

<b>App.No:</b> 180826 (PPP) 180827 (LBC)	<b>Decision Due Date:</b> 11 October 2018 (LBC) 15 November 2018 (PPP)	<b>Ward:</b> Devonshire
<b>Officer:</b> Yves Watt	<b>Site visit date:</b> 28 August 2018	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 15 September 2018 <b>Neighbour Con Expiry:</b> 15 September 2018 <b>Press Notice(s):</b> Yes		
<b>Over 8/13 week reason:</b> Within Time		
<b>Location:</b> Savoy Court Hotel, 11-15 Cavendish Place, Eastbourne		
<b>Proposal:</b> Planning permission for conversion of existing hotel into 15 residential one bedroom self-contained flats (Listed Building Consent sought under application 180827)		
<b>Applicant:</b> Mr Sajjad Shah		
<b>Recommendation:</b> <b>1. 180826 Planning Application:-</b>  Subject to Legal Agreement covering:Local Labour Iniaitves and Affordable Housing.  Then planning permission be granted subject to conditions  <b>2.180827 Listed Building Consent</b>  Granted Listed Building Consent subject to conditions		



## 1

### Executive Summary

1.1 These applications have been resubmitted following the refusal of planning/listed building applications 180352 and 180353.

The reason for refusal was as follows:

1.2

*"By virtue of the small size, the proposed flats would provide substandard accommodation for future occupiers; and given the number of flats proposed (no. bedroom/occupation) the development would constitute an overdevelopment of the site detrimental to the amenity of the future occupiers and existing surrounding occupiers contrary to the core principles of the National Planning Policy Framework 2012, and Policy B2 of the Core Strategy Local Plan 2013".*

1.3

The applications before Council have now overcome the previous refusal reason. The proposed new layout and room sizes of the flats are considered to provide an appropriate living environment as they all now meet the requirements set out within Technical housing standards - nationally described space standards, March 2015.

1.4

The applications propose the conversion of an existing hotel within the secondary tourist accommodation zone. The applications are accompanied by evidence outlining that the loss of the hotel/bed space confirms with adopted Local Plan policies.

1.5

The delivery of 15 apartments in this highly sustainable location would contribute to meeting housing requirements within the town centre and comply with National and Local policies. The internal/external refurbishment

makes a positive contribution to the local street scene and towards the living environment of future occupiers.

Planning and Listed building consent is recommended for approval.

## **2 Relevant Planning Policies**

### **2.1 Constraints:**

#### **Listed Building**

II

1949-05-27

Cavendish Place - Nos. 1 to 24 (consecutive)

1190211

#### **Conservation Area**

Town Centre and Seafront Conservation Area

### **2.2 Relevant Planning Policies:**

National Planning Policy Framework 2018

Section 2 Achieving sustainable development

Section 5 Delivering a sufficient supply of homes

Section 7 Ensuring the vitality of town centres

Section 9 Promoting sustainable transport

Section 12 Achieving well-designed places

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

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

B1 Spatial Development

B2 Creating Sustainable Neighbourhoods

C1 Town Centre Neighbourhood

D1 Sustainable Development

D8 Sustainable Transport

D3 Tourism

D5 Housing

D10 Historic Environment

D10a Design

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

TO1 Tourist Accommodation Area

TO2 Retention of Tourist Accommodation

HO20 Residential Amenity

UHT1 Design of New Development

UHT4 Visual Amenity

UHT7 Landscaping

UHT15 Protection of Conservation Area

UHT17 Protection of Listed Buildings

NE14 Source Protection Zone

TR6 Facilities for Cyclists

TR11 Car Parking

### **3 Site Description**

3.1 The application site relates to a mid-terrace property on the eastern side of Cavendish Place, currently used/occupied by Savoy Court Hotel. The hotel is located within the 'secondary frontage' as identified by the Councils tourist accommodation zone.

3.2 The building is a Grade II listed building (1949) and possesses some interesting external features (canopies & railings) which add to the wider character of the area.

### **4 Relevant Planning History**

4.1 180352 & 180353

Conversion of existing hotel into 15 residential self-contained flats  
Planning/Listing Building Consent - Refused – 11 June 2018

4.2 030091

Reinstatement of canopies, cornices and decorative pelmet on balconies on front elevation, and replacement window to first and second floor bays.  
Planning Permission -Approved unconditionally -14/04/2003

4.3 030094

Reinstatement of canopies, cornices and decorative pelmet on balconies on front elevation, and replacement window to first and second floor bays.  
Listed Building Consent - Approved unconditionally -14/04/2003

### **5 Proposed development**

5.1 Planning and listed building consent is sought for the change of use from Hotel to self-contained residential accommodation.

