

Tuesday, 24 April 2018  
at 6.00 pm  
Town Hall, Eastbourne



# Planning Committee

**MEMBERS:** Councillor Murray (Chairman); Councillor Coles (Deputy-Chairman); Councillors Choudhury, Jenkins, Miah, Murdoch, Robinson and Taylor

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## Agenda

**1 Minutes of the meeting held on 27 March 2018.** (Pages 1 - 4)

**2 Apologies for absence.**

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

**4 Urgent items of business.**

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.

**5 Right to address the meeting/order of business.**

The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of planning applications/items listed and that these applications/items are taken at the commencement of the meeting.

**6 2 Clifford Avenue. Application ID: 180170.** (Pages 5 - 10)

**7 Kerpston, 3 Granville Road. Application ID: 180040.** (Pages 11 - 26)

**8 33 Netherfield Avenue. Application ID: 180003.** (Pages 27 - 32)

**9 Arundel Court, 20 Arundel Road. Application ID: 171376.** (Pages 33 - 48)

**10 192 Seaside and 2a Hoad Road. Application ID: 170960.** (Pages 49 - 56)

**11 South Downs National Park Authority Planning Applications.**

**Inspection of Background Papers** – Please see contact details listed in each report.

**Councillor Right of Address** - Councillors wishing to address the meeting who are not members of the Committee must notify the Chairman in advance.

**Disclosure of interests** - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

In the case of a 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).

**Public Right of Address** – Requests by members of the public to speak on a matter which is listed in this agenda must be received in writing by no later than 12 Noon, 2 working days before the meeting e.g. if the meeting is on a Tuesday, received by 12 Noon on the preceding Friday). The request should be made to Local Democracy at the address listed below. The request may be made by letter, fax or electronic mail. For further details on the rules about speaking at meetings please contact Local Democracy.

**Registering to speak – Planning Applications** - If you wish to address the committee regarding a planning application you need to register your interest with the Development Control Section of the Planning Division or Local Democracy within **21 days** of the date of the site notice or neighbour notification letters (detail of dates available on the Council's website at [www.eastbourne.gov.uk/planningapplications](http://www.eastbourne.gov.uk/planningapplications)).

Requests made beyond this date cannot normally be accepted. This can be done by telephone, letter, fax, e-mail or by completing the local democracy or planning contact forms on the Council's website.

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

## Further Information

Councillor contact details, committee membership lists and other related information is also available from Local Democracy.

**Local Democracy**, 1 Grove Road, Eastbourne, BN21 4TW  
Tel: (01323) 415023/415021 Text Relay: 18001 01323 410000, Fax: (01323) 410322  
E Mail: [localdemocracy@eastbourne.gov.uk](mailto:localdemocracy@eastbourne.gov.uk)  
Website at [www.eastbourne.gov.uk](http://www.eastbourne.gov.uk)

For general Council enquiries, please telephone (01323) 410000 or E-mail: [enquiries@eastbourne.gov.uk](mailto:enquiries@eastbourne.gov.uk)

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Tuesday, 27 March 2018  
at 6.00 pm



## Planning Committee

Present:-

**Members:** Councillor Murray (Chairman) Councillor Coles (Deputy-Chairman)  
Councillors Choudhury, Jenkins, Miah, Murdoch, Robinson and  
Metcalf (as substitute for Taylor)

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### **115 Minutes of the meeting held on 27 February 2018.**

The minutes of the meeting held on 27 February 2018 were submitted and approved and the Chair was authorised to sign them as an accurate record.

### **116 Apologies for absence.**

An apology for absence was received from Councillor Taylor.

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

There were none.

### **118 Land to the rear of 1 Windermere Crescent. Application ID: 170903.**

Amended Proposal for development of 4no. Residential units to include 2no. 1bed houses and 2no. 1 bed flats with courtyard paving to the front and garden areas to the rear. No parking proposed – **ST ANTHONYS.**

Mr Baker addressed the committee in objection stating that scheme would be an overdevelopment of the site resulting in increased pressure on parking. He also stated that there would be a risk of flooding to the site.

Councillor Tutt, Ward Councillor, addressed the committee in objection stating that the scheme was an overdevelopment, with a narrow access route which would exacerbate the flooding in the area. He also stated that refuse collection would create issues with bin storage and placement on collection days.

Mr Smith, architect for the applicant, responded stating that the design was an efficient use of the space available and that plans had been amended to resolve issues previously raised by the Environment and Highways agencies.

The committee was advised that a petition of 19 signatures had been received from local residents. Revised drawings had been received

highlighting the ground floor finished floor level in relation to the proposed flood level.

The committee discussed the application and agreed that the proposals were an overdevelopment, with a lack of parking and that refuse collection on site would cause issues for the surrounding neighbourhood.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that:

1) The proposed development by reason of its scale, mass and design would be is unsympathetic and detrimental to character and appearance of the site in particular and the wider area in general resulting in an unsympathetic form of development, detrimental to the visual appearance and wider range views of the site as well as giving rise to an overbearing and unneighbourly form of development contrary to Section 7 of the National Planning Policy Framework 2012, Policy D10a and B2 of the Core Strategy Local Plan 2013, and saved policies UHT1, UHT4,UHT16 and HO20 of the Borough Plan 2007.

2) By virtue of the narrow width and length of the access road there is a requirement for the refuse and recycling bins to be presented at the threshold of a main highway (Seaside and or Windermere Crescent). No bin enclosure/refuse presentation ion station has been submitted with the application and in the absence of such information it is considered that the proposal may lead to indiscriminate and random storage of refuse/recycling equipment which may lead to visual clutter and highway and pedestrian safety issues. The proposal would be contrary to Policy D10a and B2 of the Core Strategy

3) It is accepted that the scheme promotes a car free development however in the Councils opinion given the location of the site and its distance from Eastbourne Town Centre (transport hub and other infrastructure) that there would be a propensity for the new owners to have own a car. In the absence of any mitigating circumstances (car club etc) it is likely that the any car parking would be indiscriminate in the locality which may impact upon the free flow of traffic in the area. The proposal is considered to the to give rise to highway and pedestrian safety issues contrary to paragraph 32 of the National Planning Policy Framework 2012.

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.

**119 2 Clifford Avenue. Application ID: 180170.**

Raising of roof ridge height and two dormers and one roof light on the rear elevation – **OLD TOWN.**

The committee was advised that there had been a clerical error with regards to advising interested parties of the date of the meeting which had

been listed as the 28 March 2018. As a result, the committee was requested to defer the item to a future meeting to allow all interested parties to attend.

**RESOLVED: (Unanimous)** That due to a clerical error with regard to the notification of meeting date, the application be deferred to a future meeting to allow all interested parties to attend.

**120 146 Willingdon Road. Application ID: 180065.**

1no. 3bed dwelling with off-road parking and garage – **RATTON.**

Councillor Belsey, Ward Councillor, addressed the committee raising concern for the grassed area fronting Willingdon Road during the construction phase of the development and potential dangers during delivery of materials.

**RESOLVED:** (By 7 votes to 1) That permission be granted subject to the following conditions:

- 1) Time for commencement
- 2) Approved drawings
- 3) External facing materials of the approved dwelling shall match the existing dwelling, prior to its erection details of boundary treatment between the rear gardens of the existing and proposed dwelling shall be submitted.
- 4) Existing boundary hedge to Rodmill Drive boundary shall be retained and protected during construction
- 5) Removal of permitted development rights regarding boundary treatment or other means of enclosure to the Rodmill Drive boundary
- 6) Removal of permitted development rights for extensions, enlargements, dormers, rooflights to the new dwelling, and outbuildings
- 7) Submission of construction management plan to include pre/post survey of highway verge and specification for making good any damage caused by construction. Also to include specification for widening the access across the highway verge with reference to maintaining the health of existing street trees.
- 8) Construction hours shall be between 0800 and 1800 Monday to Friday and 0800 and 1300 on Saturdays only unless otherwise agreed in writing pursuant to condition No 7 (above).
- 9) Windows to the northern elevation of the approved dwelling to be obscurely glazed and non-opening unless over 1.7m above floor level
- 10) Submission of surface water drainage scheme prior to commencement
- 11) Following completion submission of statement confirming suds scheme has been implemented.
- 12) Boundary sub division between plot

**121 Eastbourne Pier. Application ID: 171394 (LBC), 171397, 171398 (LBC).**

Eastbourne Pier, Grand Parade, Eastbourne – **DEVONSHIRE.**

Ms Gardener addressed the committee in support of the application stating that replacing buildings in the open space left by the fire in 2014 would

ensure the economic viability of the site and that ongoing funding from the new buildings would ensure the ongoing care and maintenance of the pier.

Councillor Belsey addressed the committee stating his concern regarding the differing view of the Specialist Advisor for Conservation and that of the Conservation Area Advisory Group (CAAG). The official CAAG minute was reported to Members via the addendum report and verbally presented by the Senior Specialist Advisor for Planning.

The committee considered the application and largely supported the proposed new additions, they did express the desire for timber structures to match the original and maintain the Grade 2\* status of the pier.

**RESOLVED: 171394 (LBC), 171397 and 171398 (LBC): (By 5 votes to 4 and on the Chair's casting vote** For: Councillors Coles, Choudhury, Miah and Murray. Against: Councillors Jenkins, Metcalfe MBE, Murdoch and Robinson) That, subject to the satisfactory outcome of negotiations, the decision to grant permission, subject to a suite of appropriate conditions, be delegated to the Senior Specialist Advisor for Planning in consultation with the Chair.

The decision was made with reference to para 133 of the NPPF.

**122 South Downs National Park Authority Planning Applications.**

There were none.

**123 Appeal Decision.**

191 Priory Road. The Inspector dismissed the appeal.

The meeting closed at 7.19 pm

**Councillor Murray (Chairman)**

# Agenda Item 6

<b>App.No:</b> 180170	<b>Decision Due Date:</b> 17 April 2018	<b>Ward:</b> Old Town
<b>Officer:</b> Danielle Durham	<b>Site visit date:</b> <b>09/03/18</b>	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 16 March 2018 <b>Neighbour Con Expiry:</b> 16 March 2018 <b>Press Notice(s):</b> NA		
<b>Over 8/13 week reason:</b> Within time		
<b>Location:</b> 2 Clifford Avenue, Eastbourne		
<b>Proposal:</b> Raising of roof ridge height and two dormers and one rooflight on the rear elevation.		
<b>Applicant:</b> Mr & Mrs Hepburn		
<b>Recommendation:</b> Grant Permission		

## **Executive Summary:**

This application was deferred from the March Committee to allow for the correction of an administration error.

The application is being reported to planning committee at the discretion of the Senior Specialist Advisor and to allow members of planning committee hear the views of local residents and debate the issues involved.

