

<b>App.No:</b> 180985	<b>Decision Due Date:</b> 9 <sup>th</sup> January 2019	<b>Ward:</b> Meads
<b>Officer:</b> James Smith	<b>Site visit date:</b> 29 <sup>th</sup> October 2018	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 12 <sup>th</sup> November 2018		
<b>Neighbour Con Expiry:</b> 12 <sup>th</sup> November 2018		
<b>Press Notice(s):</b> 12 <sup>th</sup> November 2018		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b> Kempston, 3 Granville Road, Eastbourne		
<b>Proposal:</b> : Demolition of existing building and redevelopment to provide x16 residential units (Use Class C3) (x8 net additional), new vehicle access on Granville Road and car parking. (Resubmission following refusal of p/c 180040)		
<b>Applicant:</b> Mr William Saville		
<b>Recommendation:</b> Approve Conditionally		

**Contact Officer(s):**      **Name:** James Smith  
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## 1 Executive Summary

- 1.1 The proposed development has been brought before committee due to the volume of objections received and previous application was determined at planning committee..
- 1.2 The proposed development is largely identical to the scheme refused by member vote at the committee meeting on 24<sup>th</sup> April 2018 (reference 180040). The application was refused for the following reasons:-
- 1) The proposed demolition would result in the loss of this Victoria Villa within an Area of High Townscape Value, detrimental to the character and appearance of the area contrary to saved policy UHT16 of the Borough Plan 2007, D10 of the Core Strategy Local Plan 2013 and section 12 of the National Planning Policy Framework 2012.
  - 2) The proposal, by virtue of the height, footprint, bulk and scale and detailed design and materials is an over development of the plot which does not respect the character and appearance of the Area of High Townscape Value nor the pattern of development in the area, contrary to saved policy UHT1, UHT4, UHT5 and UHT16 of the Borough Plan 2007, Policies D10 and D10a of the Core Strategy Local Plan 2013 and Section 7 of the National Planning Policy Framework 2012.
- 1.3 Additional information has been provided to demonstrate the lack of viability for any scheme involving the retention of the building, as well as further evaluation of the heritage status of the building.
- 1.4 The original application was recommended for approval and officer opinion that the proposed scheme is acceptable remains. **The additional information provided strengthens the justification for the loss of the existing building.** As such, the original officer report is reproduced below, with an addendum provided in which this additional information is assessed.
- 1.5 There has also been a material change in National Planning Policy since the previous application was determined, with the introduction of the Revised National Planning Policy Framework in July 2018. This application has been determined against this revised guidance.

## 2 Relevant Planning Policies

### 2.1 Revised National Planning Policy Framework 2018:

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 Local Plan Policies 2013

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

## 2.3 Eastbourne Borough Plan Saved Policies 2007

UHT1 Design of New Development  
UHT4 visual Amenity  
UHT5 Protecting Walls and Landscape Features  
UHT7 Landscaping  
UHT16 Protection of Areas of High Townscape Value  
HO2 Predominantly Residential Areas  
HO7 Redevelopment  
HO20 Residential Amenity  
TR6 Facilities for Cyclists  
TR11 Car Parking

## **3 Site Description**

- 3.1 The site is located at the corner of Granville Road and Blackwater Road, the site is not situated within a conservation area, but is within an area of high townscape value which includes part of Granville, Blackwater and Grassington Road's.
- 3.2 The existing building on the plot is a detached villa building currently in use as 8 self-contained flats, though only some remain occupied.
- 3.3 The application is supported by evidence that the building is in a poor state of repair and has historically been served with housing prohibition orders; in some regard this is reflective of the buildings age.

## **4 Relevant Planning History**

### 4.1 EB/1956/0261

Conversion into 8 self-contained flats.  
Approved conditionally – 16<sup>th</sup> August 1956

### 4.2 180040

Demolition of existing building and redevelopment to provide x16 residential apartments (Use Class C3) (x8 net additional), new vehicle access on Granville Road and car parking.