5.2 The existing building is a hotel formed by the amalgamation of 3 former town houses; this scheme proposes to revert the building back to its original 3 property footprint. The three buildings are proposed to be converted internally to provide a total of 15 one bedroom self-contained flats (5 flats in each building by developing 1 flat to each floor of differing sizes throughout the building).

5.3 The conversion is supported by internal alterations and limited external changes. The property has been altered over the years with the result that some features have been altered or removed. The proposal is to reinstate two original windows and the stairs to the top two flights of the stair of No. 13 and infill the 2no. windows to the rear elevation of the small rooms to the top two floors of No. 13. The modern rear lean-to of No.11 is also to be removed and steps reintroduced/added to the front of Nos. 11 and 13 from the pavement down to the lower ground floor. A new window to the side of each front elevation bay at lower ground floor is to be included to reflect No. 9 and glazing is to be added to the front door also at lower ground floor level.

5.4 Cycle and refuse storage is proposed within the rear yard/garden area and dedicated internal domestic storage cupboards at ground floor level are proposed for each property.

## 6 PROPOSED ACCOMMODATION SCHEDULE

6.1 The table below illustrates how each building will be divided and the accommodation proposed and compares this with the National Space Standards.

<b>Lower ground floor</b>	<b>Space provided</b>	<b>Refused Scheme</b>	<b>Size of the unit</b>	<b>No. of persons</b>	<b>National Space standards requirements</b>
<b>No 11</b>	<b>61.4 m<sup>2</sup></b>	<b>64</b>	<b>1 bed</b>	<b>2</b>	<b>50 m<sup>2</sup></b>
<b>13</b>	<b>61.7 m<sup>2</sup></b>	<b>63</b>	<b>1 bed</b>	<b>2</b>	<b>50 m<sup>2</sup></b>
<b>15</b>	<b>60 m<sup>2</sup></b>	<b>64</b>	<b>1 bed</b>	<b>2</b>	<b>50 m<sup>2</sup></b>
<b>Upper Ground Floor</b>					
<b>No 11</b>	<b>38.4 m<sup>2</sup></b>	<b>35</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>
<b>13</b>	<b>43.8 m<sup>2</sup></b>	<b>39</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>
<b>15</b>	<b>38.5 m<sup>2</sup></b>	<b>35</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>
<b>First Floor</b>					
<b>No11</b>	<b>43.9 m<sup>2</sup></b>	<b>46.5</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>
<b>13</b>	<b>50 m<sup>2</sup></b>	<b>56</b>	<b>1 bed</b>	<b>2</b>	<b>50 m<sup>2</sup></b>
<b>15</b>	<b>50 m<sup>2</sup></b>	<b>41</b>	<b>1 bed</b>	<b>2</b>	<b>50 m<sup>2</sup></b>
<b>Second Floor</b>					
<b>No11</b>	<b>39.9 m<sup>2</sup></b>	<b>41</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>
<b>13</b>	<b>45.7 m<sup>2</sup></b>	<b>56</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>
<b>15</b>	<b>39.4 m<sup>2</sup></b>	<b>41</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>
<b>Third Floor</b>					
<b>No 11</b>	<b>41.6 m<sup>2</sup></b>	<b>41</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>
<b>13</b>	<b>47.2 m<sup>2</sup></b>	<b>56</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>
<b>15</b>	<b>40.4 m<sup>2</sup></b>	<b>41</b>	<b>1 bed</b>	<b>1</b>	<b>37 m<sup>2</sup></b>

6.3 The above table outlines how the scheme has been re-appraised and in summary there are two broad areas of change; one relating to the reapportionment of accommodation with the apartments to increase the floor area and the other to ensure that the where the bedrooms are small

that they fall to be assessed against a 1 bedroom 1 person category.

## **7 Consultations**

7.1 **Specialist Advisor (Planning Policy)** – **No objection**, the principle of the loss of the tourist accommodation and conversion to residential is supported as it meets the criteria set out in the Tourist Accommodation Retention SPD.

**Economic Regeneration Officer:** **No objection.** Given scale of development Local Labour initiatives should be applied.

7.2 **CIL:** Given that the scheme proposes flats then it would not be liable for a CIL charge.

7.3 **Conservation Officer:** **No objection** subject to conditions, specifically relating to external joinery details and an external decorative scheme.

7.4 **Conservation Area Advisory Group (CAAG).** **No objection.** The Chair decided that they didn't need to take these new planning/listed building applications to CAAG as they saw the last applications. These applications are not materially different (in terms of what they can discuss).

7.5 The above comments were provided by the Conservation officer on 9 October 2018 via email.

7.6 **County Archaeologist:** **No objection** to the proposal on archaeological grounds.

7.7 **ESCC Highways:** **No objection** to the application in principle subject to the conditions, specifically relating to a Construction Traffic Management Plan and cycle parking spaces to be provided.

7.8 **Southern Water:** **No objection** to the proposal. Approval is strictly related to the proposed scale and extent of the works. Several informatives are recommended, specifically in relation to foul and surface water procedures to undertake.

7.9 **Sussex Police (comments from planning reference no: 180325 are still relevant):** **No objection** subject to the recommended crime prevention measures being implemented.

7.10 **Eastbourne Tourist Accommodation Consultation Group (comments from planning reference: 180352 are still relevant):** **No objection**  
*The group was established to support the Councils Tourist Accommodation SPD Feb 2017 and is considered to offer informed but impartial advice on applications that promote the loss or change of tourist accommodation with the town. The group does not have any statutory function in its own right, but its guidance will be a material consideration for EBC assessment of planning applications.*

7.11 The groups' recommendation: the panel concluded that all aspects of the

SPD had been met by this proposal namely:-

- that there is no interest in the business being brought as a going concern
- that the business is being run in a reasonable and professional manner
- that the running costs of the business cannot be covered.

. Comment: ESCC Highways have no objection to the proposal.

- 7.12 The applicant does not propose to provide on-street parking, nor does there appear to be scope to provide this. The trip generation analysis suggests that the existing hotel usage would have a higher on-street parking demand than the proposed usage. Therefore, the proposal is not expected to have a significant impact on the traffic or car parking demand on the local highway network

## **8 Neighbour Representations**

- 8.1 Neighbour Representations:  
One (1) letter of support was received

One (1) letter of objection was received relating to parking.

## **9 Appraisal**

- 9.1 Principle of development:

The National Planning Policy Framework supports residential development in sustainable locations, particularly where it can support local housing need. It states that housing applications should be considered in the context of the presumption in favour of sustainable development, unless other material considerations prevent this.

- 9.2 The existing building is a hotel formed by the amalgamation of 3 former town houses; this scheme proposes to revert the building back to its original 3 property footprint.

- 9.3 The application has been resubmitted following the refusal of planning/listed building applications 180352 and 180353.

- 9.4 The reason for refusal was as follows:

*"By virtue of the small size, the proposed flats would provide substandard accommodation for future occupiers; and given the number of flats proposed (no.bedroom/occupation) the development would constitute an overdevelopment of the site detrimental to the amenity of the future occupiers and existing surrounding occupiers contrary to the core principles of the National Planning Policy Framework 2012, and Policy B2 of the Core Strategy Local Plan 2013".*

- 9.5 Pre-application discussion, including presentation to Eastbourne Tourist

Accommodation Consultation Group where full support was given.

- 9.6 The new scheme would deliver new apartments that would be evaluated as 'windfall' units in terms of the Councils 5 year housing land supply and these are to be welcomed within this highly sustainable town centre location. The lack of a 5 year housing land supply (3.16 years) is a significant material consideration in the determination of this application.
- 9.7 It is considered therefore that the conversion to self- contained apartments is acceptable in principle.
- 9.8 Impacts of the scheme:-
- 9.9 The main issues to consider in the determination of this application are:
- change of use
  - the impact on the character and appearance of the listed building and the wider conservation area
  - residential amenity and flat size
  - affordable housing
  - the impact on the highway network or access
  - Noise
  - Landscaping
  - Flooding
  - Waste Management
  - other matters
- 9.10 Development Plan and/or Legislative Background:  
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-
- 9.11 "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 9.12 Section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states: "In considering whether to grant Listed Building Consent for any works, the Local Planning Authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
- 9.13 The applications are considered to comply with all relevant planning policies for the following reasons:
- 9.14 Change of Use  
The application site is situated in the 'Town Centre Neighbourhood' as identified in the Eastbourne Core Strategy Local Plan (2013). It is located within the Tourist Accommodation Area as defined in the Borough Plan saved policies and the Core Strategy. It's also important to note that it is in a conservation area, and is a listed building.
- 9.15 The Core Strategy sets out the vision for this area as the following; "The