The proposal relates to the raising of the ridge of the original roof, rear dormer windows and roof light; these works facilitate the creation of an additional bedroom suite within the enlarged roofspace.

Scheme is considered acceptable and is recommended for approval.

## **Relevant Planning Policies:**

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure.
6. Delivering a wide choice of high quality homes
7. Requiring good design

8. Promoting healthy communities
9. Protecting green belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals

Core Strategy Local Plan 2013 Policies

B2 Creating Sustainable Neighbourhoods  
C5 Ocklynge & Rodmill Neighbourhood Policy  
D5 Housing  
D10 Historic Environment  
D10a Design

Eastbourne Borough Plan Saved Policies 2007

HO2 Predominantly Residential Areas  
HO20 Residential Amenity  
UHT2 Height of buildings  
UHT4 Visual Amenity

**Site Description:**

The site consists of a two storey detached dwelling house with a porch extension and a garage that has been converted into habitable rooms, the property retains car parking to the front of the site.

Clifford Avenue is a sweeping crescent connected at both ends to Farlane Road. The road is on a sloping gradient that increases with the increase in house number, with the properties on Farlane Road being at the lowest point and number 10 Clifford Avenue at the highest. Other properties backing onto and adjacent Clifford Avenue

**Relevant Planning History:**

160930

Single storey front extension to form entrance porch.

Householder

Approved conditionally

29/09/2016

**Proposed development:**

The applicant is seeking planning permission to increase the ridge height roof by approximately 1.5m to facilitate a loft conversion with two dormers to the rear and roof light.

There is proposed to be a new bedroom in the roof space which would be approx. 20m<sup>2</sup> and a new dressing room approx. 12.m<sup>2</sup> with adjoining bathroom. The bathroom is proposed to have a window facing the properties on Farlane Road which is proposed to be obscurely glazed and with a cill height of 1.7m.

Additional plans were submitted on the 23<sup>rd</sup> of March demonstrating the increase height of the roof in relation to the neighbouring property.

### **Consultations:**

#### External:

#### County Archaeologist - Consultations

Although this application is situated within an Archaeological Notification Area, based on the information supplied I do not believe that any significant below ground archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance.

### **Neighbour Representations:**

Objections from 5 people have been received and cover the following points:

- Light pollution from dormers
- Overlooking and loss of privacy from dormers over gardens
- Loss of light to habitable room and garden
- The increase in height will be overbearing
- There are errors in the existing floor plans and there would be 5/6 bedrooms proposed
- There is error in the plans as there are additional windows
- Loss of privacy from first and second floors
- Over development
- Insufficient parking provision for a 5/6 bed house.
- If the roof of the extension is built with non-matching materials it will be out of keeping with the street design
- There has been ongoing building works at the property 7 days a week from early in the morning to late at night this is annoying at weekends and bank holidays.
- The extension would be overbearing and create a precedent

### **Appraisal:**

#### Principle of development:

There is no objection in principle to home owners wishing to adapt/alter their family homes to suit their changing family needs and circumstances providing any change would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity and is in accordance with the policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007 and the National Planning Policy Framework (2012).

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

Impacts upon No4 Clifford Avenue:

It is acknowledged that the adjacent property (No4) has a flank window

facing the development site and that this window may be impacted to some degree by the development, however this is a secondary window to this room which is also served by a patio door facing directly down their garden. Given this arrangement a refusal based on the impacts of the proposal upon this window could not be substantiated.

Given the siting of the application property and its separation it is considered that any loss of light and or overlooking from the proposed dormers would be insufficient to substantiate a reason for refusal.

Impacts on properties to the South:

Given the nature of the proposal and the orientation the existing property and its relationship to neighbouring plots there would be limited impacts in terms of light loss of light and overlooking to the occupiers of the properties to the south.

It is acknowledged that the scheme proposes a gable window within the area of the enlarged roof. This window serves a bathroom so could be conditioned to be obscure glassed and or deleted from the proposal.

Properties to the rear:

The property backing onto the site has a long garden and large trees on the boundary with number 2 Clifford Avenue and unlikely to be materially impacted by the proposal.

Design issues:

Properties in this street generally are Chalet style houses with a large pitched roof with dormers at first floor in the roof, with shallow depth from front to rear elevations; or, are properties such as the applicants where they are two storey houses which are deep in plan form with shallow roof pitches.

The proposed increase in ridge height would create a new roof with a steeper pitch; in this regard it would present a new front elevation to the street and differ from others in the locality. It is accepted that properties within the vicinity of the site share similar architectural features however there is not a degree of design uniformity such that this proposal would be objectionable in principle. Given that the properties at and within the vicinity do not possess this uniform character it is considered that the proposal could be accommodated without materially affecting the character of the host property in particular or the wider area in general.

The works are proposed using matching materials and as such the materials are not out of character with the design of the building or area.

It is therefore concluded that the proposals by way of the size, height and bulk does not conflict to Policy D10a Design of the Core Strategy Local Plan, UHT2 Height of Buildings and UHT4 Visual Amenity of the Borough Plan Policy.

Impact on character and setting of a listed building or conservation area:

The property is not a listed building nor in a conservation area and as such would not adversely impact either listed building or conservation area.

Impacts on trees:

The works are within the footprint of the building and as such would not adversely impact any trees.

Impacts on highway network or access:

The works are within the footprint of the building and would not result in a loss of parking.

Other matters:

It is acknowledged that the plans show incorrect information with regard to the existing rear windows and the number of rooms within the property. In this regard it is clear that the elevational discrepancy is a drafting error and as this proposal relates to works within the roof this discrepancy is not deemed to have an impact upon the proposal. Further it is clear that the proposal facilitates the creation of an additional bedroom within the roofspace and the number of bedroom within the entire property is not material to the judgement on this application. This view has been taken given the size of the plot/garden and the availability for off street parking.

**Human Rights Implications:**

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.

**Recommendation:**

Grant Permission

1. Time Limit
2. Approved drawings
3. Obscure glazing to the high level gable widow prior to first beneficial use and remain as such thereafter
4. External materials to match existing

**Appeal:**

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

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# Agenda Item 7

<b>App.No:</b> 180040 (PPP)	<b>Decision Due Date:</b> 17 April 2018	<b>Ward:</b> Meads
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 13 March 2018	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 14 February 2018 <b>Neighbour Con Expiry:</b> 14 February 2018 <b>Press Notice(s):</b> 29 January 2018		
<b>Over 8/13 week reason:</b> Committee cycle		
<b>Location:</b> Kempston, 3 Granville Road, Eastbourne		
<b>Proposal:</b> 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.		
<b>Applicant:</b> Associated Property Owners Ltd		
<b>Recommendation:</b> Grant planning permission subject to conditions		

## Executive Summary:

The existing property is a detached red brick Victorian villa converted into flats, situated on a substantial corner plot. Whilst the property is reflective of the broad character of the wider area however it is of no significant value to sustain an objection to its demolition in principle.

The proposal is to re-build a purpose built block of 16 flats to make better use of the site. The site is considered sustainable in close proximity to the town centre amenities and public transport links. The bulk, scale and design of the proposal are considered acceptable given the context of the site, which is not situated within a conservation area.

Car parking is proposed to the side/rear with a new access from Granville Road, to provide 16 spaces for the 16 flats, this is an over provision when considering the Highway parking demand calculations and therefore it is considered the development will not result in the increased demand for on street parking.

Therefore for the reason set out in the report the proposal is considered acceptable and it is recommended that planning permission is granted subject to conditions.

## Relevant Planning Policies:

### National Planning Policy Framework

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design

## 12. Conserving and enhancing the historical environment

### 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

### Eastbourne Borough Plan Saved Policies 2007

UHT1 Design of New Development

UHT4 visual Amenity

UHT5 Protection 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

### **Site Description:**

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.

The existing building on the plot is a detached villa building currently in use as 8 self contained flats, though only some remain occupied.

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.

### **Relevant Planning History:**

EB/1956/0261

Conversion into 8 self-contained flats.

Granted, subject to condition.

1956-08-16

020567

Extension at rear to enlarge bedrooms in the existing upper and lower ground floor flats.

Planning Permission

Approved conditionally

06/01/2003

### **Proposed development:**

The application proposes the demolition of the existing building and redevelopment to provide 16 flats over 5 floors, including lower ground and roof level.

A new vehicular access is proposed to the Granville with 16 car parking spaces provided to the rear and within an undercroft to the main building. New pedestrian access' are also proposed to the Blackwater Road frontage.

### **Consultations:**

#### Conservation Area Advisory Committee

Because of its non-protected status, we are unable to offer formal advice but wish to observe that 3 Granville Road is a fine building and every effort should be made to protect it. Tentative options to develop the site should be considered.

#### Regeneration Manager

In accordance with the Thresholds for Development detailed on page 11 of the Local Employment and Training Supplementary Planning Document adopted on 16 November 2016, the above proposal qualified under Residential as a major development – 10 or more gross units. Therefore Regeneration requests that should planning permission be granted it be subject to a local labour agreement.

#### Specialist Advisor (Waste)

No objection raised.

#### Specialist Advisor (Private Housing)

An Improvement Notice was served on 15<sup>th</sup> 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.

I also served a suspended Improvement Notice in respect of flat 2 on the 11<sup>th</sup> 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.

#### Specialist Advisor (Arboriculture)

Whilst I am in broad agreement with the findings of the tree report, surveys and implication assessment, the Lime pollards are of poor form and are not considered to be sufficiently important to merit a Tree Preservation Order. It is considered that their loss will be seen more as a loss of a vegetative screening rather than a loss of an important arboricultural feature(s). Despite the trees being collectively categorised as 'B' in the BS: 5837 tree survey it will not be my intention to seek to retain these trees.

Each Lime tree has been subjected to a harsh pollarding regime which has kept each tree to about 4m in height. They all display excessive basal and epicormic growth which can

give an untidy appearance and the boundary wall shows evidence of displacement damage in at least two places which is likely caused by incremental growth of the nearby rooting systems. The relative small size of each tree and their limited visual impact means that they are considered to be 'replaceable' and a suitable soft landscaping scheme could improve the visual appearance of the site and its immediate surrounds.

The tree constraints plan appears to show the Elm street tree (T19) retained together with details of tree protection measures. All well and good, but I fail to see why it is necessary to bring the path within the root protection zone in the first place. Unless there are compelling reasons to the contrary it would be preferable to shift the path and the boundary wall aperture to outside the root protection zone of the Elm tree.

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 harsh urban feature. Soft landscaping could be set aside as a reserved matter in the event planning permission is granted.

#### Specialist Advisor (Planning Policy)

No objection in principle.

The proposal 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.

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).

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 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.

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.