Refused – 26<sup>th</sup> April 2018

## **5 Proposed development**

- 5.1 The proposed development is largely the same as the scheme submitted under 180040. Minor alterations have been made, including utilising materials reclaimed from the existing building for external finishes of the proposed structure.
- 5.2 The application proposes the demolition of the existing building and redevelopment to provide 16 flats over 5 floors, including lower ground and roof level. This represents a net increase of 8 residential units, as 8 flats were accommodated within the existing building.
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## **6 Consultations**

### 6.1 Specialist Advisor (Planning Policy)

- 6.1.1 This application proposes to demolish an existing building and redevelop the site to provide 16 new residential apartments resulting in net gain of 8 dwellings. The site is located within the 'Meads Neighbourhood' and is considered to be an Area of High Townscape Value as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013). Meads Neighbourhood has been ranked as the second most sustainable neighbourhood in Eastbourne. A sustainable neighbourhood has been described as attractive, well-designed with high quality buildings as well as meeting the local needs of the residents by offering a range of housing types.
- 6.1.2 The vision of the Meads Neighbourhood is to strengthen its position as one of the most sustainable neighbourhoods in the town as well as making an important contribution to the delivery of housing all whilst conserving and enhancing its heritage and historic areas. The vision will be promoted by providing new housing through redevelopment and conversions in a mix of types and styles as well as protecting the historic environment from inappropriate development. Additionally, the proposal site is in a Predominantly Residential Area as identified by the Eastbourne Borough Plan (Policy HO20).
- 6.1.3 Policy B1 of the Core Strategy will deliver at least 5,022 dwellings in accordance with the principles of sustainable development, more specifically 358 in the Meads Neighbourhood. Policy D5 focusses on delivering housing within sustainable neighbourhood. Furthermore the National Planning Policy Framework (NPPF) supports sustainable residential development. As of 1st April 2018, Eastbourne is only able to demonstrate a 3.26 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing

land supply. In addition, national policy and case law has shown that the demonstration of a 5 year supply is a key material consideration when determining housing applications and appeals. The site has not previously been identified in the Council's Strategic Housing Land Availability Assessment so therefore it would be considered a windfall site. The Council relies on windfall sites as part of its Spatial Development Strategy (Policy B1 of the Core Strategy, adopted 2013) and the application will result in a net gain of eight dwellings. The proposal is in accordance with local and national policy.

- 6.1.4 The Eastbourne Borough Plan states that the appearance of proposed development and its relationship to its surroundings are material considerations in determining planning applications. Furthermore applications for planning permission should be able to demonstrate how they have taken into account local character in their development proposal. Policy UHT1 considers the design of new development and requires that all development proposals must harmonise with the appearance and character of the local environment respecting local distinctiveness as well as making the most effective use of the site with the highest density appropriate to the locality. Policy UHT2 requires that new developments are to be of a similar height to the majority of surrounding buildings, in particular those developments in and adjoining conservation areas. Evidence in the associated planning statement suggests that the proposal is in accordance with policy UHT2.
- 6.1.5 Policy B2 of the Core Strategy states that developments will be required to protect the residential and environmental amenity of existing and future residents and to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. The proposal is considered to satisfy some of the requirements of policy B2 as the dwelling is in conformity with the Technical Housing Standards for all proposed dwellings. The affordable housing policy applies to proposals of conversions and sub-divisions where there is a net residential gain of 11 or more dwelling units. The proposal will result in eight net dwellings and therefore the affordable housing policy does not apply.
- 6.1.6 It is also important to note that as this proposal is a development of flats, it would not be liable to pay CIL under Eastbourne's current charging schedule.
- 6.1.7 The proposal is considered to make a positive contribution towards the housing target resulting in a net increase of eight dwellings. As the proposal site is located within a Predominantly Residential Area (Policy HO2 of the Eastbourne Borough Plan), residential development is acceptable in principle. Overall there is no objection to the proposal from a planning policy perspective, in principle. However any impact on residential amenity (Policy HO20 of the Eastbourne Borough Plan) will need to be considered.
- 6.2 Regeneration Manager
- 6.2.1 In line with our consultation response for planning application 180040 dated 23 January 2018 in respect of the above site, Regeneration would support this application subject to the inclusion of a local labour agreement.

### 6.3 Specialist Advisor (Arboriculture)

6.3.1 There is no objection to the proposal to remove 11 or so Lime tree pollards from the front garden.

6.3.2 Concern is raised about the fate of the street tree (Elm – possibly *U. glabra*) – T19 on the tree report plan and located in the south east quarter in Blackwater Road, but tree protection measures detailed in the Arboricultural Method Statement should ensure the tree survives post-development operations.

6.3.3 The proposed soft landscaping fails to adequately soften the large hard standing for the car parking area. Much more could be done to soften and visually break up this this harsh urban feature. Soft landscaping could be set aside as a reserved matter in the event planning permission is granted.

### 6.4 Specialist Advisor (Private housing)

6.4.1 An Improvement Notice was served on 15th July 2016 numerous hazards of varying seriousness and works were identified as needing to be undertaken at the property. By August 2017 all works on this notice had been complied with except 3 repairs, 2 of these were affecting 1 flat and 1 affecting another flat, I believe both of these flats are still occupied, however the outstanding items were rated as category 2 hazards (more minor) and 1 being some water ingress it was unclear at the last inspection whether this had been rectified and still drying out or unresolved.

6.4.2 I also served a suspended Improvement Notice in respect of flat 2 on the 11th May 2017, the flat had become vacant and the owners did not want to re-let it, the notice is dormant until the flat is occupied at which point the notice becomes an active Improvement Notice. This flat was affected by one category 1 hazard (serious) which was damp and mould and 2 category 2 hazards personal hygiene, sanitation and drainage and electrical hazards.

### 6.5 County Archaeologist:

6.5.1 The information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions which are outlined in this response.

### 6.6 East Sussex County Council Highways

6.6.1 As this is the same scheme as in the previous application, I can confirm that our previous comments and recommended conditions would still be applicable, and we do not wish to object to this application, subject to the imposition of those conditions.

### 6.7 SUDS

6.7.1 The Flood Risk Assessment and Surface Water Drainage states that surface water runoff will be limited to 5.6 l/s prior to discharge into the public surface

water sewer in Blackwater Road. However, there is no evidence to show that this discharge rate has been agreed by Southern Water. While we appreciate that the existing site is likely to be connected to the public sewer, the existing drainage arrangements should be investigated and confirmed. Should planning permission be granted, any application to discharge conditions associated with drainage must be supported by findings of an investigation of the existing drainage arrangements together with evidence that Southern Water has agreed to the proposed surface water discharge rates into the public sewer.

- 6.7.2 The surface water drawing shows permeable pavement on top of a cellular storage tank. We do not generally recommend such an arrangement as the integrity of the permeable pavement can be compromised during the replacement/maintenance of the tank. Therefore we recommend that this arrangement be re-visited should the application be approved and an application to discharge relevant planning conditions is subsequently made. If it is not possible to change the arrangements, measures which will be taken to ensure the integrity of both storage structures is maintained over the lifetime of the development should be provided with the discharge of condition application.
- 6.7.3 British Geological Survey data shows that the application site is within an area susceptible to groundwater flooding. This indicates that groundwater levels are most likely to be high. Consequently, the cellular storage tank and the permeable pavement are likely to be affected by high groundwater if measures to manage impacts of high groundwater are not incorporated into the design.
- 6.7.4 In light of the above comments, if the Local Planning Authority is minded to grant planning permission, the LLFA requests conditions to ensure surface water runoff from the development is managed safely.
- 6.8 Southern Water
- 6.8.1 The Flood Risk Assessment (FRA) included in support of this application demonstrates that surface water runoff from the site will be reduced. Applicant will be required to provide a topographical site survey and/or a CCTV survey showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed flows will be no greater than the existing flows received by the sewer. The drainage arrangement should also be such that the volumes of surface water leaving the site are no greater than that at pre-development.
- 6.8.2 Southern Water seeks appropriate Planning Conditions to ensure that suitable means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.
- 6.9 Sussex Police and Crime Commissioner
- 6.9.1 No objection raised recommendations in respect of undercroft parking and cycle storage, and that access to the building is in accordance with Secured by Design Homes 2016.

## 6.10 The Eastbourne Society

### 6.10.1 Object to the application.

6.10.2 Although Eastbourne is fortunate to have many fine Victorian villas some stand out as being particularly attractive and Kempston with its fine proportions and lavish detailing is one of these. Granville Road has already lost many of its fine villas but the full length of Blackwater Road still retains a good number of these. Occupying a prominent site, highly visual in the public realm, Kempston stands on the corner of Granville and Blackwater Roads and its demolition would break up the visual continuity of the long line of attractive villas in Blackwater Road.