*Town Centre will maintain its status as a sustainable centre by maximising its economic potential and attract more shoppers, workers, residents and visitors through schemes and proposals for redevelopment detailed in the Town Centre Local Plan". This vision will be promoted through a number of factors including 'Delivering new housing through conversions, infill development and redevelopment'.*

- 9.16 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 1 April 2018, Eastbourne is only able to demonstrate a 3.26 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. 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. This means that the presumption in favour of sustainable development applies.
- 9.17 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 Council relies on windfall sites as part of its Spatial Development Strategy (Core Strategy Policy B1) and this development proposes an increase in residential accommodation to what is currently present, resulting in a net gain of 15 dwellings. As such, the principle of residential development in this sustainable location is supported.
- 9.18 Policy TO2 (Retention of Tourist Accommodation) of the Borough Plan states that within the Tourist Accommodation Area, planning permission will not be granted for the redevelopment or change of use of tourist accommodation to any other use. Only in exceptional circumstances will planning permission be granted for any other use. This means that the applicant must demonstrate that the continuing use of land as tourist accommodation is no longer viable.
- 9.19 A Tourist Accommodation Retention Supplementary Planning Document (SPD) was adopted in February 2017 to provide interpretation on the implementation of this policy. The SPD divides the tourist accommodation into a primary sector and a secondary sector. The application site is located within the Secondary sector of the Tourist Accommodation Area.
- 9.20 Within the secondary sector, there are criteria that need to be met to demonstrate that continuing the tourist accommodation use is unviable. These criteria are:
- Criteria F – There is no interest in the tourist accommodation business being bought as a going concern;
  - Criteria G – The tourism accommodation business has been run in a reasonable and professional manner; and
  - Criteria H – The running costs of the business cannot be covered.
- 9.21 Evidence supplied with the application demonstrates that the premises have been on the market at an appropriate price for a period exceeding the one year required by the SPD. Samples of marketing material and approaches used to promote the business were supplied, and it is considered that genuine, and it is considered that genuine efforts have been made to run the

business in a reasonable and professional manner. In addition, evidence from the accounts supplied shows that the running costs of the business cannot be covered. Therefore it is considered that the application complies with the criteria in the SPD relating to the loss of tourist accommodation in the secondary sector of the Tourist Accommodation Area.

9.22 In addition, the proposal was considered by the Tourist Accommodation Consultative Group at pre-application stage on 9th January 2018. The group agreed that the proposal complies with the criteria set out in the SPD.

9.23 The listed building and its setting

The applications have been the subject of negotiations, which has resolved issues of detailing on the main facades facing Cavendish Place and the proposed layout, and in this respect there are no outstanding matters.

9.24 It is considered that the refurbishment, replacement and reinstatement of former features would result in form of development that is respectful to the listed character of this parade and the wider conservation area.

9.26 The National Planning Policy Framework places strong emphasis on good design, and states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It requires development to harmonise with the character of the area and respect local distinctiveness. It is considered that given the retained layout and external features are such that the proposal is beneficial in this respect.

9.27 The proposed alterations have the full support of the Councils Conservation officer subject to conditions.

It is accepted that the hotel as a business is not covering costs and if the business were to fail then there is the potential for the building to fall into disrepair affecting the local character of the area. This application if supported would help to retain the long term retention of this this listed building and therefore make a positive contribution to the street scene.

9.28 Residential amenity and flat size:

Given that this scheme is broadly a conversion there are no significant external works that should impact upon the residential amenity of the occupiers of adjacent residential properties in terms of loss of outlook, interlooking, sunlight/daylight, noise, privacy and distance between

9.29 properties. Similarly it is considered that the residential use of the property would be likely to have less of an impact than the commercial use of the property as a hotel. It is envisaged that the future occupants will experience a good quality living environment without impact from existing neighbouring residential properties.

9.30 The proposed new layout and room sizes of the flats are considered to be appropriate as they all meet the requirements set out within Technical housing standards - nationally described space standards, March 2015. All

flats will retain natural light and ventilation. An informative will be added to the consent in relation to sound proofing. Furthermore, the proposed works will provide a positive contribution to the living environment at this site and for any future occupiers.

9.31 The proposed flat sizes are comparable to those within the near vicinity for example at the former Elm Park Hotel (20-24 Cavendish Place), and at Nos 3, 5 and 7 Cavendish Place.

9.32 Affordable housing:

The scheme proposes the conversion of the building to create 15 new 1 bedroom self-contained apartments; this would be in excess of the affordable housing threshold and as such the scheme should comply with the Councils affordable housing policy.

9.33 There is limited information on this issue within the application and will be controlled via a planning condition and or legal agreement.

9.34 Impacts on highway network or access

This is a very sustainable location in the town centre, and it would be unreasonable to require parking spaces to be provided even if it were possible. Given the size of the flats, it is unlikely that car ownership would be high. It is noted that the highway loading bays could be reassigned to general on-street parking and thereby creating an additional 6 on-street spaces.

9.35 It is considered that the conversion into residential to the density proposed is likely to place less impacts upon the local highway network than the current commercial use as a hotel.

9.36 It is considered that the provision of off-street or allocated parking spaces is not required in this instance. A condition is recommended to require submission of a construction traffic management plan prior to the commencement of the development.

9.37 There are no anticipated highway issues.

Noise

9.38 Noise and disturbance during the construction phase could also be controlled through the use of conditions. It is considered that the additional activity associated with the scheme would not adversely affect the amenity of neighbouring residents.

9.39 Landscaping

The existing garden will be levelled, trees kept but each building will have its own garden, segregated by a 1.8m high close boarded fence and each will have cycle store, refuse store, grassed area, access to upper and lower ground floors and to the rear service path.

9.40 Flooding

The proposal will have no impact in terms of flooding.

9.41 Waste Management

A waste management plan has been submitted as part of the application. A condition will be placed on the consent ensuring that the recommendations within the waste management plan are carried out in accordance with the submitted plan.

9.42 Other matters

Given the scale of the development there is the potential to secure some local labour opportunities. This issue can be controlled via a planning condition and or a legal agreement.

**10 Human Rights Implications**

10.1 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.

11 **Conclusion:**

This scheme complies with National and Local policies which aim, to safeguard heritage assets and deliver new windfall residential accommodation in a sustainable location in this regard the scheme is considered acceptable and as such planning and listed building consent is recommended.

**12 Recommendation**

12.1 1. 180826 Planning Application Grant Permission  
Subject to Legal Agreement covering:  
Local Labour Initiatives and Affordable Housing Initiatives. Then planning permission be granted subject to the following conditions

12.2 2. 180827 Listed Building Consent  
Grant consent subject to the following conditions:

12.3 Conditions for 180826 & 2. 180827

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 submitted on 16 August 2018:

2995/3/00 – Location and block plans  
2995/3/01 'C' – Lower Ground Floor Plan As Proposed  
2995/3/02 'B' – Upper Ground Floor Plan As Proposed  
2995/3/03 'B' – First Floor Plan As Proposed  
2995/3/04 'B' – Second Floor Plan As Proposed  
2995/3/05 'C' – Third Floor Plan As Proposed  
2995/3/06 'A' – Third Floor Plan As Proposed  
2995/3/07 'C' – Front Elevation As Proposed  
2995/3/08 'B' – Rear Elevation As Proposed  
2995/3/09 'B' – Rear/Side Elevation As Proposed  
2995/3/010 'B' – Section As Proposed  
2995/3/11 'A' – Site Plan As Proposed  
2995/3/12 'A' – LG Floor External Steps 13 Cavendish Place  
2995/3/13 'A' – LG Floor External Steps 11 Cavendish Place

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

3) The materials to be used must match as closely as possible, in type, colour and texture those listed in the Heritage Statement (note: summary of work Section amended 12/09/18) and Section 9 of the application.

Reason: To ensure a satisfactory visual relationship of the new development to the existing.

4) The refuse and recycling storage areas and cycle storage areas shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for use at all times; details of secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason: To ensure that satisfactory storage of waste and facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles.

5) Prior to the first occupation of the development hereby approved details of the hard and soft landscaping to the rear yard area shall be submitted to and approved in writing by the local planning authority; and all existing trees shall be retained, unless shown on the approved drawings as being removed. All trees on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority. This should be in accordance with relevant British Standards (BS 5837:2012) for the duration of the works on site. In the event that trees become damaged or otherwise defective within five years following the contractual practical completion of the development, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as

may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees.

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

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

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

7) Prior to the first occupation of the development hereby permitted details of any external boundary treatments other than those agreed on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the character and appearance of the area.

8) Prior to the first occupation of the development hereby permitted details of any replacement rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the character and appearance of the area.

9) New windows and external doors are to be of timber construction. No works shall commence on site until details of all new external windows and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at scale of not less than 1:10 and horizontal / vertical frame sections (including section through glazing bars) at not less than 1:2. These works shall be carried out in accordance with the approved details.

Reason: To protect the character of the Listed Building.

10) No external works shall commence until a scheme of decorative works is submitted and approved by the Local Planning Authority. This is to include

colour samples of proposed new paint colours to the external joinery, painted render, ironmongery and canopies and the proposed new tile finish to the front entrances of No.s 11, 13 and 15.

Reason: To protect the character of the Listed Building.

11) That no demolition, site clearance or building operations shall take place except between the hours of 8:00 a.m. and 6:00 p.m. on Mondays to Fridays and 8:00 a.m. and 1:00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank Holidays unless previously been agreed in writing by the Local Planning Authority.

Reason: In the interest of maintaining the amenities of nearby residents/occupiers.

12) No satellite dishes shall be installed to the front elevation of the building. Prior to the first occupation of the development hereby permitted a communal satellite dish shall be erected at roof level in a location agreed by the local planning authority and retained as such unless agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area.

13) No part of the development may be occupied until such time as a mechanism for securing the removal of the loading bays to the front of the site on Cavendish Place has been agreed in writing by the Local Planning Authority.

Reason: to ensure adequate on-street parking in the interest of highway safety and the operation of the public highway.

14) No part of the development shall be occupied until such time as until a Servicing Management Plan for has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries, in terms of location and frequency, and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved Service Management Plan.

Reason: To safeguard the operation of the public highway.

15) Site Waste Management shall be undertaken in accordance with the approved plan, dated August 2018

Reason: To minimise the amount of construction waste being disposed of in landfill sites in accordance with the East Sussex County Council Supplementary Planning Document on Construction and Demolition Waste.

16) No bonfires or burning of waste materials shall take place anywhere on the site at any time.

Reason: In the interest of maintaining the character and amenity of the area and to ensure the protection of trees to be retained, and in particular to avoid unnecessary damage to their root systems.

## Informatives

- 1) The development hereby approved is subject to a Section 106 Agreement between the applicant and Eastbourne Borough Council for local labour contributions.
- 2) The development hereby approved is subject to a Section 106 Agreement between the applicant and Eastbourne Borough Council for affordable housing contributions.
- 3) Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
- 4) The proposal may be a material change of use to which the Building Regulations 1991 apply and a building regulation submission may be necessary before the change of use takes place.
- 5) The applicant should consult the Building Control Section with regard to sound insulation and sprinkler system.
- 6) A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)
- 7) It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H of the Building Regulations prioritises the means of surface water disposal in the order
  - a Adequate soakaway or infiltration system
  - b Water course
  - c Where neither of the above is practicable sewer
- 8) Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.
- 9) The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)
- 10) In order to provide a safe and secure environment for future residents, Sussex Police suggest the following recommendations are implemented:
  - Communal entrance doors are to be checked to ensure they are fit for purpose and have locks that conform to BS3621 / 8621 respectively, and has a door entry system compete with remote access from the flats. Access



control would be advantageous.

- Flat front doors to conform to PAS 024-2016.
- Postal arrangements for the flats are through the wall, external or lobby mounted secure postboxes. It is strongly urged the applicant not to consider letter apertures within the flats' front doors. The absence of the letter aperture removes the opportunity for lock manipulation, fishing and arson attack and has the potential to reduce unnecessary access to the block.
- Ground floor and any easily accessible windows are to conform to PAS 024-2016.
- Internal resistance measures to be incorporated into party walls and shared corridors to any stud partition walls.
- The fitting of dusk till dawn vandal resistant lighting to all entrance door including the lower basement entrances.
- The gating to the rear of the properties should be lockable from both sides.

### 3. 180827 Listed Building Consent

Granted subject to the the following conditions:

1 Time Limit

2 Approved Plans

3 Materials

4 the cycling and refuse accommodation to be provided prior to the first occupation

5 Hard and soft landscaping to include tree protection

6 construction method statement

7 External boundary treatments

8 Rainwater goods

9 External joinery details

10 External decorative scheme

11 Demolition, site clearance or building operations hours

12 satellite dishes

13 Removal of the loading bays

14 Servicing Management Plan

15 Site Waste Management

16 Waste Materials

## **13 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.