### East Sussex County Council Highways

#### *Site Access for Vehicular Traffic*

A new access is proposed from Granville Road, as indicated in Appendix B of the developer's transport report. This would be in the form of a footway crossover through a newly formed gap (approximately 2.0m wide) in the existing boundary wall. The access would serve the proposed 16 space car park for the new development; parking demand for the existing eight apartments is accommodated on-street.

The required driver visibility sightlines at this location should be a minimum of 2.4m x 43m, being within a 30mph speed limit and to accord with Manual for Streets. However, the developer's transport report refers to the Eastbourne Townscape Guide SPG and in particular the advice in para. 9.12: If visibility requirements mean altering the original frontage boundary wall it is always preferable to lose the minimum necessary.

The transport report cites observations of existing development accesses in the area to justify a reduction in this standard, suggesting that a length of some eight to nine metres (claimed as equivalent to two roadside parking spaces) would provide for a "sensible and workable solution to visibility from the new development access". Furthermore the report claims that the footway width of 2.9m would prevent obstruction to visibility of oncoming traffic from the boundary walls. This is acknowledged but the boundary walls would still obstruct visibility to oncoming pedestrians, which for a 16-space car park is a potential safety concern.

The submission of a revised drawing and Technical Note confirm that the proposed vehicular access has been adjusted to provide a clear physical gap of 4m in the wall. The visibility between pedestrians and vehicles as shown on the amended plans is considered acceptable.

Drawing 0005/TP/VIS/007 also shows a 2.4m x 43m visibility splay which accords with Manual for Streets guidance for a 30mph speed limit road. However, the applicant has identified that to achieve this standard would involve the loss of at least nine kerbside parking spaces. Although the development proposals would accommodate a total of 16 parking spaces for the 16 units, it is accepted that the loss of kerbside parking of this magnitude would be excessive given the urban residential context. The applicant therefore proposes advisory white line markings (TSRGD diagram 1026.1) for a length of approximately 9.5m across the site access. This is consistent with accesses for similar developments nearby and is considered acceptable.

No reference is made in the transport report to delivery and servicing arrangements. However, Appendix B and the Planning, Design and Access Statement indicates that the

bin store would be located adjacent to the new vehicle access from Granville Road, with bins moved via the access, adjoining footway and proposed dropped kerb to the carriageway.

As refuse collection would take place from the kerbside on Granville Road, a fire tender has been identified as the largest vehicle requiring access to the site. A swept path is provided in drawing 0005/TP/SP/0002, which indicates that a 7.7m tender would overrun the footway and oversail the boundary wall and pillar. The proposed kerb radii were amended in response to the RSA1 (see subsequent section) and shown in drawings FAE861:PA09A and FAE861:PA10A, but an updated swept path drawing was not submitted. This was requested and provided in drawing 0005/TP/SP/0009. By approaching the access from a position closer to the centre of Granville Road (which is agreed as being reasonable during an emergency response) the drawing demonstrates that the 7.7m fire tender can access without footway overrun or oversail of the boundary wall. It should be noted that fire tenders are commonly longer than this (typically 10.5m); nevertheless, given the 4.0m access width I am satisfied that an adequate means of emergency vehicle access has been demonstrated. To exit the site emergency vehicles would be required to reverse over a distance of approximately 20m, but as such movements would be occasional in nature this is considered acceptable.

A Stage 1 Road Safety Audit has been undertaken. I support the Audit recommendations and am satisfied that these have been adequately addressed in the Stage 1 Road Safety Audit Response Report and amended plans.

#### *Public Transport and Non-Motorised Accessibility*

The proposed development has good access to the nearest bus routes as explained in the developer's transport report. This comprises routes 3 and 3A providing services every 15-20 minutes from Monday to Saturday and hourly on Sundays) and 99 (every 20 minutes from Monday to Saturday and hourly Sundays). Both routes pass close to Eastbourne railway station. The existing bus stops are located on Blackwater Road approximately 50m from its junction with Granville Road. Both stops are provided with yellow box markings, flags and timetables.

Granville Road and Blackwater Road are provided with wide footways which provide good access to bus stops and the range of amenities within Eastbourne town centre approximately 15 minutes' walk from the application site.

#### *Car and Cycle Parking*

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, which is welcomed. The illustrative development layout included as Appendix B of the transport report suggests that spaces of 2.4m x 4.8m will be provided, but ESCC parking guidance requires dimensions of 2.5m x 5.0m. Where spaces are adjacent to walls a width of 3.0m is required, but it is noted from the submitted layout that in this instance additional areas have been provided to enable car doors to be opened.

A total of 20 cycle parking spaces are proposed within a communal store which the Planning, Access and Design Statement indicates will be covered and secure; this is consistent with ESCC's adopted parking standards.

#### *Highway Impact*

The TRICS site selection criteria, trip rates and trip calculations have been reviewed and are considered robust. Table 3.2 of the transport report uses a daily vehicle trip rate of 3.8 per unit for the apartments. This results in a net vehicular trip generation (based on the increase from the current eight to 16 apartments) of 30 one-way vehicle movements (i.e. 15 arrivals and 15 departures) per day, and a maximum of four one-way vehicle movements in any one hour (between 19:00 and 20:00). It is therefore accepted that the net increase in trips generated by the proposed development would have no significant impact on the operation of the local highway network.

However, in respect of site access the gross vehicular trip generation needs to be considered. With the proposed access arrangements, a maximum of nine one-way vehicle movements (five arrivals and four departures) in any one hour is a potential safety concern in respect of conflicts between entering and exiting vehicles as well as between exiting vehicles and oncoming pedestrians. Until an independent RSA1 is submitted for this application to demonstrate that safe access for vehicles can be achieved to the proposed development, the assessment of highway impacts is incomplete and so this application cannot be supported at the current time.

#### *Conclusion*

Having reviewed the additional information submitted, a safe means of access to the development has been adequately demonstrated and there are no highway grounds for objection to this application. Conditions requested.

#### Southern Water

Require a formal application for a connection to the public foul and surface water sewers to be made. 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.

#### Sussex Police and Crime Commissioner

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.

#### South East Water Limited

No comments received.

#### SUDS

No objection raised subject to imposition of conditions regarding limiting discharge rates to sewer, management of capacity, further groundwater monitoring, and submission of maintenance and management plan for the drainage system.

Whilst we appreciate that the existing site is likely to be connected to the public sewer the existing drainage arrangements should be investigated and confirmed.

#### County Archaeologist

The application site does not lie within an Archaeological Notification Area. However the building proposed for demolition is a substantial brick – faced Victorian Structure that comprises an example of the vernacular architecture characteristic of the later 19<sup>th</sup> century development of this part of Eastbourne. In light of the potential for impacts to heritage assets with archaeological interest the area affected by the works should be the subject of a programme of archaeological works secured by condition.

#### The Eastbourne Society

Object to the application.

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.

#### Neighbour Representations:

21 Objections have been received to the application and cover the following points;

- Demolishing an old building to make way for a modern development would be removing part of Eastbourne's heritage.
- Impact on wildlife
- Loss of trees
- Noise and disturbance from building works
- Impact on privacy to balconies of Priory court
- Loss of light and privacy to Granville Court flats and garden
- The impact of noise and headlights from parking adjacent to No.1 Granville Road.
- Impact on privacy and overlooking of No.1 Granville Road
- No linkage with surrounding properties resulting in lack of cohesion in the area.
- Over development of the site
- Additional traffic and demand for on street parking.
- Area should have residents parking
- The proposed extension to town centre car park charging/residents permits will result in greater demand in this area
- Proposal is much bigger mass than existing and roof height is higher
- Overlooking, loss of light and loss of Privacy to Wargrave House 50-52 Blackwater Road which is a boarding house for Eastbourne College
- Building should be designed to be sympathetic to the Victorian heritage and to reuse tiles and stone cornices on the outside.
- Luxury flats are not needed in the town

#### Meads Community Association

Object to the application for the following reasons;

Our planning and conservation group has recognised that the premises are outside of the Meads Conservation Area and that the condition of this substantial Victorian villa in ownership of a property company has been allowed to deteriorate. We are also aware that there is considerable opposition from the locality to the planning application.

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 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. The MCA shares the view of The Eastbourne Society that instead of the demolition and development of Kempston consideration by the applicants for a conversion of the existing building into high-end apartments would be a realistic alternative.

**Appraisal:**

Principle of development:

Demolition of the building

The site is not listed, nor is it situated within a Conservation Area, however it is situated within an Area of High Townscape Value and is therefore a non-designated heritage asset in terms of planning policy.

Paragraph 135 of the 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 affect directly or indirectly 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.

The wider area is laid out in a grid pattern typical of Eastbourne. The property occupies a corner plot, with landscaped side gardens and a number of trees. Given the siting within the plot and the set away from the adjacent property NO.1 Granville the property does not readily address either street scene and is relatively subtle in its visual appearance.

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.

Blackwater Road retains more historic buildings of a mixed character and build. Blackwater Road between Grassington Road and the site is uninterrupted in terms of retention of the traditional Victorian villas (bar Granville Court the development opposite the site). These properties are finer, more ornate buildings, many with flint detailing. The neighbouring College building has a large three storey extensions linking two properties. Increasing the bulk of this property within the street scene considerably.

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.

Paragraph 130 of the NPPF states that where there is evidence of deliberate neglect or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

The applicant submits that the works required to bring the current building up to modern standards would be substantial and the current layout is constrained and inconvenient for flats. Therefore the Owner wishes to demolish and rebuild to maximise the potential of the site. There is no evidence of deliberate neglect and works to improve flats have been carried out in the last few years as requested by Private Housing. Whilst they have submitted documents regarding the state of repair of the building the decision to support the demolition is not based solely on the state of repair of the building.

Therefore on balance, careful consideration has been given to the loss of the non-designated heritage asset however the harm to the Area of High Townscape Value by the loss of the building which is considered limited given the character of the building and its siting, is considered acceptable given the wider benefits of the proposal.

#### Proposed development

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.

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).

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.

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

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 Collage students.

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.

No.1 Granville 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.

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.

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.

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.

Impact of proposed development on amenity of future occupiers:

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

<b>Unit</b>	<b>Bedrooms/Occupancy</b>	<b>Unit size (m<sup>2</sup>)</b>	<b>Recommended Size (m<sup>2</sup>)</b>	
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

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.

Design issues:

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.

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.

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.

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, totaling 5 storeys.

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.

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.

The loss of the large landscaped 'rear' garden although this is 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.

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.

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.

#### Impacts on trees:

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.

#### Impacts on highway network or access:

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.

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.

#### **Human Rights Implications:**

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.

**Conclusion:**

Eastbourne Council is unable to demonstrate a 5 year housing land supply. The National Planning Policy Framework has a presumption in favour of sustainable development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of doing so.

The proposal is considered to make a positive contribution towards the housing target resulting in a net increase of eight dwellings and in this instance the benefits of the proposal are considered to outweigh the adverse impacts, the loss of the building within an area of high townscape value.

The impacts on the surrounding residential properties are considered acceptable, and the development is considered acceptable in terms of the highways impacts and level of off street parking provision.

**Recommendation:** Grant planning permission subject to the following conditions;

Conditions:

1. Time for commencement
2. Approved drawings
3. Materials to be as specified
4. Prior to occupation details of landscaping to be submitted, to include details of the replacement wall to Granville Road
5. Refuse and recycling storage to be constructed and made available for use prior to occupation and retained as such thereafter.
6. Details to be submitted of new vehicular access to be constructed prior to commencement of development.
7. Car parking and footways to be laid out prior to occupation and retained as such thereafter.
8. A turning space for vehicles to be provided prior to occupation
9. Submission of a construction traffic management plan prior to commencement of development.
10. Details of Cycle storage to be submitted and provided prior to occupation and retained as such thereafter.
11. LLFA condition regarding limiting discharge rates
12. LLFA condition regarding information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
13. LLFA condition regarding the detailed design of the attenuation tank should be informed by groundwater monitoring between autumn and spring
14. LLFA condition requiring a maintenance and management plan for the entire drainage system
15. Suds condition regarding measures to manage flood risk both on and off site during the construction phase
16. LLFA condition requiring evidence to be submitted showing that the drainage system has been constructed as per the final details prior to occupation.
17. Local Labour Agreement to be secured prior to commencement of demolition or rebuilt.
18. Prior to demolition Archaeological written scheme of investigation

19. Windows in the side (Eastern) elevation at first and second floor level shall be obscurely glazed and fixed shut unless the part that is openable/clear glazed is over 1.7m above the height of the room it serves and permanently maintained as such thereafter.
20. Detailed landscaping plan to be submitted prior to occupation.

### **Informatives**

1. Southern Water informative
2. Highways informative regarding construction of the access

### **Appeal:**

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

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# Agenda Item 8

<b>App.No:</b> 180003	<b>Decision Due Date:</b> 16 February 2018	<b>Ward:</b> St Antonys
<b>Officer:</b> Chloe Timm	<b>Site visit date:</b> 24 January 2018	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 25 January 2018 <b>Neighbour Con Expiry:</b> 25 January 2018 <b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> Application reviewed at Planning Committee 27 February 2018 and deferred.		
<b>Location:</b> 33 Netherfield Avenue, Eastbourne		
<b>Proposal:</b> Proposed erection of porch to the front elevation and a raised platform to the rear with steps leading down to new patio area.		
<b>Applicant:</b> Mr Mark O'Sullivan		
<b>Recommendation:</b> Approved conditionally		

## **Executive Summary:**

The application was brought to committee 27 February 2018 where the decision of committee was to defer the application and to review again once the installation of a new fence to the rear of 33 Netherfield Avenue had been completed. This was scheduled to take place 16 April 2018.

This application is being reported to Committee at the discretion of the Senior Specialist Advisor in order to allow objectors to the scheme the opportunity to address Planning Committee.

The report that follows is that which was reported to Planning Committee on the 27<sup>th</sup> February.

The proposal relates to a front porch extension and rear platform/steps leading to raised patio area and garden level. The rear extension has planning approval.

The proposed development provides an acceptable form of residential development that would be consistent with the site and surrounding area.

Scheme is recommended for approval with conditions.

## **Planning Status:**

A semi-detached bungalow linked located in a predominantly residential area of Eastbourne.

**Relevant Planning Policies:**

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution

Sustainable Neighbourhood

C8 Langney Neighbourhood Policy

D5 Housing

Low Value Neighbourhoods

D10a Design

Eastbourne Borough Plan Saved Policies 2007

NE16 Dev within 250m of former landfill site

US4 Flood Protection and Surface Water

US5 Tidal Flood Risk

HO2 Predominantly Residential Areas

HO20 Residential Amenity

UHT1 Design of New Development

UHT4 Visual Amenity

**Environment Agency Flood Zones**

Flood Zone 2

Flood Zone 3

Tidal Models

**Environment Agency Flood Defences**

Areas Benefiting from Defences

**Site Description:**

The application site is located on the Northern side of Netherfield Avenue and is single storey link detached property. The area is predominantly of uniform design with bungalows that are either detached or link detached.

The property benefits from a driveway and grassed area to the front and a garden to the rear with an existing raised concrete area which then steps down onto grass. There is a change of levels from the front to the rear of the site.

**Relevant Planning History:**

**170721**

Single storey rear extension; Approved Conditionally; 21/04/2017

**Proposed development:**

The proposal is seeking permission for the erection of a porch to the front elevation and a raised platform to the rear with steps leading down into the garden.

#### Porch

The proposed porch will be approximately 1.55m wide and 3.70m long with part of the side facing elevation including glazing. The height of the front glazed section of the porch will be approximately 2.6m and the rear brick section of the porch will be approximately 2.7m, both to have a flat roof.

#### Raised platform and patio

It is acknowledged that the applicants claim that it was not deliberate that the platform and steps were omitted from the original application but that they were always part of their scheme/design intention. Notwithstanding this the design and impacts of this part of the scheme have been outlined below.

The proposed raised platform/steps to the rear elevation are required to give safe access from the finished floor level of the extension down to the garden level.

The structure will be approximately 1.3m deep, 4m wide and 2.44m high from natural ground level. The platform landing will be approximately 3.10m long then steps leading down across 0.94m to a raised patio area. The structure will be constructed of brick and have safety glass panelling with a stainless steel frame.

The patio will be raised off of the ground level between approximately 0.30m and 0.42m (due to gradient of the rear garden) and be 2.70m wide.

#### **Consultations:**

##### Neighbour Representations:

4 letters of objection have been received commenting in the main on the following issues:

- Loss of privacy
- Impact of proposal on their garden
- Concrete platforms at the bottom of the garden causing potential flooding problem.

No comments have been received in relation to the proposed development to the front.

#### **Appraisal:**

##### Principle of development:

There is no objection in principle to the proposed development to the building provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity and is in accordance with the policies of the Core Strategy 2013, and saved

policies of the Borough Plan 2007 and the National Planning Policy Framework (2012).

The main issue to consider when assessing this application is the impact of the proposal on the character and vitality of this area, and how the development impacts upon the visual amenity of the host building, the character of the area (mentioned above) and impact on neighbouring amenity.

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

Porch

It is considered that the proposed porch to the front will not have a detrimental impact on the amenity of adjoining occupiers or that of the surrounding area. The porch will not cause any additional overlooking or overshadowing to the neighbouring properties and whilst visible within the street scene is considered to be in keeping with the character of the surrounding area.

Raised Platform Steps & Patio

The amenity of the surrounding area is not thought to be affected by the proposed development to the rear of the host property; it is not visible to the public eye.

It is recognised that there may be a perception of overlooking from this element of the proposal.

The raised platform is necessary following the previous grant of planning permission of the single storey rear extension (P/C 170271) to enable the safe use of the rear patio doors. The patio doors are approximately 0.97m above the existing concrete path which in turn is 0.30m above natural ground level.

The width of the structure (approx. 1.1m,) would indicate that the platform is not to be used for sitting out or as a standing/view point but would be a means of entry down into the rear garden. The platform covers the patio doors only and does not extend any further along the rear elevation. Prior to the extension being built there were steps in existence leading down from the old conservatory door to the garden starting from the same height (the internal floor level of the host property has not changed).

The proposed raised patio will see the existing concrete path which runs along the rear and West side elevation of the existing property, extended on the rear western side from the bottom of the new proposed stairway to the west boundary line at a width of 2.70m creating a new patio area. Due to the gradient of the garden this will be between 0.30m and 0.42m above natural

ground level. The patio is not considered to provide any additional overlooking to neighbouring properties than already exists.

Design issues:

The proposed alterations to the front elevation of the building have been designed to be sympathetic to the design of the building and are considered appropriate in terms of scale and bulk.

The proposed development to the rear elevation of the building has also been designed to be sympathetic to the design of the building and the proposed size of the raised platform leading down has been maintained to the width of the doorway only to try to alleviate any sense of overlooking this may cause.

Other matters:

Comments have been received regarding development taking place at the end of the rear garden, other projects/developments taking place within the curtilage of the site which may fall within permitted development and are not subject to this application.

**Human Rights Implications:**

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.

**Conclusion:**

It is considered that the proposed development will not give rise to a material loss of residential amenity through direct overlooking, nor are the proposed additions considered to be harmful to the character of the host property in particular or the wider area in general. The proposal therefore complies with local and national policies.

**Recommendation:**

Approve Conditionally

**Conditions:**

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with 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 **02 January 2018:**

**- Drawing No. DWG 11a – Site Plan & Block Plan**

- **Drawing No. DWG 1 – Pro G/F Plan**
- **Drawing No. DWG 2 – Pro G/F & Pro Rear Elev**
- **Drawing No. DWG 3 – Pro Front Elev**
- **Drawing No. DWG 4 – Pro Side Elev & Ex Side Elev**
- **Drawing No. DWG 5 – Pro Side Elev & Ex Side Elev**

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

- 3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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

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

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

**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 9

<b>App.No:</b> 171376 (OSR)	<b>Decision Due Date:</b> 6 March 2018	<b>Ward:</b> Upperton
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 19 January 2018	<b>Type:</b> Outline (some reserved)
<b>Site Notice(s) Expiry date:</b> 7 December 2017		
<b>Neighbour Con Expiry:</b> 7 December 2017		
<b>Press Notice(s):</b> 4 December 2017		
<b>Over 8/13 week reason:</b> To negotiate and bring to committee		
<b>Location:</b> Arundel Court, 20 Arundel Road, Eastbourne		
<b>Proposal:</b> Outline Planning Permission (Access, Appearance, Layout and Scale) for proposed demolition of existing dwelling and erection of 19 flats together with parking spaces.		
<b>Applicant:</b> Mrs Julia Marshall		
<b>Recommendation:</b> Refuse Planning Permission		

## Executive Summary:

This application proposes the demolition of the existing building and development of a purpose built block of 19 flats. Given the existing building is a single dwelling the proposal provides a net gain of 18 units, no affordable housing is proposed on site and no commuted sum towards off site provision is offered therefore the proposal does not meet policy D5 of the Core Strategy Local Plan.

The existing building is a substantial detached villa which sits well within the site; the proposed building extends the footprint to within 0.5m of the site boundaries. The scale and bulk of the proposal is considered overbearing and unneighbourly on either adjacent property and out of character and detrimental to the existing pattern of development in the wider area.

Windows in the side elevation will also give rise to direct overlooking. Given the layout of the site and the internal flat layout/size the scheme is considered to provide substandard accommodation for future occupiers.

A provisional TPO has been imposed on the Beech tree to the front garden, the proposed development will impact on the future health of that tree and likely lead to pressure to heavily prune or remove the tree. The loss of other trees and the loss of the extensive soft landscaping are considered detrimental to the character and appearance of the area.

The overall layout and scale of the development is considered unacceptable in terms of the size of the plot, by virtue of the height, footprint, siting within the site detailed design bulk and scale and the loss of the green openness of the rear garden by virtue of the

scale of the development the proposal is therefore contrary to Section 7 of the National Planning Policy Framework 2012, Policy D10a of the Core Strategy Local Plan 2013 and Saved Policies UHT1, UHT and UHT5 of the Borough Plan 2007.

Access is proposed to the site for vehicles from the rear lane, with 17 car parking spaces provided within the rear of the site. The level of car parking provision for the number of flats is considered acceptable and in excess of ESCC highways requirements. Proposals are provided to improve the access to the rear however this land is not owned by the Applicant and no mechanism (s106) is in place to secure these works therefore the access would be inadequate to serve the level of additional traffic and would result in severe highways impacts.

It is accepted that Eastbourne are unable to demonstrate a 5 year housing land supply and as such in accordance with the National Planning Policy Framework sustainable residential development should be supported unless the impacts of doing so in terms of policies of the framework as a whole would demonstrably outweigh the benefits of granting consent.

Negotiations have taken place with the Applicant and Agent however the above concerns have not been overcome and therefore the adverse impacts of granting consent for this proposed development are considered to significantly and demonstrably outweigh the benefits of the creation of a net gain of 18 units, and therefore it is recommended that planning permission is refused.

### **Relevant Planning Policies:**

#### National Planning Policy Framework

Introduction – Core planning principles

- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design

#### Eastbourne Core Strategy Local Plan Policies 2013

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C2 Upperton Neighbourhood Policy
- D5 Housing
- D10a Design

#### Eastbourne Borough Plan Saved Policies 2007

- HO2 Predominantly Residential Areas
- HO7 Redevelopment
- HO20 Residential Amenity
- NE14 Source Protection Zone
- UHT1 Design of New Development
- UHT4 Visual Amenity
- UHT5 Protecting Walls/Landscape Features
- TR2 Travel Demands
- TR6 Facilities for Cyclists
- TR11 Car Parking

**Site Description:**

The site is situated on the eastern side of Arundel Road, close to the junction with Carew Road. The site is not situated within a conservation area, nor is the building listed.

To the rear of the site the property has three garages, with vehicular access onto the rear Lane. This Lane provides access to Carew Road to the north, and St Anne's Road to the south.

The existing property is a substantial detached villa, mainly three storeys in height constructed in brick with tiled roof. The property retains timber sliding sash windows, and has a particularly attractive portico feature with decorative stone work. To the roof the property also has an attractive timber/glass roof structure which is not evident on other properties in the area.

**Relevant Planning History:**

No planning history for the property specifically relevant to this application.

16 Arundel Road  
010250

Demolition of existing building and erection of 19 self-contained flats.

Planning Permission

Granted

06/02/2002

22 Arundel Road  
050731

Demolition of existing nursing home and single-storey dwelling and erection of 24 two-bedroom flats with associated parking. (Outline Application).

Outline (some reserved)

Withdrawn

01/07/2005

**Proposed development:**

Outline planning permission is sought with Landscaping reserved for the demolition of the existing building and the erection of a building containing 19 flats over 5 floors including lower ground and roof level.

A car parking area, providing 17 off street parking spaces is proposed to the rear with access onto the rear lane.

**Consultations:**Specialist Advisor (Arboriculture)

An objection is raised against the loss of the large and imposing Beech tree at the front identified as T18 on the Tree Survey Plan. A TPO has been imposed on this tree and we are seeking to impose a Tree Preservation Order on trees on land adjacent at number 18. This includes the Lime tree shown as T21 and two other trees which are not shown on the plans. The remaining trees within the site are considered to fall short of both meriting and qualifying for a Tree Preservation Order.

There is no objection to development of the site in principle. The applicants are urged to consider amending the layout and incorporating the protected Beech tree within the development proposal and their nominated tree expert will be able to advise them on how this can be achieved without harming the above and below ground parts of the tree and its visual amenity function.

An objection is also raised against the absence of adequate soft landscaping space in the rear car parking area and on the shared boundaries with properties to the north and south. The applicants are advised to seek ways to soften the visual impact of the hard surfacing and to screen some of the site from views from the adjacent properties.

The main area of concern relates to the fate of the Beech tree. Its loss, together with the loss of the companion Beech, will have a significant detrimental impact on the established character of the area. The Beech tree identified in the provisional Order is a significant arboricultural feature and an integral component of the established character of the area. It forms part of the wider local tree-scape of mature trees fronting properties in Arundel Road which collectively provide significant ornament and beauty to the area. The loss of the Beech tree would have a significant detrimental impact on the local environment and its enjoyment by the public.

The car park to the rear presents a large and imposing surface area which is visually harsh and utilitarian for such as residential area. The layout does not provide sufficient space or potential space for soft landscaping and for this reason the car park area will need to be reduced in scale.

#### Specialist Advisor (Economic Development)

In accordance with the thresholds for development identified in the Local Employment and Training Supplementary Planning Document dated November 2016, this planning application qualifies for a local labour agreement.

Regeneration requests the inclusion of a local labour agreement should the application be granted planning permission.

#### Specialist Advisor (Planning Policy)

The site location is in the 'Upperton Neighbourhood' as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013).

Policy C2 of the Core Strategy explains that the vision for the 'Upperton Neighbourhood' is '*Upperton will continue to be a popular, safe and sustainable neighbourhood and make a significant contribution to the delivery of housing in the town, whilst also expanding allotment provision and providing access to Eastbourne Park on the periphery of the neighbourhood*'. It hopes to achieve this through promoting 'the delivering of new housing through redevelopment and conversion of existing properties'.

The Core Strategy states that Upperton is the third most sustainable neighbourhood in the town (Policy B2). Policy B1, as mentioned in the Spatial Development Strategy explains that higher residential densities will be supported in these neighbourhoods.

The Borough Plan Policy HO2 identifies this location as being predominantly residential. Currently, the northern part of the neighbourhood consists of low density, detached

properties. Large parts of the neighbourhood have been redeveloped into purpose-built flats (Core Policy, 2013). Windfall sites are one of the ways additional housing is achieved in these areas. 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 the development does propose significant increase in residential accommodation to what is currently present, resulting in a net gain of 18 dwellings.

Policy D5 of the Core Strategy explains that Eastbourne is divided into two Market Value Areas which reflect the disparity between dwelling prices across Eastbourne. The Upperton Neighbourhood is identified as being a 'High Value Neighbourhood' and developments within Neighbourhoods in High Value Areas, 40% affordable housing will be sought on all sites. Developments of 11 net units and over are required to contribute to Affordable Housing. As this application will result in 19 dwellings, it is required to allow for affordable housing units within the development.

This application proposes to provide 19 dwellings therefore policy would require 7 whole affordable units and a commuted sum 'part of unit' requirement of 0.6. Should onsite provision be assessed as unviable a commuted sum payment will be required.

The below figures have been calculated using the 'Affordable Housing Commuted Sum Payment Table' in the Affordable Housing SPD (Nov 2017).

**3 x 1 bed flat**

3 x 0.4(40%) = 1.2 units

1.2 units x 50 sqm x £538 = **£32,280**

**15 x 2 bed flat**

15 x 0.4(40%) = 6 units

6 units x 61sqm x £536 = **£196,176**

**1 x 3 bed flat**

1 x 0.4(40%) = 0.4 units

0.4 units x 74 sqm x £855 = **£25,308**

**Total = £253,764 total commuted sum**

If the mandatory requirements above cannot be met, then the policy requires this must be justified in an evidenced Viability Assessment and supporting statement, including all necessary information to demonstrate and justify residual values.

The applicant has submitted an Economic Viability Appraisal which states that the scheme is unable to support the affordable housing contributions being sought. Therefore no financial contribution is proposed.

To conclude, although this application is supported by some policy in accordance 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 fails to address Core Strategy Policy D5. Therefore Planning Policy objects to the application.

Southern Water

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities.

Condition and informatives requested.

Environment Agency

No comments

County Archaeologist

The application site lies within an area of known prehistoric, Romano-British and Anglo-Saxon settlement activity and Bronze Age and Anglo-Saxon burial (Upperton Archaeological Notification Area). It is likely that the construction of the current building at the site has destroyed any buried archaeological remains once located within its footprint. However the land to the rear of the property including that earmarked for parking does have the potential to contain in-situ archaeological remains associated with the known prehistoric, Roman-British and Anglo-Saxon settlement and exploitation of this area. In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposal should be subject of a programme of archaeological works. Conditions requested to this effect.

South East Water

No Comments

East Sussex County Council Highways

The scheme is to be accessed via a private road to the rear of the site. The private road joins the public highway at both ends Linking Carew Road and St Anne's Road. It is considered likely that most traffic from this development will utilise Carew Road access as the section of road from the site to Carew Road is better in terms of construction, with the section between the site and St Anne's Road unmade. The width of the public highway where it meets the public highway is 5m; however a bollard is located within the access which restricts the width to 4m. In addition vegetation either side narrows the running lane to 3m. The red site boundary includes the access and as such in order to accommodate two way traffic flows and prevent vehicles having to wait on the highway the access should be widened to a minimum of 4.5m. Tactile paving and dropped curbs should also be provided either side of the access to improve pedestrian facilities. Taking into account the additional trips that will be generated by this development it would be considered beneficial to improve the construction of the whole of the access road, close to adoptable standards as it cannot be guaranteed which route any potential residents would use.

The scheme is for 19 residential flats in total. In accordance with the East Sussex County Council's parking guidelines a development comprising of 3 No.1 Bed flats, 15 No.2 Bed flats plus 1 No.3 bed unit should be provided with 24 parking spaces if 1 space allocated

per unit or 15 if all unallocated . Therefore the 17 on-site parking spaces detailed are acceptable if all remain unallocated. Cycle parking exceeds the East Sussex County Council Standards and as such is considered adequate. These should be covered and secure and located within the site in a convenient location for users.

No information has been submitted on the expected trip rates. Having carried out my own analysis using TRICS, in terms of expected vehicular activity for residential use on the edge of a town centre the likely traffic to be generated by this development is approximately 50 trips daily; with 4-5 trips in the peak hour periods [0800-0900hrs; 1700-1800hrs]. This level of additional vehicle movement can be accommodated by the local highway network without significant issue.

There are a variety of travel choices available in Eastbourne. Bus stops are within walking distance of the site providing connections to Eastbourne Town Centre, Heathfield and Lewes. There are also regular train services from Eastbourne Railway Station to Lewes which provide connections for onward journeys. Eastbourne Railway Station is 950m away which is within the recommended maximum walking distance. Therefore in terms of accessibility for non-car users, this site is within an acceptable distance to encourage the use of sustainable transport.

#### Wealden District Council

Object to the proposal on the basis that it is unproven that in combination impacts on the Ashdown Forest SAC, Lewes Downs SAC and Pevensey Levels SAC will not arise from the subject planning application.

#### SUDS

Following submission of further information no objection is raised in principle to the proposed development. The proposal to manage surface water runoff using infiltration is acceptable in principle however it is requested that further ground investigation is carried out to confirm infiltration rates at the site. Conditions requested.

#### Neighbour Representations:

7 Objections have been received and cover the following points:

- Additional parking pressures
- Impacts on highway safety
- State of the rear access is inadequate
- Loss of trees
- Impact from construction traffic
- Impact on loss of light to No.18
- Loss of handsome building
- Loss of trees and walls is detrimental to the appearance of the area
- Roof height should not be higher than the existing
- Safety of intersection of Carew and Arundel Roads
- Density is too great
- Lack of garden space for future occupiers
- Access road should be tarmacked to the entrance of the development with drainage and lighting

#### **Appraisal:**

Principle of development:

Wealden District Council has objected to the application on the basis that it is unproven that in combination impacts on the Ashdown Forest SAC, Lewes Downs SAC and Pevensey Levels SAC will not arise from the subject planning application.

It is considered that this application for residential development is screened out from the requirement for a site-specific Appropriate Assessment of the impacts in relation to the Ashdown Forest, Lewes Downs and the Pevensey Levels. This is because the application is not considered to give rise to significant adverse effects, alone or in combination with other plans and projects, on these European protected sites.

With regard to the Pevensey Levels we are content that Natural England do not currently see atmospheric pollutants as a risk to the integrity of the site. With respect to Lewes Downs SAC and the Ashdown Forest SAC recent modelling and air quality calculations (undertaken by Lewes DC, the SDNPA and Tunbridge Wells BC) to assess the air quality impacts on these sites has been undertaken, in combination, with growth in surrounding areas including the adopted (2013) Eastbourne Core Strategy quantum of growth.

This Habitat Regulations Assessment work has formally concluded no likely significant effects on these habitats resulting from the growth in the associated adopted and emerging Local Plans. A conclusion supported by Natural England.

Saved Policy HO7 of the Borough Plan 2007 states that redevelopment of land or premises within the primarily residential areas for housing will be permitted subject to other policies and proposals in this Plan. Paragraph 6.21 of the Plan expands on this policy to state redevelopment of obsolete or underused land of buildings has been one of the principle means of achieving new homes within the existing built-up area. However it is important that the character and amenity of existing residential areas does not become undermined by inappropriate developments. In principle there is no objection to the redevelopment of the site to maximise the residential densities providing there would be no detrimental impacts on the existing surrounding properties, the proposal provided good quality accommodation for future occupiers, and the design/bulk and scale respected the character and appearance and the pattern of development in the area.

The Council accept that at present a 5 year housing land supply cannot be demonstrated. The site is considered sustainable, therefore residential development is supported in principle by the National Planning Policy Framework unless in accordance with paragraph 14, any adverse impacts of granting consent would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework as a whole.

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

The proposed building enlarges the existing footprint bringing the building to within 0.5m of the boundary of the site.

The neighbouring property to the north is a residential care home which is situated approximately 6m from the boundary. There are numerous windows in the side elevation of the property overlooking the site, along with a fire escape staircase. Windows serving the kitchen/dining/living room of flats proposed within this elevation of the development will directly overlook existing windows within the neighbouring property detrimental to the privacy of both occupiers.

Given the close proximity of the building to the site boundary and the height the proposal would form an overbearing and unneighbourly form of development on the neighbouring property.

The neighbouring property to the south is separated into flats; this property has a side extension within 2m of the boundary of the site. Given the development site is to the north it is not considered the proposed development would result in a loss of light to the neighbouring property. However considering the close proximity to the boundary the proposed development would form an overbearing and unneighbourly form of development on this adjacent property. Windows serving the kitchen/dining/living room of flats proposed within this elevation of the development will directly overlook existing windows within the neighbouring property detrimental to the privacy of both occupiers.

Therefore by virtue of the proposed footprint, the close proximity to either side boundary of the site and the height of the proposed building and the location of windows providing direct overlooking the development would be an overbearing and unneighbourly form of development detrimental to the amenity of adjacent properties (residential care home and residential flats) contrary to the Core Planning Principles of the National Planning Policy Framework 2012, Policy B2 of the Core Strategy Local Plan 2013 and Saved Policy HO20 of the Borough Plan 2007.

Impact of proposed development on amenity of future occupiers:

The size of the flats compared with the DCLG’s recommendations contained within the Technical housing standards – nationally described space standard is set out in the table below.

No of flats	Size of Flats	Proposed Floorspace	Recommendation	
3	1 bed 2 person	54m2	50m2	Exceeds
8	2 bed 3 person	72m2	61m2	Exceeds
6	2 bed 4 person	65m2	70m2	Below
1	3 bed 6 person	138m2	95m2	Exceeds
1	2 bed 3 person	88m2	61m2	Exceeds

Flats 1 and 2 have access to private rear gardens providing some amenity space. Flats 18 and 19 at roof level have access to small rear balconies.

The 6 flats considered below the recommended standard are shown to be 2 bed 3 person units, however the size of the second bedroom is considered a double bed space and therefore these have been considered in accordance with the requirements of a 2 bed 4 person occupancy. The living space for these flats is small given the 4 person occupancy, at only 22m2. It is considered that the layout would lead to substandard accommodation by virtue of the small size.

Three of these flats are to the south of the building with the two bedrooms to the front elevation. Given the close proximity to the retained Beech Tree within the front garden the outlook from these windows will be limited. Advice to alter the footprint of the building away from the tree, to reduce the impacts on the tree and improve outlook has not been followed.

In addition Flats 7, 12 and 17 are to the front of the building with all living accommodation windows affected by the close proximity of the tree.

A core planning principle of the National Planning Policy Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy B2 of the Core Strategy Local Plan required development to protect the residential and environmental amenity of existing and future residents.

Given the above, the quality of accommodation by virtue of the lack of outlook and light to front elevation flats given the location of the TPO tree, and the small size of 6 of the units (30% of the proposed units) the scheme is considered to provide substandard accommodation detrimental to the amenity of future occupiers contrary to the Core Planning Principles of the National Planning Policy Framework 2012 and Policy B2 of the Core Strategy Local Plan 2013.

Design issues:

The site is situated within an Archaeological Notification Area and is therefore a non-designated heritage asset.

Whilst the property/site has no formal designation in terms of being listed or in a conservation area the property itself is an attractive Victorian villa. The property is three storeys, and detached siting within a wide and substantial plot. The rear garden is landscaped and a number of trees on the site offer character to the amenity of the area.

The Upperton area has a planned street layout, comprising avenues set out in a grid pattern. Overall there is a regularity to the building frontage positions within their plots and the area is generally green with street lined with substantial trees.

The property has a partially attractive front door and portico feature with stone work surround and lintel with decorative stone work. The front boundary walls are constructed with brick and flint panels. To the rear the property is marginally visible from the rear service road, the roof structure is particularly visible and an attractive historic feature of the building.

It is accepted that the property is not visible in wider public views but is visible within the immediate street scene. Including across the rear of the properties from the rear lane, an important vista within this planned street layout. The property matches to a certain extent the property next door at No.18 Arundel Road albeit this has been extended and converted into flats. The pair or properties are the last remaining of this style in this part of Arundel Road. A number of properties have been replaced over the years with developments of their time mostly by purpose built blocks of flats. As less historic properties remain in some respects this makes those still in situ more important to the townscape.

It is considered that the property offers character and amenity value to the area and no evidence has been submitted to suggest the property is unsafe or unsuitable for conversion even with sensitive extension so the front elevation and architectural features can be retained to preserve the character.

The proposed development is considerably more bulky than the existing building extending to either side boundary and further 6m into the rear garden area. The design proposals are taken from the development at 16 Arundel Road, with the front turret. However the window detailing of the turret is considered out of proportion with the proposals.

No materials details have been submitted with the application, however the front elevation is shown to be part tile hung at second/third floor level and some detailing is proposed to the windows and ridge tiles. Whilst I understand the design concept is taken from the adjacent development this does not reflect the subtlety of the existing dwelling within its plot.

Saved Policy UHT1 of the Borough Plan 2007 states that proposals will be required to be appropriate in scale, form materials, setting alignment and layout.

Policy D10a of the Core Strategy Local Plan 2013 seeks to ensure that the layout and design of development contributes to local distinctiveness and sense of place is appropriate and sympathetic to its setting in terms of scale, height, massing and density and its relationship to adjoining buildings and landscape features.

It is considered that by virtue of the increased footprint and height the bulk and scale of the proposed development is overdevelopment of the site lacking in respect of the local distinctiveness inappropriate to its setting. Advice given to the applicant to reduce the scheme bringing the proposal in from either boundary has not been followed.

Although landscaping is a reserved matter a detailed layout plan has been received. The original submission showed the loss of the entire landscaped rear garden to car parking. Following advice that this was unlikely to be considered acceptable an amendment to the layout of the rear to increase the soft landscaping has been received.

The revised layout provides 17 spaces with a 3.5m landscaped buffer to either side boundary. This is an improvement however the resulting impact of the loss of the entire rear garden area, including trees is considered detrimental to the character of the area. In terms of surface water from the hard surfacing this is proposed to be managed using infiltration; which although acceptable in principle testing of infiltrations rates and the depth of ground water was not undertaken in accordance with the appropriate methodology. If acceptable this could be controlled by condition but it would be more beneficial that the means of drainage was proven to be appropriate prior to the detailed design stage.

Therefore there is an objection in principle to the loss of the building where the replacement is considered substandard and does not respect the scale or character of the existing building. The proposal is considered an over development of the plot in terms of its scale, bulk and visual appearance. The layout is considered detrimental to the visual appearance and character of the area.

The overall layout and scale of the development is considered unacceptable in terms of the size of the plot, by virtue of the height, footprint, siting within the site detailed design bulk and scale and the loss of the green openness of the rear garden by virtue of the

scale of the development the proposal is therefore contrary to Section 7 of the National Planning Policy Framework 2012, Policy D10a of the Core Strategy Local Plan 2013 and Saved Policies UHT1, UHT and UHT5 of the Borough Plan 2007.

Impacts on trees:

The widening of the lane results in the loss of a sycamore tree which affords value to the overall appearance and character of the area. The loss of trees in the lane is detrimental to the overall character of the area and the important vista along the lane and of the rear elevations of the Arundel Road properties when viewed from Carew Road.

Saved Policy UHT4 of the Borough Plan 2007 states that proposals that have an unacceptable detrimental impact on visual amenity will be refused including their effect from the loss of natural screening, erosion of local distinctiveness and the effect on an important vista.

The application originally indicated the loss of the large and imposing beech tree within the front garden of the property, identified as T18. This tree was identified in the Applicants Tree Survey as being Category A1 in a good condition. The Arboricultural Impact Assessment states that although there is minor physical conflict between the tree and the proposed building, the tree is proposed to be removed to reduce shade to the windows at the front of the property.

Following the submission of the application a provisional TPO was imposed on this tree. The loss of the Beech tree through impacts to its health from the construction or the future pressure to prune from occupiers of the property given the close proximity to the front elevation would have a significant detrimental impact on the established character of the area. The Beech tree identified in the provisional Order is a significant arboricultural feature and an integral component of the established character of the area.

It forms part of the wider local tree-scape of mature trees fronting properties in Arundel Road which collectively provide significant ornament and beauty to the area. The loss of the Beech tree would have a significant detrimental impact on the local environment and its enjoyment by the public.

A revised Arboricultural Impact Assessment and Method Statement were provided to show the retention of this tree. However no amendment to the building is proposed. It is still considered that the location in close proximity to the protected tree will result in future conflict and pressure to heavily prune or remove the tree. The loss of the tree would result in a significant detrimental impact on the established character of the area.

Saved Policy UHT5 of the Borough Plan 2007 states that landscaping typical of the area shall be required to be retained unless it can be demonstrated that the feature is beyond its useful life.

By virtue of the loss of natural screening, the erosion of local distinctiveness

The loss of the TPO tree to the front and the general loss of trees and soft landscaping to the site is considered detrimental to the character and appearance of the area contrary to Section 7 of the National Planning Policy Framework 2012, D10a of the Core Strategy Local Plan and Saved Policy UHT4 and UHT5 of the Borough Plan 2007.

#### Impacts on highway network or access:

The site is situated within a sustainable location, there are a variety of travel choices available in Eastbourne, bus stops are within walking distance and Eastbourne Railway Station is 950m away which is within the recommended maximum walking distance.

ESCC Highways have carried out analysis in terms of the likely traffic to be generated by the development and consider that the level of additional vehicle movements can be accommodated by the local highway network without significant issue.

Off street parking is proposed to the rear of the development with access from the private rear Lane. The lane joins the public highway at both ends linking Carew Road with St Anne's Road. Part of the Lane was resurfaced following the development of 16 Arundel Road through a legal agreement. ESCC Highways requested that taking into account the additional trips that will be generated by the development it would be beneficial to improve the construction of the whole of the access road close to adoptable standards. This has not been agreed by the Applicant.

The application proposes to grasscrete 10m of the rear lane and widen the lane at the access from St Anne's Road to a minimum of 4.5. Highways also requested the pedestrian facilities are improved at this junction by installing tactile paving and dropped curbs these have not been included on amended drawings.

In general the Lane is narrow and should by its nature appear as a subservient service lane. To improve the standard close to adoptable standard may encourage road users to use the Lane as a cut through which given the size would likely impact on the safe use of the lane and hinder traffic flow. Therefore it is acceptable that the Applicant has not agreed this. However the development is significant and offering very little in terms of improving the Lane for vehicle or pedestrian use. The amendments proposed to the lane are outside of the applicants control as the lane is not owned by them. There is no S106 agreement in place that would secure the works to the lane to improve the access to a standard acceptable.

The scheme is for 19 residential flats in total. In accordance with the East Sussex County Council's parking guidelines a development comprising of 3 No.1 Bed flats, 15 No.2 Bed flats plus 1 No.3 bed unit should be provided with 24 parking spaces if 1 space allocated per unit or 15 if all unallocated. Therefore the 17 on-site parking spaces detailed are acceptable if all remain unallocated. Cycle parking exceeds the East Sussex County Council Standards and as such is considered adequate. These should be covered and secure and located within the site in a convenient location for users.

By virtue of the lack of mechanism in place to secure the works to widen and improve the access the access is considered inadequate to serve the proposed development resulting in severe highways impacts and impacts on the safety of pedestrians contrary to Paragraph 32 of the National Planning Policy Framework 2012.

#### **Human Rights Implications:**

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.

**Conclusion:**

Whilst in accordance with HO7 that redevelopment will be supported within the primary residential areas, this is subject to meeting the requirements of the other policies within the plan.

**Recommendation:** Refuse planning permission for the following reasons;

1. The proposed development fails to meet the requirements of the Affordable Housing Supplementary Planning Document 2017 by providing no on site affordable housing or a commuted sum payment contrary to Policy D5 of the Core Strategy Local Plan
2. By virtue of the proposed footprint, the close proximity to either side boundary of the site and the height of the proposed building and the location of windows providing direct overlooking the development would be an overbearing and unneighbourly form of development detrimental to the amenity of adjacent properties (residential care home and residential flats) contrary to the Core Planning Principles of the National Planning Policy Framework 2012, Policy B2 of the Core Strategy Local Plan 2013 and Saved Policy HO20 of the Borough Plan 2007.
3. By virtue of the lack of outlook and light to front elevation flats by virtue of the location of the TPO tree, and the small size of 6 of the units (30% of the proposed units) the scheme is considered to provide substandard accommodation detrimental to the amenity of future occupiers contrary to the Core Planning Principles of the National Planning Policy Framework 2012 and Policy B2 of the Core Strategy Local Plan 2013.
4. The loss of the TPO tree to the front and the general loss of trees and soft landscaping to the site is considered detrimental to the character and appearance of the area contrary to Section 7 of the National Planning Policy Framework 2012, D10a of the Core Strategy Local Plan and Saved Policy UHT4 and UHT5 of the Borough Plan 2007.
5. The overall layout and scale of the development is considered unacceptable in terms of the size of the plot, by virtue of the height, footprint, siting within the site detailed design bulk and scale and the loss of the green openness of the rear garden by virtue of the scale of the development the proposal is therefore contrary to Section 7 of the National Planning Policy Framework 2012, Policy D10a of the Core Strategy Local Plan 2013 and Saved Policies UHT1, UHT and UHT5 of the Borough Plan 2007.
6. By virtue of the lack of mechanism in place to secure the works to widen and improve the access the access is considered inadequate to serve the proposed

development resulting in severe highways impacts and impacts on the safety of pedestrians contrary to Paragraph 32 of the National Planning Policy Framework 2012.

**Appeal:**

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

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# Agenda Item 10

<b>App.No:</b> 170960 (Outline Some Reserved)	<b>Decision Due Date:</b> 16 November 2017	<b>Ward:</b> Devonshire
<b>Officer:</b> Chloe Timm	<b>Site visit date:</b> 21 February 2018	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 28 February 2018 <b>Neighbour Con Expiry:</b> 28 February 2018 <b>Press Notice(s):</b> 25 August 2017		
<b>Over 8/13 week reason:</b> Amended Scheme and planning committee		
<b>Location:</b> 192 Seaside and 2a Hoad Road		
<b>Proposal:</b> Proposed demolition of existing buildings and erection of 6no. 2bed houses, 1no. 1bed bungalow, 1no. 1bed flat, 1no. 2bed flat and 1no. retail unit. Revised Site Layout Plan with no car parking spaces proposed. This application relates to site of 192 Seaside and 2a Hoad Road.		
<b>Applicant:</b> Mr Cham		
<b>Recommendation:</b> Approve Conditionally		

## Executive Summary

This application is reported to planning committee given that it is a significant car-free proposal and due to the number of objections received and officers supporting the proposal.

The existing site of 2a Hoad Road and 192 Seaside relates to one operational business plot consisting 2 commercial units currently used as a car repair garage and sales.

The application is seeking planning permission for the demolition of the existing buildings/structure and erection of:

- 1no retail unit and
- 9no residential units.

The residential units to include 6no x 2 bed houses, 1no x 1 bed bungalow, 1no x 1 bed flat and 1no x 2 bed flat.

Scheme, design, appearance and car free layout are considered appropriate for the site and surrounding area, precedent for infill development has been created with the recent development of Clarence Mews and Arch Mews.

## Relevant Planning Policies:

National Planning Policy Framework

- 2. Ensuring the vitality of town centres
- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design

Eastbourne Core Strategy Local Plan Policies 2013

- B1 Spatial Development Strategy and Distribution Sustainable Neighbourhood
- C3 Seaside Neighbourhood Policy
- D4 Shopping Seaside (Langney Road to Springfield Road) District
- D5 Housing Low Value Neighbourhoods
- D8 Sustainable Travel
- A259 Quality Bus Corridor
- Core Strategy Local Plan 2006-2027
- D10 Historic Environment Listed Building
- D10a Design

Eastbourne Borough Plan Saved Policies 2007

- SH7 District Local and Neighbourhood Centres
- TR4 Quality Bus Corridors
- UHT17 Protection of listed Buildings
- US5 Tidal Flood Risk
- HO2 Predominantly Residential Areas
- HO20 Residential Amenity
- UHT1 Design of New Development
- UHT4 Visual amenity

**Listed Building adjacent to the application site**

Grade II  
 2003-07-28  
 186 Seaside -Former Elysium or Gaiety Cinema  
 1390538

**Site Description:**

The site comprises two commercial units, currently used as a vehicle sales and service garage.

The irregular shape of the site means that it is centrally located within the block of Seaside, Springfield Road, Hoad Road and Firle Road. Access to the site is via Hoad Road, underneath the flying freehold property of 2 Hoad Road and 192 Seaside.

**Relevant Planning History:**

No Relevant Planning History.

**Proposed development:**

The proposal is seeking permission for development of units to include:

Plot	Property type	Proposed Internal floor space	Minimum Space Requirement	No of bedrooms	No of persons	Complies

1	1no Bungalow	44 m <sup>2</sup>	39 m <sup>2</sup>	1	1	Yes
2 & 3	2no Houses	74 m <sup>2</sup>	70 m <sup>2</sup>	2	3	Yes
4, 5, 6 & 7	4no Houses	75 m <sup>2</sup>	70 m <sup>2</sup>	2	3	Yes
8	1no Flat	51 m <sup>2</sup>	50 m <sup>2</sup>	1	2	Yes
9	1no Flat	62 m <sup>2</sup>	61 m <sup>2</sup>	2	3	Yes
10	1no Retail Unit	54 m <sup>2</sup>	NA	NA	NA	NA

Plot 1, (proposed bungalow) will be accessible via Hoad Road and will have an entrance hallway leading to the open plan living/kitchen room and the bedroom with en-suite shower room. Double doors from the living room lead to the private rear garden. To the slopes of the pitched roof 4no roof lights are proposed to service the hallway, and the kitchen area.

Plots 2-7 (proposed houses) will have identical layouts. At ground floor level an entrance hall with stairs leading to the first floor and doorway to the kitchen which in turn leads to the kitchen/dining area with a downstairs WC. First floor level there will be a small landing leading to two bedrooms, one with en-suite shower room and one with en-suite bathroom. To the rear each unit will have a private rear garden. To the slopes of the pitched roof 2no roof lights are proposed to service the en-suite shower/bathrooms.

Plots 8-10 will be a retail unit with 2no flats above. The retail unit will occupy the ground floor level which with the shop front onto Seaside. Stairs to the rear of the building lead up to the first and second floor flats. Plot 8 at first floor level will have a small hallway leading to a bedroom, bathroom and a kitchen/living room. Plot 9 will have a small entrance hallway leading to 2no bedrooms, bathroom and kitchen/living room. There is no proposed outdoor amenity space with these plots.

The scheme proposes accommodation for waste, recycling and cycles.

There is no allocated car parking proposed within this scheme.

### **Consultations:**

#### Internal:

CIL

*This site is would be liable as it is made up of houses, however I believe there is more demolition there than new build hence there would be no liable charging space.*

#### Specialist Advisor Planning Policy

*This application proposal conforms to multiple policies. Its addition to the housing provision is covered through Policy H01 of the borough Plan as a windfall site and Policy B1 as a development on a brownfield site. Policy D4 outlines the need for predominant A1 use and this application provides a unit for 'retail use'. The provision of an additional retail unit would be beneficial for the shopping centre and therefore overall, the vitality/viability of the shopping centre would be positively impacted. It will also be contributing towards increasing the number of year's supply of housing land for Eastbourne thus assisting the town in reaching its five year housing land supply targets. Therefore the application is supported by policy.*

#### Specialist Advisor Conservation

*The site is adjacent to and not including the Grade II listed building but is separate from it and as such does not cause any adverse impacts upon this heritage asset.*

Specialist Advisor Environmental Health  
*No comment received*

External:

Environment Agency

*No objection in principle to the proposed development subject to the inclusion of the condition regarding the implementation of the Flood Risk Assessment.*

SUDS

*We do appreciate that the impermeable area is reducing at the site. However, the site appears to drain via two existing connections to Hoad Road and Seaside. There is no public surface water sewers located in Hoad Road and we are concerned that the site may be draining to the foul sewer network. We would suggest that the applicant carries out further sewer investigations and consults Southern Water to agree the connections to the public sewer. Our preference would be for surface water runoff to be directed to the surface water sewer running along Seaside (if capacity is available).*

*If Southern Water requires restrictions to the existing discharge rate, and therefore on-site surface water attenuation, this may impact on the proposed development layout.*

Southern Water

*No objection*

*It may be possible to divert the foul sewer so long as this would result in no unacceptable loss of hydraulic capacity and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.*

South East Water

*No response received*

Highways ESCC

*Objection to the original layout of the proposed development, upon re-consultation of the amended proposed layout further comment has not been received.*

Neighbour Representations:

Comments from 5 objectors received prior to the amended layout:

- Parking provision is inadequate
- Issues and concerns relating to party walls and possible damage from the proposal.
- Issues with overlooking, noise, nuisance, loss of light, refuse storage.
- No suitable emergency services access.
- Disturbance of wildlife
- Possible exposure to Asbestos
- Decommissioning of the underground storage tank.

Following re-consultation 1no objector reiterated their comments previously submitted.

## **Appraisal:**

### 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 make the prevent this.

This is reinforced within by local plan policies, with one of the key primary development principles being to provide at least 60% of new residential development within the existing built-up area in well-designed schemes that make efficient use of urban land. Policy HO1 also states that planning permission will be granted for residential schemes in 'predominantly residential areas'.

Policy C3 of the Eastbourne Core Strategy Local Plan supports the provision of additional housing through redevelopments, change of use and conversion of floor space above shops and delivering greater economic activity through the regeneration of commercial area.

In principle therefore there is no objection to the site being developed for a mix of retail and residential purposes.

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

The site of 192 Seaside and 2a Hoad Road is a substantial sized plot which is currently used for vehicle sales and repairs. The proposal is considered to make good and effective use of the site.

### Amenity of adjoining occupiers

It is noted that the proposal will have an impact on adjoining properties however this is not considered to be detrimental and insufficient to support a refusal of planning permission.

Plots 1-3 will impact those on Hoad Road most whilst plots 4-10 the properties adjoining on Seaside and Springfield Road.

### Plots 1-3

The design of these three plots is a terrace which includes two houses and bungalow.

The maximum height of the existing structure to be demolished is currently 7.5m high (approx). The maximum height of these three plots will be 6.8m and to alleviate the impact of the proposal to adjoining occupiers of 2, 4, and 6 Hoad Road the nearest plot (plot 1) has been designed as single storey dwelling with height of approximately 4.3m to the top of the pitched roof. The plot is set a distance of approximately 4.6m from the rear elevation of 2 Hoad Road and approximately 7.8m from the rear elevations of 4 and 6 Hoad Road.

Regarding overlooking and overshadowing there is considered due to the intrinsic design and layout to be an immaterial impact. From the front on the proposed units the outlook would be to the garages and communal courtyard of Bradford Court, Firle Road and to

the rear outlook would be to the rear garden and the garage block off of Springfield Road. The maximum heights of these plots are lower than that of the existing structure and therefore there is not thought to be any additional overshadowing to the existing properties surrounding the site.

#### Plots 4-7

These plots are a proposed terrace of 4no two storey dwellings.

These plots are central to the application site and are considered to have an immaterial effect in terms of overlooking and overshadowing. To the front elevations of the units at first floor level will be bays with longline windows off set to the North East, the aperture for the windows is not the full width of the bays to limit outlook to neighbouring properties. The rear of this terrace will look out into rear gardens and the garage block of Springfield Road.

As with plots 1-3 the maximum height of these plots are lower than that of the existing structure and therefore there is not thought to be any additional overshadowing to the properties surrounding the site.

#### Plots 8-10

This plot will be a three storey property detached property located off Seaside. This proposed plot is the highest of the three with the height set to be approximately 9.9m. The outlook from this proposed part of the scheme is also considered to not be detrimental to the surrounding properties with the outlook being either to the shared courtyard or out onto Seaside.

#### Future Occupiers

The proposed new dwellings of plots 1-3 will be accessible via Hoad Road via the entrance way underneath 2 Hoad Road through undercroft. The units exceed the nationally described space standards for a 1no one person one bed dwelling and 2no three person two bed dwelling. Each unit has its own outdoor private amenity space, the rear of these units can be accessed either via the dwelling or via an access path to the rear from Springfield Road.

The proposed new dwellings of plots 4-7 will be accessible via Seaside with a shared courtyard. The units exceed the nationally described space standards for three person two bed dwellings. Each unit has its own outdoor private amenity space, plots 4-6 can be accessed via the pathway from Springfield Road and plot 7 has its own pathway around the side of the dwelling for access to the rear.

The proposed flats, plots 8 and 9 are accessed via a stairway to the rear, these also exceed the nationally described space standards for a one bed two person flat and a two bed three person flat. There will be no outdoor amenity space provided for the flats however this is not thought to be detrimental to the future occupiers, the site is located within close proximity to the Seaside recreational ground and a short distance from the seafront/beach.

The proposed retail unit, plot 10, is suitably located for a commercial business within the Seaside shopping area and in close proximity to the town centre.

Each unit has been allocated cycle storage, either to the front or rear and refuse/recycling storage in the courtyards.

Design issues:

The design of the proposal is thought to be appropriate with its design being created to be sympathetic with the character of the surrounding area. The existing site has large commercial buildings and the new proposal is thought to improve to outlook to the adjoining neighbours; by not having such large block structures this will create more of an open feeling.

Impact on character and setting of a listed building or conservation area:

The site is not located within a conservation area however it shares a boundary with the Grade II listed building of 186 Seaside, a former Elysium or Gaiety Cinema. The listing of the property was regards to its legacy, the front elevation and internal decorations. The proposal site is adjacent to and does not touch/connect to the listed property. There is considered to be no detrimental impact on the Grade II listed property from the proposed development. Protective fencing and hoarding will be erected and party wall survey completed to ensure the structural stability of the Listed Building and other surrounding properties and boundary walls. These works will be controlled with a construction management statement.

Impacts on highway network or access:

The proposal does not provide allocated parking for occupants of the dwellings. The site is inadequate for an allocated parking proposal to be included with the application. The application site is well connected to public transport with bus stops located within 200m of the site and there is unrestricted on street parking on the roads surrounding.

Policy TR2 of the Eastbourne Borough Plan states that development proposals should provide for the travel demands they create and shall be met by a balanced provision for access by public transport, cycling and walking. Additionally, Policy D8 of the Core Strategy recognises the importance of high quality transport networks and seeks to reduce the town's dependency on the private car.

Other matters:

A land contamination assessment report submitted along with the application, this has shown that there is asbestos in the roof of the existing property. As the site is fully surfaced with good quality concrete slabs the risk of significant migration of contaminants into the deep aquifer is considered to be low however a full survey for asbestos containing materials should be undertaken. This issue will be controlled with a construction management statement.

Information has been provided via an objection that there is wildlife living on site. To ensure that no habitat is destroyed without due care to its occupants a condition will be set to mitigate this.

**Human Rights Implications:**

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.

**Conclusion:**

The impacts on existing residential properties, in terms of the bulk of the proposal, overlooking, privacy and impacts on light or outlook are considered not significant to warrant the refusal of the application. The design concept is well conceived and will result in an attractive car free residential development.

Therefore the proposals are considered acceptable for the reasons set out in the report and subject to conditions.

**Recommendation:**

Approve Conditionally

**Conditions:**

- 1) Timeframe
- 2) Drawings
- 3) Surface water drainage/SUDS scheme design
- 4) Proof of compliance with SUDS layout
- 5) Construction Method Statement to include Demolition statement, Asbestos investigation, construction times and habitat mitigation
- 6) Flood Risk Assessment
- 7) Hard/Soft Landscaping
- 8) Boundary treatments
- 9) Waste/Recycling.
- 10) PD windows
- 11) PD extensions

**Informatives**

The applicant's attention is drawn to the need for an agreement to be made in relation to any party walls. This not a matter covered under this planning permission.

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Sparrowgrove House, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

**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**.