6.10.3 The property itself is unusual in that it retains all of its original doors, windows and fine detailing in brick and flint. It has finely carved bath stone capitols to the pilasters, striking ochre glazed tiles depicting anthemions, original roof decoration with ornamental terracotta ridge tiles and table finials, the arched main entrance and ground floor windows being particularly attractive with their original timber work.

6.10.4 The Eastbourne Society considers that too many fine Victorian villas have already been lost in this highly important architectural Meads district. The demolition of Kempston would be a great loss to the area and deserves to be included in the list of Buildings of Local Interest.

6.10.5 However, the Society would welcome a conversion of the building into high-end apartments, together with a low rise new build in the available garden area, if that may be considered by the applicant instead.

## 6.11 Meads Community Association

6.11.1 The MCA is disappointed that the above planning application to demolish the above property and replace with 16 apartments has been re-submitted unchanged despite the previous planning committee decision to reject the proposal last April. Shortly afterwards the property company involved cleared it of tenants and erected the sign shown in the attached photo. We have been told that prospective purchasers phoning the number received scant information about the proposed sale and nothing about the price. It is clear that as no estate agents were instructed we consider this was a cynical attempt to show planners that there was no interest in a sale of the property.

6.11.2 We do not believe that as a result of the condition of the property that this should be a reason for it to be demolished to make way for a substantial new development of apartments. The owners are entirely responsible for not investing in the upkeep of the property and should not use this as an excuse for demolition. The Meads area has lost a number of these substantial villas and we note that Kempston retains a great many of its original features both internally and externally. We consider that buildings like Kempston add to the distinctiveness of the Meads area in general and that its demolition would have an adverse effect on the visual aspect of the villas in the adjacent Blackwater Road. Nothing has changed to alter Kempston's importance not only from a historical perspective - it was converted into a Red Cross Hospital in 1915 and

almost 3,000 soldiers were treated there – but also architecturally. The MCA understands that consideration is being given in the near future to extend the current College Conservation area to include Granville and Blackwater Roads. Therefore any decision on this application should therefore be postponed until a decision on this extension is made.

- 6.11.3 The MCA shares the view of The Eastbourne Society that instead of the demolition and re-development of Kempston consideration by the applicants for a conversion of the existing building into high-end apartments with a modest extension would be a realistic alternative. The MCA is therefore objecting to the above planning application.

## **7 Neighbour Representations**

- 7.1 Letters of objection received from 33 individual addresses, the concerns raised are summarised below:-

- Demolition of the building is in act of cultural vandalism;
- The building has historical value as it was used as a hospital in WWI
- A historic building should not be demolished to make way for flats
- Would put a strain on local facilities
- Would add to existing parking problems in the surrounding area
- There has already been a substantial loss of mature trees in the vicinity
- Overdevelopment of the plot
- Would damage the high quality streetscape
- Application has already been refused and has been resubmitted with no amendments.
- Additional site entrance will increase risk to pedestrians
- Will be taller than neighbouring buildings
- Balconies are intrusive and overlook neighbouring sites
- The materials are not visually sympathetic
- The building is being marketed but owner not interested in selling
- There has been no consultation with members of the local area or any attempt to change the design
- The building should be restored
- Would be a big building and unsympathetic to surrounding area
- The submitted surveys do not state that the building is beyond repair
- The impact on Blackwater Road has not been considered by the architect
- The red brick boundary wall shown on the CGI image would be unsympathetic
- Some unsympathetic building nearby are only present as they replaced buildings damaged by bombs in WWII.
- Overlooking, loss of light and loss of privacy to Wargrave House 50-52 Blackwater Road which is a boarding house for Eastbourne College
- There has been intentional neglect of the property
- The pre-application advice provided contained a number of subjective statements.
- The submitted documentation is not impartial
- Parking is being created at the expense of greenspace

- The Conservation Area should be extended to include the site
- Loss of trees and garden space will impact on environment and biodiversity
- Will result in the loss of affordable flats within the existing building
- Increased traffic and slowing of traffic will cause air pollution
- Would not provide affordable housing
- Demolition works would impact upon health of neighbouring residents

## **8 Appraisal**

### **8.1 Addendum to original officer report**

8.1.1 The proposed development is largely identical to a previous scheme (reference 180040) that was refused by committee in April, overturning an officer recommendation for approval. The application was refused for the reasons provided below:-

- 1) The proposed demolition would result in the loss of this Victoria Villa within an Area of High Townscape Value, detrimental to the character and appearance of the area contrary to saved policy UHT16 of the Borough Plan 2007, D10 of the Core Strategy Local Plan 2013 and section 12 of the National Planning Policy Framework 2012.
- 2) The proposal, by virtue of the height, footprint, bulk and scale and detailed design and materials is an over development of the plot which does not respect the character and appearance of the Area of High Townscape Value nor the pattern of development in the area, contrary to saved policy UHT1, UHT4, UHT5 and UHT16 of the Borough Plan 2007, Policies D10 and D10a of the Core Strategy Local Plan 2013 and Section 7 of the National Planning Policy Framework 2012.

8.1.2 The current application is supported by additional documentation, in the form of building surveys, a Building Regulations report which sets out adaptations that would need to be made to the building in order for it to be compliant with Building Regulations, a Heritage Appeal Statement and details of features of the existing building which may be salvaged and re-used (facing tiles, capitols and flint inlays) and an appraisal of potential alternative schemes for the site.

8.1.3 An appeal statement which provides a response to the reasons for refusal of the previous application and re-values the proposal in the context of the Revised National Planning Policy Framework, which was adopted in July 2018.

8.1.4 It is re-iterated that the current configuration of the building provides large flats that do not represent an efficient use of the building, particularly given the context of the current failure of the Borough to fulfil its obligations of a 5 year supply of land for housing development.

8.1.5 The submitted Financial Appraisal demonstrates that works to subdivide the building to provide a more efficient use would require further development of the site in terms of adaptations to the building and increased car parking area, therefore having some level of impact upon the existing character of the site.

The condition of the building is such that extensive works would need to be carried out in order to bring it up to acceptable standards, rendering such works as unviable. It is noted that an Improvement Notice relating to the building was served by the Council on 15<sup>th</sup> July 2016.

8.1.6 Potential works to extend the building or provide an additional free-standing building within the site would not be able to financially enable works to the existing building.

8.1.7 It must be appreciated that, in any case, it is not the duty of the committee, or within their remit, to assess potential alternative schemes but only to determine the current scheme on its own merits.

8.1.7 There has been a material change in National Planning Policy since the introduction of the Revised National Planning Policy Framework in July 2018. As such, the proposed scheme will be assessed against this document below.

8.2 Principle of development (updated to include reference to Revised NPPF (2018))

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

8.2.2 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.

8.2.3 Para. 11 (b) goes on to state that ‘the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.’ Whilst designated heritage assets are considered as a protected asset, non-designated assets, such as the site and its surroundings, are not.

8.2.4 Kempston is located within an Area of High Townscape Value. This is not a designated Heritage Asset (as defined with the Revised NPPF) and the building itself is not the subject of any designation. It is important to bear in mind that, as such, the building could be demolished, following the submission of prior notification, without the requirement of any planning permission as per The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 11, Class B.

8.2.5 As the demolition of the building forms part of this application, the impact of its loss would be considered in its context as a non-designated heritage asset. Para. 197 of the Revised National Planning Policy Framework states ‘The effect of an application on the significance of a non-designated heritage asset should

be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

- 8.2.6 The contents of para. 127 (c) of the Revised NPPF are of particular relevance in this instance, these stating that planning decisions should 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)'. The loss of the building, which would be replaced by a structure of suitable design attributes as set out in the main body of this report, would be considered to have an impact of very low magnitude in the context of the surrounding area, with the replacement building respecting the visual and spatial characteristics of the surrounding area in terms of building scale, positioning and orientation.
- 8.2.7 Granville Road from which the site is accessed and it takes its street address from is predominantly residential in character. Redman King House at the Corner of Granville and Meads Roads is a substantial rendered building providing sheltered housing for the elderly. Two corners of the junction of Granville Road and Blackwater Road have been redeveloped with purpose built blocks of flats, the other corner is a more substantial red brick property converted into flats. NO.1 Granville Road is another Victorian villa, this has been converted into flats. NO.3 Granville Road is separated from its adjacent property by a side/rear garden which is visibly open from the street scene. Therefore the character of Granville Road is very mixed in terms of styles and how properties address the street scene.
- 8.2.8 The proposed demolition and therefore loss of the non-designated heritage asset has been carefully considered through the application process. The quality of the building is not considered such that it would be considered for listing, the benefits of the proposal to maximise the potential of the site providing a net gain of 8 quality residential units within a sustainable location is considered on balance to outweigh the benefit of the retention of the existing building.
- 8.2.9 The redevelopment of the site would enable a more efficient use of a valuable brownfield site, a principle that is strongly encouraged by para. 118 (d) of the Revised NPPF which states that 'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.' And para. 123 which states that 'Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.'
- 8.2.10 The proposed site is located in the Meads Neighbourhood and in an Area of High Townscape Value as identified in the Core Strategy. Meads Neighbourhood has been ranked as the second most sustainable

neighbourhood in Eastbourne. A sustainable neighbourhood has been described as attractive, well-designed with high quality buildings as well as meeting the local needs of the residents by offering a range of housing types.

- 8.2.11 The vision of the Meads Neighbourhood is to strengthen its position as one of the most sustainable neighbourhoods in the town as well as making an important contribution to the delivery of housing all whilst conserving and enhancing its heritage and historic areas. The vision will be promoted by providing new housing through redevelopment and conversions in a mix of types and styles as well as protecting the historic environment from inappropriate development. Additionally, the proposal site is in a Predominantly Residential Area as identified by the Eastbourne Borough Plan (Policy HO20).
- 8.2.12 Policy B1 of the Core Strategy will deliver at least 5,022 dwellings in accordance with the principles of sustainable development. Policy D5 focusses on delivering housing within sustainable neighbourhood. Furthermore the National Planning Policy Framework (NPPF) supports sustainable residential development. As of 1 January 2018, Eastbourne is only able to demonstrate a 3.16 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. Para 14 of the NPPF identifies 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 this Framework taken as a whole'. In addition, national policy and case law has shown that the demonstration of a 5 year supply is a key material consideration when determining housing applications and appeals. The site has not previously been identified in the Council's Strategic Housing Land Availability Assessment so therefore it would be considered a windfall site. The Council relies on windfall sites as part of its Spatial Development Strategy (Policy B1 of the Core Strategy, adopted 2013) and the application will result in a net gain of eight dwellings. The proposal is in accordance with local and national policy.

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

- 8.3.1 The site is situated on a corner plot with No.1 Granville Road to the north, which is converted into self contained flats, one flat per floor and no.53 Blackwater Road to the East, which is a boarding house for Eastbourne College students.
- 8.3.2 In terms of properties opposite on Granville Road to the west and Blackwater Road to the South it is not considered that the proposal would increase overlooking significantly to warrant a refusal of the application. Whilst terraces are introduced both opposite properties have existing terraces, and overlooking across roads is normal in an urban environment.
- 8.3.2 No.1 Granville Road, to the north is set away from the proposal by approximately 18m elevation to edge of rear balcony. The property is set away from its own boundary by approximately 8m and the proposed building is set back 10m<sup>2</sup>. The windows in this elevation of Granville Road at higher level are secondary to windows in either the front or rear elevation.

- 8.3.3 Therefore on balance given the separation distance it is not considered the proposal would cause sufficient overshadowing or loss of light or privacy to warrant the refusal of the application on this ground.
- 8.3.4 To the east the property is an Eastbourne Collage Boarding House. Whilst the building is larger in terms of footprint it is not considered that the impact in terms of light/outlook would be significant to warrant the refusal of the application. The neighbouring property has windows in the side elevation which serve bedrooms of the boarding house along with the bedroom and living accommodation of the House Masters House to the front of the building. The plans have been amended to remove balconies to the flats on this elevation. Windows proposed are shown to obscurely glazed to 1.5m, this is not considered sufficient so a condition is recommended that the windows are fixed shut and obscurely glazed up to 1.7m above the height of the room they serve.
- 8.3.5 Windows facing rear and forwards within this side elevation are considered acceptable as overlooking would be at an acute angle and therefore lessened. Equally the roof terrace to the flat at roof level is considered acceptable given the high level and the 1.5m high parapet wall. The amended plans are considered to overcome any issues regarding overlooking towards this neighbouring property.

8.4 Impact of proposed development on amenity of future occupiers:

- 8.4.1 The table below includes the recommend space standards of DCLG's Technical housing standards – nationally described space standards and does not include external amenity/balcony space.

Unit	Bedrooms/Occupancy	Unit size (m <sup>2</sup> )	Recommended Size (m <sup>2</sup> )	
1	1 bed 2 person	82	58	Exceeds
2	2 bed 4 person	80	70	Exceeds
3	2 bed 4 person	88	70	Exceeds
4	2 bed 4 person	79	70	Exceeds
5	2 bed 4 person	86	70	Exceeds
6-13	2 bed 4 person	88	70	Exceeds
14	2 bed 4 person	90	70	Exceeds
15	2 bed 4 person	90	70	Exceeds
16	2 bed 4 person	100	70	Exceeds

- 8.4.2 As shown above each flat would exceed the recommended minimum housing standards, and in addition each flat has access to an external balcony area and or terrace at lower ground floor level. The outlook from the proposed flats would be good and therefore the overall standard of accommodation for future occupiers is considered acceptable.

## 8.5 Design issues:

- 8.5.1 The site is situated within an area of high townscape value, the property itself is a Victorian red brick, arranged over 4 floors (lower ground, raised ground and two upper floors) set within gardens of three sides. The property is situated on the corner plot of Granville and Blackwater Roads but does not really address either street scene. The access is to the Granville Road elevation, with pedestrian access only. The property is relatively attractive but is not considered of such character in and of itself or within the street scene to warrant refusal on the grounds of the proposed demolition.
- 8.5.2 The plot is relatively substantial with large open grounds. Two of the corner plots on this junction have been redeveloped with large developments of flats, the third corner is a more substantial red brick building which is converted into flats.
- 8.5.3 There is a mix of property character in Blackwater Road which does retain a large number of historic properties; the palette of materials and styles is quite mixed. Therefore it is not considered that the loss of this building would be detrimental to the wider character of the area.
- 8.5.4 The proposed rebuilding is on a larger footprint than the existing building, the total ridge height of the central pitched roof will be 1.2m above the height of the existing building, approximately the same ridge as the highest part of No. 1 adjacent. The main roof would be essentially the same height as the existing building. The accommodation is proposed over lower ground floor with accommodation and undercroft parking at upper ground floor level, two floors of accommodation and a further floor of accommodation in the roof, totalling 5 storeys.
- 8.5.5 The building is extended to the Blackwater Road elevation however a garden area is retained at upper ground floor level, lower ground floor terraces are proposed for the flats at this level and new access paths for these flats.
- 8.5.6 The overall bulk is considered acceptable given the size of the plot and other developments in the surrounding area. Soft landscaping is retained to the Blackwater and Granville Road boundaries which will soften the appearance and is generally the character of the area.
- 8.5.7 The loss of the large landscaped 'rear' garden, although actually to the side of the property and relatively open to Granville Road, is regrettable. The use of this for car parking does still keep that break in buildings between no.1 and no.3 Granville however and retain the open spaciousness. Conditions can also be used to secure an element of soft landscaping within the parking area in order to soften its visual impact.
- 8.5.8 In terms of materials, the replacement building is proposed in a mix of yellow and red stock brick, with red stock window surrounds and string course, windows are to be grey aluminium. The dormers are proposed to be lead clad to contrast with clay pain roof tiles. The overall design is more contemporary with glazed balconies and clad dormers to the roof slopes.

8.5.9 The contemporary style is considered suitable for the site within this context. The replacement building in terms of the scale and siting within the plot is considered in context with other infill development in the area an appropriate development considering the large corner plot.

8.6 Impacts on trees:

8.6.1 The application will result in the loss 11 Lime Pollards from the side/rear garden. Our Arboricultural Specialist has confirmed that they are not considered to be sufficiently important to merit a TPO and their loss will only be from a vegetative screening than important arboricultural features point of view.

8.7 Impacts on highway network or access:

8.7.1 This application seeks approval for the redevelopment of the existing eight apartments at 3 Granville Road and their replacement with a total of 16 apartments, comprising one 1-bedroom unit and 15 no. 2-bedroom units. In principle the proposed redevelopment of this site at this scale is acceptable in terms of traffic impact expected on the surrounding network. In terms of location and local infrastructure, the site benefits from a range of services and public transport within walking distance.

8.7.2 A total of 16 parking spaces are proposed to serve the 16 units on site. The ESCC car parking demand calculator has been used and the calculations presented in Appendix D of the transport report. This shows that if no spaces are allocated, the development is likely to create a demand for 10 spaces. The 16 parking spaces would therefore result in a net reduction in on-street parking demand compared with the existing situation (8 flats without any off-street parking), which is welcomed. Amendments to the proposed access and a road safety audit has been undertaken. East Sussex County Council Highways have confirmed they are satisfied that a safe means of access to the development has been adequately demonstrated and there are no highways grounds for objection to the application.

## **9 Human Rights Implications**

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

## **10 Recommendation**

10.1 It is recommended that the application is approved, subject to the following conditions:-

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

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

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

FAE861:PA 01 B – Block Plan  
FAE861:PA 08 A – Proposed Street Elevations  
FAE861:PA 09 A – Proposed Lower Ground Floor  
FAE861:PA 10 C - Proposed Ground Floor  
FAE861:PA 11 C – Proposed First and Second Floor  
FAE861:PA 12 A – Proposed Third Floor  
FAE861:PA 13 C – Proposed Roof Plan  
FAE861:PA 14 A – Proposed North and East Elevations  
FAE861:PA 15 A – Proposed South and West Elevations

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

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

Reason: To ensure a satisfactory appearance to the development.

- 10.5 Prior to the occupation of the development, details of hard and soft landscaping, to include details of all boundary treatments, balcony screening, and bin storage shall be submitted to and approved by the Local Planning Authority.

The development shall be carried out in accordance with these approved details and maintained as such thereafter.

Reason: In the interests of the character and appearance of the surrounding area, security and the amenities of neighbouring residents.

- 10.6 No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

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

- 10.7 The development hereby permitted shall not be occupied until the car parking spaces, turning areas, footways and site access shown on approved plans have been surfaced and marked out. These areas shall thereafter be maintained throughout the lifetime of the development and the land on which they are positioned be used for no purpose other than for the parking of vehicles.

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

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

- The anticipated number, frequency and types of vehicles used during construction.
- The method of access and egress and routing of vehicles during construction,
- The parking of vehicles by site operatives and visitors,
- The loading and unloading of plant, materials and waste,
- The storage of plant and materials used in 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),
- Measures to manage flood risk, both on and off the site, during the construction phase.
- Details of public engagement both prior to and during construction works.

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

10.9 The approved method statement (Arboricultural Method Statement CE-GR1293-RP02 Final) submitted in support of the application shall be adhered to in full accordance with the approved plans and may only be modified subject to written agreement from the LPA – this includes demolition operations. This condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.

Reason: To safeguard the ongoing health and amenity value of retained trees on site.

10.10 No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the Local Planning Authority.

Reason: To safeguard the ongoing health and amenity value of retained trees on site.

- 10.11 Prior to commencement of construction works, the detailed design of the attenuation tank should be submitted to and approved by the Local Planning Authority. This should be informed by findings of groundwater monitoring between autumn and spring. The design should leave at least 1m unsaturated zone between the base of the tank and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided. Evidence of how impacts of high groundwater on the structural integrity of the tank will be managed should also be provided.

Reason: In order to mitigate against flood risk as a result of surface water.

- 10.11 Prior to the occupation of the development, a maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details. Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason: In order to mitigate against flood risk as a result of surface water.

- 10.12 Prior to the occupation of the development, a maintenance and management plan for the entire drainage system should be submitted to the planning authority before any construction commences on site. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details. Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development should be provided to the Local Planning Authority.

Reason: In order to mitigate against flood risk as a result of surface water.

- 10.13 Surface water runoff from the proposed development should be limited to discharge rates agreed to by Southern Water for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features. Evidence that Southern Water has agreed to the discharge rates should be provided to the Local Planning Authority prior to occupation of the development along with evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs

Reason: In order to mitigate against flood risk as a result of surface water.

- 10.14 Prior to the commencement of development, an Employment and Training Plan shall be agreed with the Local authority together with a written commitment detailing how the developer intends to undertake the works in accordance with

the Local Employment and Training Supplementary Planning Document. The Employment and Training Plan must include, but not be limited to, the following details:

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

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

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

- 10.15 No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.

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

- 10.16 The first and second floor level windows in the eastern (side) elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of neighbouring 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.