moved by road, the CSA definition covers caravans larger than proposed here, and the implication is that units of such size can be capable of being moved by road, otherwise the definition would be meaningless. I have been given nothing to suggest that the unit proposed could not be transported by road as required by the CSA.
- The Council also consider that, having granted a LDC for a smaller unit, there is no evidence that a larger one is genuinely

required or could be considered '*incidental*' to the main house.

- The appellants point out that the mobile home would be used in the same way in both situations and would remain subservient to that of the main dwelling. To counter the Council's assertion that the main house could provide all essential accommodation, they have also explained in detail why an annexe is needed to meet the requirements of the whole family. The only real difference between the 2 proposals would be the provision of a greater level of comfort for the occupants of the caravan. This must be a matter of some importance for them, given that they would be moving out of a much larger property in order to allow their close family to move into it and take care of them.
- This does not seem to me to be unreasonable in their situation and, given the comparative size of the house and its garden, the larger unit seems to me to be a proportionate addition that would not be overly dominant and still be incidental to the residential use of the house. I therefore see no reason why a larger unit should be refused a certificate in this situation.

#### Conclusion

- For the reasons given above I conclude, on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development in respect of the stationing of a mobile home/annexe for use incidental to the main dwelling house was not well-founded and that the appeal should succeed. I will exercise the powers transferred to me under section 195(2) of the 1990 Act as amended.

Planning Application No	Authority	Site	Description of Development	Decision
190391	EBC	126 Seaside Road	Replacement of an existing illuminated 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display	<b>A</b> 27 February 2020

#### Inspector's Reasoning

- The proposed digital advertisement display would replace an externally illuminated poster hoarding on the flank wall of 126 Seaside Road. The appellant contends that the existing advertisement is lawful and displayed with 'deemed consent' under Class 13 of Schedule 3 of the Regulations, the site having been in advertising use since 2003. The Council does not contest this and has not given any indication that it would serve a discontinuance notice in the event of this appeal being dismissed. The evidence suggests that the existing hoarding is a long-established and accepted part of the built environment.
- The area to the east of the site is predominantly residential, with a flatted block known as Bourneside Court lying directly opposite. However, the proposed advertisement display would be mainly visible in westerly views towards a secondary shopping area, where it would be seen in the context of retail and other commercial premises at street level. Large format advertising is not characteristic of the locality, but the proposed display would add visual interest to what would otherwise be a blank wall. In this regard, it would be no different to the existing poster hoarding.
- The proposed digital display would be of near identical size and mounted in the same position as the existing advertisement.

It would be framed against the end of the building terrace. Seen in the context of commercial signage on Seaside Road to the west, it would not be discordant or out of character. Neither would it contribute to visual clutter or an unnecessary proliferation of signage when compared to the present situation.

- One of the principal matters of contention is that of illumination. The current advertisement is externally illuminated, whereas the proposal is for a modern digital LED display. In response to the Council's concerns, the appellant has proposed a reduction in daylight luminance to 300 candela/m<sup>2</sup> and is prepared to cut the night luminance to 100 candela/m<sup>2</sup>. These figures are significantly below the recommended maximum luminance of 600 candela/m<sup>2</sup> set out for urban areas in guidance published by the Institute of Lighting Professionals<sup>1</sup>. It is also proposed to set the time of operation to between 0600 and 2300 hours and to restrict the display to static images without special effects.
- The Council contends that the luminance would have a significant impact on the occupiers of Bourneside Court in terms of light pollution. Although the sign would be visible to neighbours, the impact would not be significantly different to the existing poster display, albeit the illumination would be more consistent across the display. The measures proposed by the appellant in terms of luminance levels and the timing and method of operation would be sufficient to ensure that there is no harm to the living conditions of adjoining residents, most of whom are likely to have their curtains and blinds shut after dusk in any event.
- The site lies within the Town Centre and Seafront Conservation Area. The Council's own character appraisal identifies the most significant features of this character area as the oldest part of Eastbourne town, 18th century buildings, the pier and the mixed commercial and residential uses. The most notable listed building nearest the site is the Royal Hippodrome theatre. The proposal would not have any adverse impact on the setting of this building, or the heritage significance of this part of the Conservation Area. The character and appearance of the Conservation Area as a whole would be preserved.
- The Council has drawn my attention to those policies of the Eastbourne Borough Plan which it considers to be relevant to this appeal. Whilst not decisive, I have had regard to these policies as material considerations.
- Accordingly, I conclude that the proposed advertisement would not cause undue harm to amenity. Subject to the imposition of appropriate conditions, a grant of express consent is justified.

Decision APP/T1410/Z/19/3238250

<https://www.gov.uk/planning-inspectorate> 3

## **SCHEDULE OF CONDITIONS**

- 1) Express consent is granted for a period of 5 years from the date hereof.

- 2) Illumination of the advertising unit shall be a maximum of 300 candela/m<sup>2</sup> during daylight and 100 candela/m<sup>2</sup> at night. The display shall be switched off between the hours of 2300 and 0600.
- 3) The minimum display time for each advertisement shall be 10 seconds and there shall be no special effects (including noise, smell, smoke, animation, flashing, scrolling, intermittent or video elements) of any kind before, during or after the display of any advertisement.
- 4) The sequencing of messages relating to the same product is prohibited.
- 5) The interval between successive displays shall be 0.1 seconds or less. The complete display screen shall change without any visual effect. between each advertisement.
- 6) The advertising display panel shall have a default mechanism to freeze an advertisement in the event of any malfunction.

*The Standard Conditions*

- 7) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 8) No advertisement shall be sited or displayed so as to—
  - a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- 9) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- 10) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- 11) Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition