

Planning Committee

11 December 2018



Working in partnership with **Eastbourne Homes**

Time and venue:

6.00 pm in the Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG

Membership:

Councillor Jim Murray (Chair); Councillors Janet Coles (Deputy-Chair) Sammy Choudhury, Paul Metcalfe, Md. Harun Miah, Colin Murdoch, Margaret Robinson and Barry Taylor

Quorum: 2

Published: Monday, 3 December 2018

Agenda

- 1 Minutes of the meeting held on 20 November 2018 (Pages 1 - 10)**
- 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 Wood Winton, 63a Silverdale Road, Eastbourne. Application ID: 180569 (Pages 11 - 24)**
- 7 14-29 Brassey Parade. Application ID: 180913 (Pages 25 - 38)**
- 8 Kempston, 3 Granville Road, Eastbourne. Application ID: 180985 (Pages 39 - 60)**
- 9 Rose Corner, 34 Dillingburgh Road, Eastbourne. Application ID: 181008 (Pages 61 - 70)**
- 10 South Downs National Park Authority Planning Applications**

Information for the public

Accessibility: Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Filming/Recording: This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Speaking at Planning

Registering your interest to speak on Planning Applications

If you wish to address the committee regarding a planning application you need to register your interest, outlining the points you wish to raise, with the **Case Management Team** or Democratic Services within **21 days** of the date of the site notice or neighbour notification letters (detail of dates available on the Council's website at <https://www.lewes-eastbourne.gov.uk/planning-and-building-control/planning-applications/speaking-at-planning-committee/>). This can be done by telephone, letter, fax, e-mail or by completing relevant forms on the Council's website. Requests made beyond this date cannot normally be accepted.

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

It is helpful if you can provide the case officer with copies of any information, plans, photographs etc that you intend to refer to no later than 1.00pm on the day before the meeting.

Only one objector is allowed to address the Committee on each application and applications to speak will be registered on a 'first come, first served basis'. Anyone who asks to speak after someone else has registered an interest will be put in touch with the first person, or local ward Councillor, to enable a spokesperson to be selected.

You should arrive at the Town Hall at least 15 minutes before the start of the meeting.

The Chair will announce the application and invite officers to make a brief summary of the planning issues.

The Chair will then invite speakers to the meeting table to address the Committee in the following order:

- Objector
- Supporter
- Ward Councillor(s)
- Applicant/agent

The objector, supporter or applicant can only be heard once on any application, unless it is in response to a question from the Committee. Objectors are not able to take any further part in the debate.

Information for councillors

Disclosure of interests: Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

Councillor right of address: Councillors wishing to address the meeting who are not members of the committee must notify the Chairman and Democratic Services in advance (and no later than immediately prior to the start of the meeting).

Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

Email: committees@lewes-eastbourne.gov.uk

Telephone: 01323 410000

Website: <http://www.lewes-eastbourne.gov.uk/>



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Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 20 November 2018 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Janet Coles (Deputy-Chair), Sammy Choudhury, Paul Metcalfe, Colin Murdoch, Margaret Robinson and Barry Taylor

Officers in attendance:

Leigh Palmer, Senior Specialist Advisor for Planning
James Smith, Specialist Advisor for Planning
Chris Wright, Specialist Advisor for Planning
Joanne Stone, Lawyer for Planning

Also in attendance:

Katie Maxwell, Committee Officer

60 Minutes of the meeting held on 23 October 2018.

The minutes of the meeting held on 23 October 2018 were submitted and approved and the Chair was authorised to sign them as an accurate record.

61 Apologies for absence.

An apology for absence was reported from Councillor Miah.

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

Councillor Metcalfe MBE, declared a personal interest in minute 64 as he knew the objector in so far as he was the former owner of the objectors property. Councillor Metcalfe MBE was of the opinion that he did not have a prejudicial interest in the matter and remained in the room and voted thereon.

63 147 Priory Road. Application ID: 180865.

Demolish part of the existing dwelling and garage and erect a new detached bungalow and create an additional two off street parking spaces with new vehicular access – **ST ANTHONYS**.

Resolved: (Unanimous) That permission be granted subject to the following conditions:

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

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

25840-01;

25840 11;

25840 14;

25840 16;

25840 17;

Flood Risk Assessment Ref: 06696-jmla-TP-00-RP-D-2110-S4-P02.

3. The development hereby permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (28 August 2018) and the following mitigation measures detailed within the FRA:

a) Finished floor levels are to be set no lower than 3.5m AOD as stated in para. 7.6 of the FRA;

b) A site-specific Flood Emergency Evacuation Plan is implemented as part of the development, as stated in para. 7.6. This is because occupants have no access to safe refuge, thus require identification and provision of safe route(s) into and out of the site to an appropriate safe haven;

c) Site owners/occupiers sign up to the Environment Agency's Flood Warning Service as detailed in para. 7.6 of the FRA, in order for them to have sufficient time to evacuate the site in advance should it be required.

d) Appropriate flood resistance and resilience measures are to be incorporated within the development, as detailed in para. 7.6, to help prevent flood water entering the property and limit the damage caused to the structure and fittings;

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwelling house other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

5. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing dwelling at 147 Priory Road.

6. The development hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plan 25840 11 to allow for 2 cars to be parked on each site. Thereafter, the parking and turning spaces shall be maintained in place throughout the lifetime of the development.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no hardstanding or and/or car parking spaces shall be formed to the front of the dwelling, nor shall any vehicular access be provided from Priory Road or Wordsworth Drive.

8. The hard standing areas hereby approved shall be surfaced in porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard standing to a permeable or porous area or suitable soakaway within the curtilage of the property.

9. Prior to occupation of the approved dwelling, full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

- a) proposed finished levels or contours;
- b) site boundary treatment;
- c) car parking layouts;
- d) hard surfacing materials;
- e) soft landscaping plans;
- f) written specifications (including cultivation and other operations associated with plant and grass establishment);
- g) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- h) implementation timetables.

All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Informative

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

**64 Langney Shopping Centre Car Valet, Langney, 64 Kingfisher Drive.
Application ID: 180931.**

Proposed change of use of part of the surface area car park to Langney Shopping Centre and construction of a single storey industrial building for use as a tyre fitting, tyre repair and wheel replacement premises containing four bays for customer vehicles and associated office, staff area and reception (Amended scheme following refusal of application 180257) – **LANGNEY**.

Mr Kifford addressed the committee in objection stating that this application did not differ from the previous one which had been refused. He also stated that there would be disruption from noise and smells and that it would be an eye sore for residents in Fern Close.

Councillor Tester, Ward Councillor, addressed the committee in objection stating that he agreed with Mr Kifford's comments and that the scheme was no different. The proposed use was not 'retail' and that Langney Shopping Centre was the second most important shopping centre outside of the town centre. He also felt that this proposal would jeopardise the long term sustainability of the site.

Mr Forland, applicant, addressed the committee in objection stating that the design of the building was modern and energy efficient with excellent sound proofing to mitigate resident's concerns. The building would be secure at night with CCTV and shutters to prevent vandalism and anti-social behaviour. The proposal would not include major mechanical works to vehicles and tyres would be stored and disposed of in an appropriate and environmentally friendly way. He also stated that the proposal would be adjacent to the B2191 which was well used and saw some 80 bus journey's per day.

The committee discussed the application and agreed that there had not been any significant changes to the scheme and that therefore their objections remained the same.

Resolved: (By 5 votes to 2) That delegated authority be given to the Interim Head of Planning to negotiate, with the applicants, a more suitable location for the proposed development, which would then be the subject of a further planning application.

2. Should the negotiations not provide a more suitable location then; permission be refused on the grounds that:

a. The proposed development by reason of its design, layout and appearance would result in a form of development that would incongruous and discordant with the prevailing pattern of development in the area and as such fails to maintain local distinctiveness. The scheme is found to be discordant with Policies Policy D10a of the Councils Core Strategy.

b. The proposed development would be considered to introduce an 'industrial activity' within this prime retail location and such may have an adverse impact upon the retail function, supporting car parking and thereby have the potential to impact upon the long term viability of this District Centre. The scheme is found to be discordant with Policy C8 and D4 of the Eastbourne Borough Plan.

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.

65 Savoy Court Hotel, 11-15 Cavendish Place. Application ID: 180826 (PPP) and 180827 (LBC).

Planning permission for conversion of existing hotel into 15 residential one bedroom self-contained flats (Listed Building Consent sought under application 180827) – **DEVONSHIRE**.

Resolved (180826) (A): (Unanimous) That subject to a subject to S106 legal agreement covering:

- a) Local labour initiatives and
- b) Affordable housing initiatives

That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.
2. The development hereby permitted shall be carried out in accordance with the approved drawings submitted on 16 August 2018:
 - 2995/3/00 – Location and block plans
 - 2995/3/01 'C' – Lower Ground Floor Plan as proposed
 - 2995/3/02 'B' – Upper Ground Floor Plan as proposed
 - 2995/3/03 'B' – First Floor Plan as proposed
 - 2995/3/04 'B' – Second Floor Plan as proposed
 - 2995/3/05 'C' – Third Floor Plan as proposed
 - 2995/3/06 'A' – Third Floor Plan as proposed
 - 2995/3/07 'C' – Front Elevation as proposed
 - 2995/3/08 'B' – Rear Elevation as proposed
 - 2995/3/09 'B' – Rear/Side Elevation as proposed
 - 2995/3/010 'B' – Section as proposed
 - 2995/3/11 'A' – Site Plan as proposed
 - 2995/3/12 'A' – LG Floor External Steps 13 Cavendish Place
 - 2995/3/13 'A' – LG Floor External Steps 11 Cavendish Place
3. The materials to be used must match as closely as possible, in type, colour and texture those listed in the Heritage Statement (note: summary of work Section amended 12/09/18) and Section 9 of the application.

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

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

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

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

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

8. Prior to the first occupation of the development hereby permitted details of any replacement rainwater goods shall be submitted to and approved in

writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

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

10. No external works shall commence until a scheme of decorative works is submitted and approved by the Local Planning Authority. This is to include colour samples of proposed new paint colours to the external joinery, painted render, ironmongery and canopies and the proposed new tile finish to the front entrances of No.s 11, 13 and 15.

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

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

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

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

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

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

Resolved (180827 LB) (B): (Unanimous) That permission be granted subject to the following conditions:

1. Time limit
2. Approved plans
3. Materials
4. The cycling and refuse accommodaton to be provided prior to the first occupation

5. Hard and soft landscaping to include tree protection
6. Construction method statement
7. External boundary treatments
8. Rainwater goods
9. External joinery details
10. External decorative scheme
11. Demolition, site clearance or building operations hours
12. Satellite dishes
13. Removal of the loading bays
14. Servicing management plan
15. Site waste management
16. Waste materials

Informative

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

10. In order to provide a safe and secure environment for future residents, Sussex Police suggest the following recommendations are implemented:

- Communal entrance doors are to be checked to ensure they are fit for purpose and have locks that conform to BS3621 / 8621 respectively, and has a door entry system compete with remote access from the flats. Access control would be advantageous.
- Flat front doors to conform to PAS 024-2016.
- Postal arrangements for the flats are through the wall, external or lobby mounted secure postboxes. It is strongly urged the applicant not to consider letter apertures within the flats' front doors. The absence of the letter aperture removes the opportunity for lock manipulation, fishing and arson attack and has the potential to reduce unnecessary access to the block.
- Ground floor and any easily accessible windows are to conform to PAS 024-2016.
- Internal resistance measures to be incorporated into party walls and shared corridors to any stud partition walls.
- The fitting of dusk till dawn vandal resistant lighting to all entrance door including the lower basement entrances.
- The gating to the rear of the properties should be lockable from both sides.

66 Unit 7 and 8, The Crumbles. Application ID: 180666/7.

180666 - Change of use of Unit 7 (ground and first floor) from a cinema (Use Class D2) to retail (Use Class A1) and **180667** - Extension of existing mezzanine floor in Unit 7 to be used for retail purposes (Use Class A1) – **SOVEREIGN**.

Mr Wilks addressed the committee on behalf of the applicant stating that smaller units would increase the varied offer for patrons, and the units would not impact on the town centre retail offer. He further stated that they would be filled by companies that would not wish to occupy a town centre location.

The committee was advised, by way of an addendum report, that the applicants had reviewed the conditions attached to the report and had requested amendments to the attached conditions. The committee considered the amendments and felt that it was important to retain larger units given that the existing smaller unit – formally Blockbusters – close to the application site had remained vacant.

Resolved: (Unanimous) That delegated authority be granted to the Interim Head of Planning to amend condition 4 (prior to the issue of the decision notice) as necessary to ensure it does not prevent the sub-division of the site into 2 units and that otherwise permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-
2051 URB U7 [08] 00 01 Revision D00;

2051 URB U7 [08] 00 05 Revision D00;

2051 URB U7 [08] 10 02 Revision D00;

Travel Plan produced by Motion and dated 09/10/2018;

3. Upon the occupation / commencement of use, the applicant shall implement the measures incorporated within the approved travel plan. The applicant shall thereafter monitor report and subsequently revise the travel plan as specified within the approved document.

4. The approved retail unit shall not be subdivided to create a unit with a floor space of less than 1500 m².

5. Notwithstanding the provisions of the Town and Country Planning Use Classes Order, the retail use hereby approved shall not be permitted to sell to any extent (other than ancillary) any items from the following list unless the end user has been named and agreed in writing by the Local Planning Authority:-

- Fashion (clothing)
- Footwear
- Sportswear
- Children's wear
- Toys
- Food (falling within Use Class A1)

6. The unit(s) shall not be open to customers outside of the following times:

08:00 – 20:00 Mondays to Saturdays

10:30 – 16:30 Sundays and Bank Holidays

7. No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The quantum provided must meet or exceed the ratio of 10 short term spaces, plus 1 long-term space for every 10 full-time staff member. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

67 South Downs National Park Authority Planning Applications.

There were none.

68 Appeal Decision - 5 Fastnet Close.

The Inspector dismissed the appeal.

Resolved: That the Inspector's decision be noted.

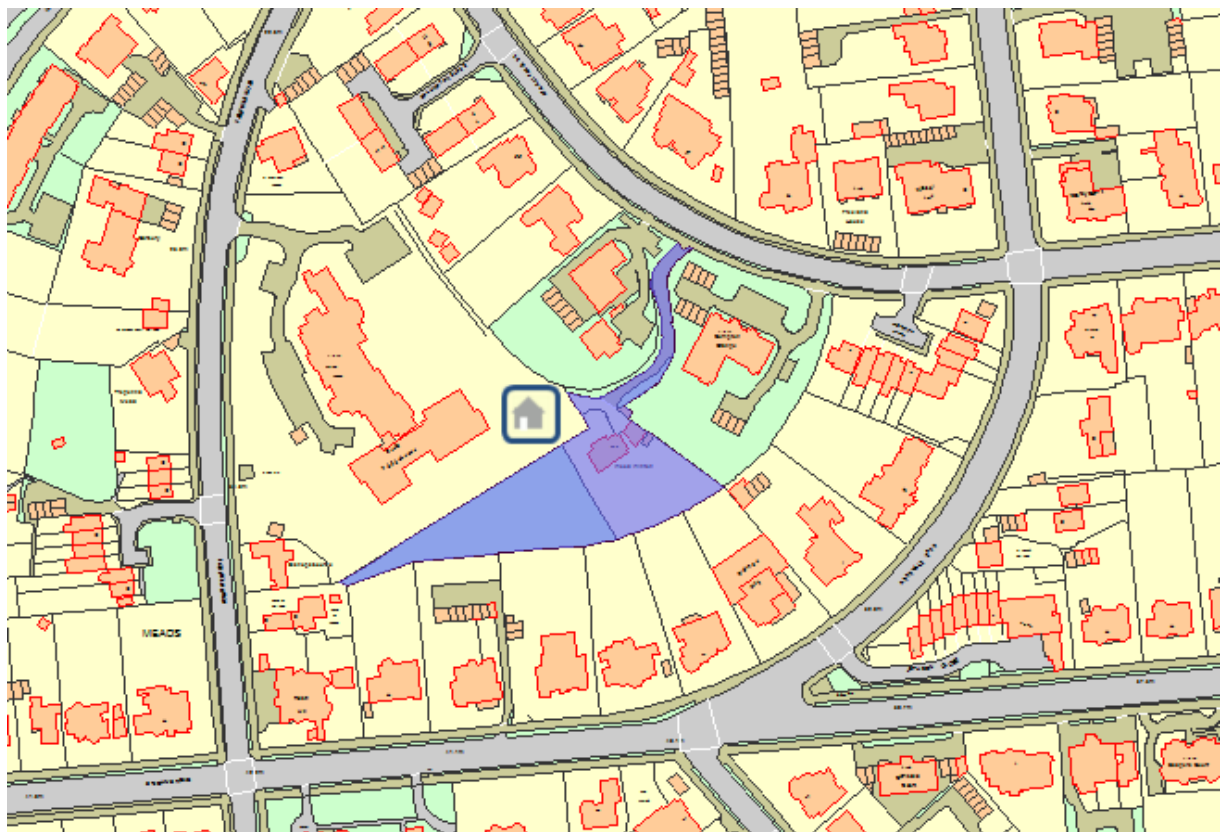
The meeting ended at 7.25 pm

Councillor Jim Murray (Chair)

Agenda Item 6

App.No: 180569	Decision Due Date: 25 October 2018	Ward: Meads
Officer: James Smith	Site visit date: 20 th June 2018	Type: Outline (all reserved)
Site Notice(s) Expiry date: 2 nd July 2018 Neighbour Con Expiry: 2 nd July 2018 Press Notice(s): N/A		
Over 8/13 week reason: To allow for negotiation including reduction in size of scheme.		
Location: Wood Winton, 63a Silverdale Road, Eastbourne		
Proposal: : Outline planning permission (all matters reserved) for the erection of seven houses (AMENDED DESCRIPTION FOLLOWING REDUCTION OF UNITS).		
Applicant: Mr Sal Dato		
Recommendation: Approval subject to conditions including submission of reserved matters.		

Contact Officer(s): **Name:** James Smith
Post title: Specialist Advisor (Planning)
E-mail: James.Smith@lewes-eastbourne.gov.uk
Telephone number: 01323 415026



1 Executive Summary

- 1.1 The application has been brought to committee to be determined due to the volume of letters of objection that have been received.
- 1.2 It is considered that the proposed development represents an efficient use of a brownfield site that would provide a useful contribution towards housing provision within the Borough.
- 1.3 It is considered that the scale, intensity and nature of the proposed development is compatible with the surrounding environment and that the proposed scheme provides a more optimal use of the site than the extant permission for the provision of a net increase of two dwellings on site.
- 1.4 It is considered that the layout of the proposed scheme is sympathetic to the amenities of neighbouring residents and would not bring about unacceptable levels overlooking, overbearing or overshadowing.
- 1.5 Further detail on the design of the proposed development and the landscaping of the site would be provided as reserved matters and will therefore be assessed at this stage. Further details would also be provided on site access arrangements as the Council need to be satisfied that pedestrians and vehicles can enter and level the site safely prior to granting full permission for the scheme.

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework 2018

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

2.2 Eastbourne Core Strategy Local Plan Policies 2013

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

2.3 Eastbourne Borough Plan Saved Policies 2007

NE7: Waste Minimisation Measures in Residential Areas
NE28: Environmental Amenities

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

3 Site Description

- 3.1 The site is roughly triangular in shape, being broad at the eastern end and tapering towards the western extremity.
- 3.2 The site includes the detached dwelling, Wood Winton, which is a large 2½ - storey dwelling which has painted render elevation walls and a tiled, hipped roof which contains a number of dormers. The dwelling is cut into a slope, which rises towards the rear of the building. There is a detached garage and other outbuildings to the side (east). A garden is provided to the rear (south) of the dwelling. The majority of the development site occupies the area to the west of the dwelling, which appears to have been a garden at some point, with gated access from Wood Winton, but is now overgrown.
- 3.3 The portion of the site where the proposed houses are to be located is predominantly flat but slopes upwards from the south to the north. There is also a more gentle gradient running from the east of the site to the west. Neighbouring plots to the south and are at a higher level whilst those to the north and east are at a lower level. The majority of the site is enclosed by flint walling, which acts as a retaining wall in places. Large trees are generally restricted to site boundaries with only small fruit and ornamental trees within the main part of the site. The most notable tree is a mature Lime tree, of significant stature, which is positioned adjacent to the site access road and is covered by a Tree Preservation Order.
- 3.4 The access road itself is entered via a dropped kerb in Silverdale Road. The road is hard surfaced, although significantly worn and potholed, and is steep and winding due to the topography and the layout of neighbouring sites. The access road is bordered by flint walling, which is damaged in places, and a green verge which includes hedgerow and occasional mature trees.
- 3.5 The site is fairly secluded due to its positioning to the rear of surrounding buildings, the surrounding topography and the presence of mature landscaping.

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

4 Relevant Planning History

4.1 030202

Demolition of existing house and erection of three detached houses with garages.

Outline (some reserved)

Approved conditionally

4.2 060712

Renewal of outline planning permission EB/2003/0255(OL) for the demolition of existing house and erection of three detached houses with garages

Outline (some reserved)

Approved conditionally

4.3 120089

Redevelopment of site including demolition of existing building and erection of three detached dwellings with parking and garages together with lengthening access drive (outline application)

Outline (some reserved)

Approved conditionally

4.4 160226

Demolition of existing dwelling, erection of 3 no. detached dwellings with parking and garages together with lengthening existing access drive.

Outline (some reserved)

Approved conditionally

5 Proposed development

5.1 The proposal involves the provision of 7 x detached dwellings which would occupy the currently overgrown area to the rear of Wood Winton as well as part of the existing garden space to the south. Wood Winton itself would be retained.

5.2 The proposed dwellings would be arranged in a group of two to the south of Wood Winton, a row of four in a staggered arrangement towards the southern boundary of the site and a single dwelling in the western corner of the site. The proposed development would utilise the existing access road serving Wood Winton and extend it to run alongside the northern site boundary, to form a cul-de-sac with turning points at the end.

- 5.3 Each dwelling would be provided with a car parking space under a car port structure with an additional tandem parking space on a hard surfaced driveway to the front of it. These driveways would be accessed directly from the main cul-de-sac.

6 Consultations

6.1 Specialist Advisor (Arboriculture):

- 6.1.1 The TPO is a bit of an outdated mess and if you compare my plan with the TPO plan you will see the principle trees in the garden are absent on site, and only one of the trees on the driveway – a lime (T17 of the Order) is of interest.
- 6.1.2 Subject to the demands of the Highways Engineers, it might be possible to retain this tree but to do so special protection measures will have to be employed.

6.2 Specialist Advisor (Planning Policy):

- 6.2.1 Policy C11 is the 'Meads Neighbourhood' policy, which sets out the vision for this area as the following; 'Meads will strengthen its position as one of the most sustainable neighbourhoods in the town. It will make an important contribution to the delivery of housing and increasing its importance to the tourism industry, whilst conserving and enhancing its heritage and historic areas.' This vision will be promoted through a number of factors, including 'Providing new housing through redevelopments and conversions in a mix of types and styles'. It has been identified in the Core Strategy as the second most sustainable neighbourhood in the borough.
- 6.2.2 The NPPF requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of 1st April 2018, Eastbourne is only able to demonstrate a 3.26 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. The NPPF would view this application with a 'presumption in favour of sustainable development,' as described in paragraph 14 of that document. It is not considered that the proposal would be contrary to the NPPF as a whole, or contrary to any specific policies in the NPPF.
- 6.2.3 It is important to note that as this application is for 7 units, it does not meet the threshold for contribution towards affordable housing. Also, this application is not liable for CIL as it is a development of flats, which are not chargeable under Eastbourne's current charging schedule.
- 6.2.4 It is important to note that this site is identified as being within an area of High Townscape Value as described in UHT16 of the Eastbourne Borough Plan, as well as being adjacent to a Conservation Area outlined in Policy D10 of the Core Strategy.
- 6.2.5 The Borough Plan Policy HO2 identifies this location as being predominantly residential. In order to reach housing targets, planning permission will be granted for residential schemes within these predominantly residential areas.

This site has been previously identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). Therefore, policy has no objections to this application.

6.3 Southern Water:

- 6.3.1 Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

6.4 Highways ESCC (Summary):

- 6.4.1 I can confirm that the attached drawings would be acceptable at this stage for outline application on highways grounds. I do have a couple of comments detailed below:
- 6.4.2 Whilst the provision of a continuous footway would not be possible for the reasons detailed, marking out a pedestrian route to the site access is nevertheless recommended. This could be in the form of road markings with pedestrian logos. With the low expected flows, encroaching on this area if required for two vehicles to pass would not necessarily constitute a significant safety risk. This should be provided at reserved matters stage.
- 6.4.3 I note that the refuse vehicle used in the swept path is 9m long. This is shorter than required in our standards, and Eastbourne Borough Council's waste management team should assess to see whether this would be acceptable.
- 6.4.4 I would note that locating the cycle storage and bin storage together could present conflicts in that the cycle storage should be secure, whilst access to the bin store should be readily available. This should be addressed at reserved matters stage.
- 6.5 SUDS:
- 6.5.1 The information submitted by the applicant in support of the planning application has not satisfied the Lead Local Flood Authority and does not assure us that surface water and local flood risk have been adequately taken into account.
- 6.5.2 No surface water runoff management strategy has been proposed by the applicant apart from indicating the use of soakaways on the application form.
- 6.5.3 Although the application site is shown to be underlain by chalk group geology, our experience has shown that infiltration potential can only be proven by testing as some soils which would be expected to have high infiltration rates have low infiltration rates in the past. Therefore, the applicant should undertake infiltration testing in accordance with BRE365 (2016 publication) to prove the feasibility of infiltration methods at the site. In addition, the site is shown to be in an area with a potential for groundwater flooding. Therefore, the potential high groundwater could affect the feasibility of infiltration at the application site. The applicant should carry out groundwater monitoring to understand the seasonal variation of groundwater levels and their impact on infiltration.

- 6.5.4 If infiltration is found to be unfeasible, the applicant should consider alternative surface water disposal methods. Any proposed discharge to the adjacent public surface water sewers and its rates should be discussed with Southern Water.
- 6.5.5 The application site is part of an area that contributes surface water overland flows to Silverdale Road and affects the properties directly opposite the site access. The introduction of an impermeable area at the application site without a good understanding of its impact on surface water overland flows could make this existing surface water flood risk worse.
- 6.6 Meads Community Association:
- 6.6.1 We consider this outline application to be a gross overdevelopment of the site which would also compromise the environmental quality of the area. The site plan recognises a loss of a number of substantial trees and would have a severe impact on the character and appearance of this part of Meads which is recognised by EBC as having a high townscape value.
- 6.6.2 The access to the development is along an uphill, long and winding driveway suitable for only one vehicle at a time. The entrance to the drive off Silverdale Road is extremely narrow and with the intensity of traffic generated from within the development this will cause additional problems in Silverdale Road which is a busy road with a bus route and has parking on both sides of the road. Emergency vehicles would have major difficulties in accessing the development as would refuse and recycling vehicles. Therefore residents would have to place their bins at the drive entrance.
- 6.6.3 We suggest that planning committee members visit the site to see for themselves the impact this development would have on this important part of Meads and the impracticality of the proposed development as set out in the site plan.

7 Neighbour Representations:

- 7.1 Objections have been received from 20 individual members of the public, covering the following points:
- Overdevelopment of the site.
 - Will cause overlooking and overshadowing.
 - Would fail to conserve and enhance the setting of the Meads Conservation Area.
 - High density of the development would produce unacceptable noise levels.
 - Would impact on traffic and put pressure on parking.
 - Housing is needed but should be sustainable and in keeping with its setting.
 - Squashed conditions will be detrimental to future occupants as well as neighbours.
 - The access road will cause trouble with no access for emergency services and difficulties for deliveries. Pedestrians will also be at risk.
 - Would be difficult to widen access as it is bordered by retaining walls and trees.
 - Cramped nature of site would be a huge shift in character from the properties surrounding it.

- Would result in the loss of trees and further pressure being placed on retained trees. Fauna would also be affected.
- Retained trees would overshadow gardens and windows of proposed properties.
- Will result in numerous bins being positioned on Silverdale Road.
- Not convinced the development would provide affordable homes, the terminology in the application has been used to tick boxes.

8 Appraisal

8.1 Principle of development:

- 8.1.1 The site is located within the built-up area, where the principle of development is considered to be acceptable.
- 8.1.2 Para. 11 of the revised NPPF (2018) states that decision taking should be based on the approval of development plan proposals that accord with an up-to-date development plan without delay.
- 8.1.3 Where the policies that are most important for determining the application are out of date, which includes, for applications involving the provision of housing, situations where the local authority cannot demonstrate a five year supply of deliverable housing sites, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the NPPF as a whole.
- 8.1.4 Currently, Eastbourne is only able to demonstrate a 3.26 year supply of land. This proposal, for 11 additional units, would make a contribution towards increasing the number of year's supply of housing land.
- 8.1.5 Para. 118 of the NPPF states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Development of under-utilised land and buildings should be promoted and supported, especially where this would help to meet identified needs for housing. Whilst the majority of the site had, at one time, formed part of the gardens serving Wood Winton, it has long since been partitioned and has become partially overgrown. It is, however, noted that houses 1 and 2 would be built in an area that currently forms part of the existing garden at Wood Winton.
- 8.1.6 It is noted that there is extant planning permission (160226) for the demolition of Wood Winton and the provision of 3 new dwellings occupying the site. This is the latest of a series of approvals for similar schemes which stretch back to 2003. The failure of any of these approved schemes to be built indicates a lack of viability to these scheme. The proposed scheme involves retaining Wood Winton and building to a higher density in terms of dwellings per hectare. Para. 123 of the NPPF states that, 'where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.' Section c of the same paragraph goes on to state that 'local planning authorities should refuse applications which they consider fail to make efficient use of land,

taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'

- 8.1.7 Policy B1 of the Eastbourne Core Strategy identifies the Meads neighbourhood as a sustainable neighbourhood where residential density of up to 127 dwellings per hectare would be considered to be appropriate, subject to compliance with other relevant planning policies.
- 8.1.8 It is therefore considered that the principle of the residential development of the site is acceptable, as has been demonstrated by the planning history of the site, and also that a higher density scheme is encouraged by both local and national planning policy.
- 8.2 Impact of proposed development on amenity of adjoining occupiers and surrounding area:
 - 8.2.1 The site is raised above the site levels of neighbouring flatted development to the south and west, whilst the flatted development that back on to the north of the site are at a higher level. The dwellings are concentrated towards the northern side of the site so as to minimise the impact on the flats to the south. The road serving the development would flank the southern site boundary, where there is a flint wall in place as well as a tree line that would prevent light spillage from car headlights into neighbouring windows and also provide a degree of soundproofing.
 - 8.2.2 The nearest that any rear elevation of the proposed dwellings reaches to the northern site boundary is approximately 4.4 metres (house 6) with the flank elevation of house 7 reaching within approximately 1.2 metres. The buildings accommodating the residential flats that the site backs on to are, at their closest, a minimum of 31 metres set back from the northern site boundary. These flats are also on land that is raised in relation to the proposed development site.
 - 8.2.3 As a result of the changing topography, screening offered by boundary treatment which includes flint walls, hedgerow and tree lines, as well as the layout of the proposed development, it is not considered that it would appear overbearing towards neighbouring dwellings nor would it cause undue levels of overshadowing. As the application is for outline permission only, there are no details available relating to the exact positioning of windows. However, it is considered that a sufficient amount of windows to serve each dwelling could be installed without introducing invasive views towards neighbouring residential property.
 - 8.2.4 The proposal would involve a more intensive use of the site, including more frequent use of the site access road. The access road is flanked on both sides by flint walling and hedgerow and does not pass immediately alongside any residential buildings/ Whilst the use of the site would be more intense, at approximately 25 dwellings per hectare, the residential density would be well below that of neighbouring development, a large proportion of which is in the

form of flats. It is therefore considered that the intensity of the proposed use would not be disruptive or out of keeping with the overall context of the surrounding area.

8.3 Design issues:

8.3.1 As the application seeks outline permission only, the final design of the proposed dwellings is a reserved matter, although indicative drawings have been provided with the application. The site layout suggests an arrangement of two-storey detached dwellings of fairly uniform footprint and layout. It is considered that this would be appropriate for a small scale residential development of the nature of the proposal. It would also ensure that the retained building at Wood Winton would not be overwhelmed by the development.

8.3.2 The layout provides a good degree of separation between individual dwellings, ensures that properties are not overlooked or overshadowed by neighbouring dwellings and allows for the provision of suitably sized private amenity space. Car parking is provided in car ports that are set back to the side of each dwelling and are served by a driveway. A large proportion of the site frontage would be maintained for soft landscaping, ensuring cars and other vehicles do not appear overly dominant within the development.

8.3.3 Although the site is fairly secluded, being positioned behind neighbouring development, the amount of dwellings within the site will ensure that there is likely to be a continued presence and activity throughout the day, preventing the site from appearing isolated and secluded and, therefore, discouraging anti-social behaviour.

8.3.4 The amount of floor space provided within each dwelling is not provided at the outline stage. However, measurements taken from the submitted layout plan demonstrate that the individual dwellings would have a sufficient footprint to ensure that the floor space they could accommodate would be compliant with National technical Space Standards. The dwellings are set fairly centrally within their plots and, as a result, windows would not be positioned close to site boundaries where the presence of trees and retaining walls may impede natural light permeation and also reduce the available outlook.

8.3.5 It is noted that the rear gardens of some dwellings, particularly house 7, may be subject to a degree of overshadowing owing to the presence of dense tree lines around the overall development area. It is not considered that this would be to the extent that it would be of significant harm to amenities. It should also be noted that para. 123 (c) of the Revised NPPF instructs that 'when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'

8.4 Impacts on trees:

8.4.1 There are a number of trees on and around the site, primarily concentrated towards the site boundaries, where there are also trees overhanging from neighbouring sites. Trees within the interior of the site are generally restricted to

small fruit trees and ornamental planting.

- 8.4.2 The Council's Arboriculturalist has visited the site and noted that a number of trees that had been covered by a Tree Preservation Order were no longer present on site. The only remaining TPO tree which may be affected by the development is a lime tree which is on the edge of the existing access road. The arboriculturalist believes steps should be taken to protect the tree during construction works as well as following completion in order to ensure it is not damaged.
- 8.4.3 The majority of the boundary trees would not be significantly affected as a result of the proposal and would continue to contribute to the verdant nature of the surrounding area as well as provide sympathetic screening to the development and a pleasant environment. None of the trees that are to be removed possess individual or collective value that would merit Tree preservation Order status.
- 8.4.4 Each dwelling would be served by front and back gardens which would provide additional landscaping to the development.
- 8.5 Impacts on highway network or access:
- 8.5.1 The site is accessed by a single carriageway road that climbs fairly steeply and also features sharp turns in places. ESCC Highways initially objected to the use of this road for a development of the intensity proposed. This was on account of concerns over the potential for conflict between vehicles entering and leaving the site, the suitability of the use of the access for pedestrians, as there is no other footpath access to the site and the ability for servicing and emergency vehicles to be able to enter and leave the site.
- 8.5.2 The applicant responded by remodelling the access track, widening it where possible, providing passing points and waiting areas. It is also noted that the winding nature of the road would, in itself, deter motorists from entering and leaving the site at speed. Vehicle tracking diagrams, which demonstrate that servicing vehicles can enter and leave the site in forward gear, have also been provided.
- 8.5.3 As a result of these additional plans, ESCC Highways have removed their objection to the development. This is subject to conditions that would be imposed at the reserved matters stage, which would include the requirement for road marking to be used to identify a continuous pedestrian footway to the site.
- 8.5.4 Each dwelling would be provided with two car parking spaces, one of which would be provided within a car port. This is a sufficient amount of car parking to support the development without giving rise to concerns of increased car parking pressure on the surrounding highway network. These car parking spaces would be directly alongside the dwelling and, therefore, be easily accessible. The parking spaces would be entered directly from the main access road and there is sufficient manoeuvring space to allow cars to turn into and out of the spaces. A turning head is also provided at the end of the cul-de-sac to allow for vehicles, including servicing vehicles, to turn.

8.6 Sustainable development implications:

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

8.7 Sustainable development implications:

- 8.7.1 As the development would involve a net increase of 7 residential dwellings, it would be liable to a Community Infrastructure Levy (CIL) charge. As such, a liability notice would be issued to the developer, should planning permission be granted.

9 Human Rights Implications

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

10 Recommendation

- 10.1 That the application is approved, subject to the conditions listed below and the receipt of satisfactory details on all reserved matters:-
- 10.2 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 92 of the Town and Country Planning Act 1990.

- 10.3 Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- i) appearance (including full schedule of external materials);
- ii) scale
- iii) landscaping
- iv) Surface water drainage

The reserved matters shall comply with the parameters set out for access and layout established by this outline permission and be carried out as approved. Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail

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

94554/101/B – Proposed Development of Seven Houses;
23473901-STR-HGN-100-DR-D-00101 – Proposed Layout;
23473901-STR-HGN-100-DR-D-00102 – Swept Path Analysis;
23473901-STR-HGN-100-DR-D-00103 – Swept Path

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

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

Reason: In the interests of highway safety.

- 10.6 The development hereby permitted shall not be occupied until car parking spaces shown on approved plan 23473901-STR-HGN-100-DR-D-00101 have been surfaced and marked out. The parking spaces shall thereafter be maintained throughout the lifetime of the development and the land on which they are positioned be used for no purpose other than for the parking of vehicles.

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

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

Reason: In the interests of highway safety and the amenities of neighbouring residents.

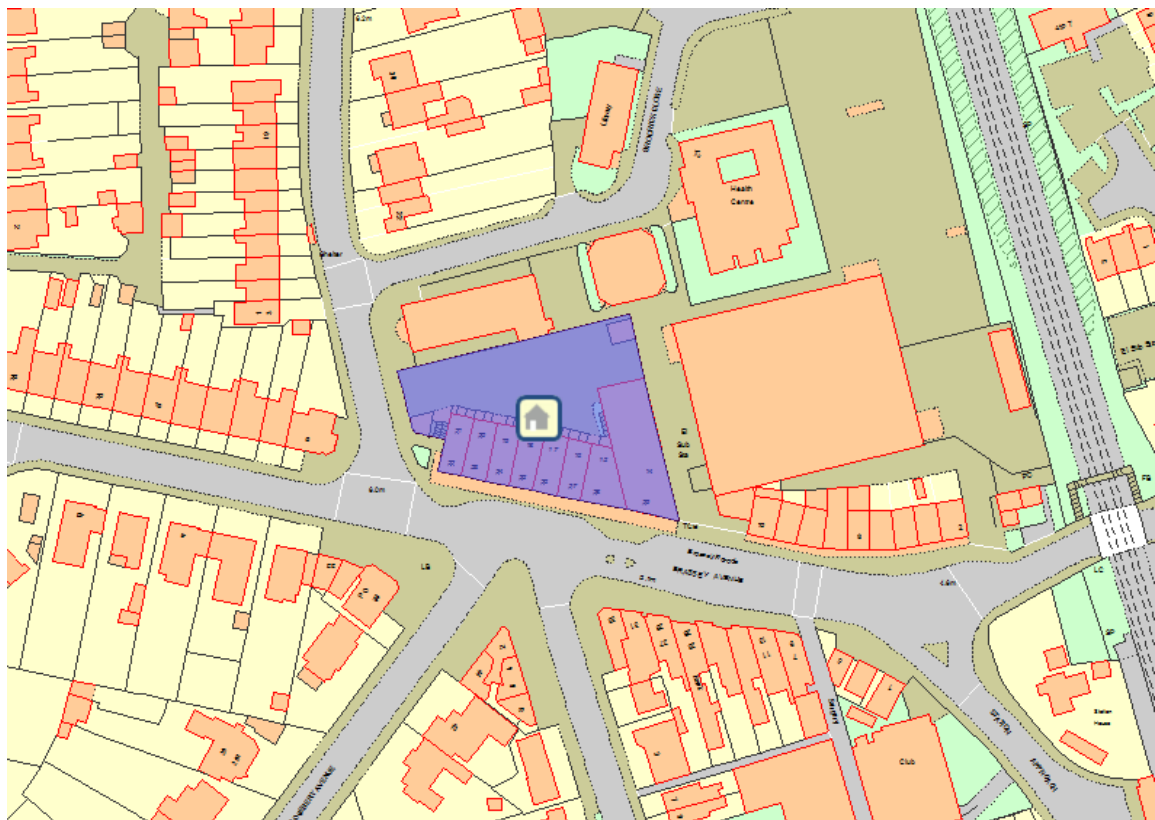
11 Appeal

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

Agenda Item 7

App.No: 180913	Decision Due Date: 26 th December 2018	Ward: Hampden Park
Officer: James Smith	Site visit date: 7 th November 2018	Type: Planning Permission
Site Notice(s) Expiry date: 21 st October 2018 Neighbour Con Expiry: 21 st October 2018 Press Notice(s):		
Over 8/13 week reason:		
Location: 14-29 Brassey Parade		
Proposal: Erection of mansard roof over existing building to provide additional two-storeys. Formation of additional 29 x residential flats within first, second and third floors. Retention of retail units on ground floor and 7 x existing residential flats on first floor. Single-storey extension to northern elevation for use as bin and cycle store.		
Applicant: Mr Ashley Bennett		
Recommendation: Approve conditionally subject to S106		

Contact Officer(s): **Name:** James Smith
 Post title: Specialist Advisor (Planning)
 E-mail: James.Smith@lewes-eastbourne.gov.uk
 Telephone number: 01323 415026



1 Executive Summary

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

2 Relevant Planning Policies

2.1 National Planning Policy Framework (Revised 2018)

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

2.2 Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution Sustainable Centre
B2: Sustainable Neighbourhood
C7: Hampden Park Neighbourhood Policy
D4: Shopping
D5: Housing Low Value Neighbourhoods
D10a: Design

2.3 Eastbourne Borough Plan Policies 2007

UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
HO20: Residential Amenity
SH7: District, Local and Neighbourhood Centres
TR11: Transport & Parking

3 Site Description

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

4 Relevant Planning History

4.1 180487

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

5 Proposed development

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

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

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

6 Consultations

6.1 Specialist Advisor (Planning Policy)

- 6.1.1 The application site is situated in the 'Hampden Park Neighbourhood' as identified by Policy C7 in the Eastbourne Core Strategy (2013). Policy C7 of the Core strategy explains that the vision for the 'Hampden Park Neighbourhood' is; 'Hampden Park will increase its levels of sustainability and reduce the levels of deprivation in the neighbourhood whilst assisting in the delivery of housing and employment opportunities for the town'. This application looks to compliment the vision by assisting in the delivery of housing.
- 6.1.2 Policy SH7 of the Borough Plan identifies this are as a 'District Shopping Centre' on the Retail Hierarchy. The site is covered by Policy D4 (Shopping) identified in the Core Strategy, with the principle to "ensure that everyone has access to a good range of shops that meet local needs. The Council will seek to encourage the continuing vitality and viability of shopping centres, whilst preserving the predominance of A1 use class". The Eastbourne Borough Plan states that a valid consideration in maintaining the vitality and viability of district, local and neighbourhood centres is the balance of A1 retail uses to A2/A3. It will become less viable if too many non-A1 uses get accepted, as this may result in 'dead frontage' which is unattractive to customers. This application results in a loss of 163.1m² of A1 floorspace. This floorspace does not appear to have been in use as a primary retail, and appears to be more 'back office' or for storage. It will not affect the number of Commercial units, and is not deemed significant.
- 6.1.3 The NPPF requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of 1st April 2018, Eastbourne is only able to demonstrate a 3.26 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. The NPPF would view this application with a 'presumption in

favour of sustainable development,' as described in paragraph 14 of that document. It is not considered that the proposal would be contrary to the NPPF as a whole, or contrary to any specific policies in the NPPF.

- 6.1.4 Contrary to the Planning Statement, the site does not count as a Windfall Site, as it is in the SHELAA. There will be a gain 29 addition dwellings. As it is a development of Development of Flats it will not be CIL liable.
- 6.1.5 It is liable towards a contribution to affordable housing as the development is for more than 10 units. However the Planning Statement describes how they are unable to include the adequate staircases required by fire regulations within the development, and so cannot provide any affordable housing units. They state they do not need pay a commuted sum as it a development of 1 and 2 bedroom flats within a 'Low Value Neighbourhood.' There is no supporting evidence provided supporting this conclusion outside of the Planning Statement.
- 6.1.6 The size of the bedrooms and flats are above the standard specified within the 'Technical Space Standards – nationally described space standard.'
- 6.1.7 As there are already a mix of flats and commercial uses on this site, it is not considered that there will be any issues concerning HO20: Residential Amenity which considers noise, general disturbance or odour. Therefore, from a policy perspective, despite the loss of some A1 floorspace, the application is acceptable.

6.2 Highways ESCC

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

6.3 Southern Water

- 6.3.1 Southern Water has undertaken a desk study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that there is an increased risk of flooding unless any required network reinforcement is provided by Southern Water. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme.
- 6.3.2 Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.
Southern Water hence requests the following condition to be applied:

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

drain the development”

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

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

7 Neighbour Representations

- 7.1 3 letters of objection have been received from neighbouring residents and 1 from Hampden Park Community Centre, which the site backs on to. A summary of concerns raised is provided below:-
- Would be overdevelopment and the building would be taller than the community centre.
 - Parking provision totally inadequate and would lead to more on-street parking.
 - Additional traffic will result in difficulties in lorries entering and leaving the site.
 - Access to the community centre has been obstructed during past construction works. An extended ‘no obstruction’ box should be provided, or a ‘no entry’ box.
 - A fence should be provided to prevent waste from blowing into the community centre curtilage.
 - A condition should be used to require commercial vehicles to switch off engines whilst unloading on site.
 - Building is not in keeping with surrounding area and would look unsightly.
 - May impact on the small businesses on the ground floor, causing them to leave.
 - Existing premises is in a poor start and there are concerns this would also

be the case with the proposed building.

8 Appraisal

8.1 Principle of development

- 8.1.1 The proposal involves the provision of additional residential units on a brownfield site. This would be achieved by way of a vertical extension to the existing building. Para. 118 (e) of the Revised NPPF (2018) maintains that Local Planning Authorities should 'support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.'
- 8.1.2 Para. 123 of the NPPF goes on to state that 'where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.' This is relevant in the determination of this application given the current failure for the Borough to be able to demonstrate a 5 year supply of housing land.
- 8.1.3 It is therefore considered that the principle of a vertical extension providing higher density residential development is acceptable, provided other relevant planning policies are complied with.
- 8.1.4 The proposed development would not result in the loss of any retail units, the only retail floorspace being lost is in the form of a former store room which served the convenience store that formerly occupied 14 Brassey Parade. The use of the ground floor unit has since changed to a hydrotherapy centre (Use Class D2) and the storage space is not required for this use.
- 8.1.5 As no viable retail space would be lost as a result of the scheme, it does not conflict with Eastbourne Core Strategy Policy D4 and Eastbourne Borough Plan Policy SH7, which seeks to prevent shopping facilities within District Shopping Centres. Furthermore, the proposed scheme represents mixed-use development, which is encouraged by para. 118 of the NPPF.
- 8.1.6 The proposed residential use would not compromise the ongoing viability of the commercial operations at ground floor level, none of which are considered to generate significant levels of noise and activity that may result in future occupants making complaints.
- 8.1.7 Given that the proposed development involves a net increase of over 11 residential units, there is a requirement for affordable housing to be taken into consideration. The Council's Affordable Housing SPD (2017) states that, within a low-value area such as where the development site is located, affordable housing should be provided at a ratio of 30% of the total number of new units. This equates to units. As such, 8 affordable units should be provided on-site, with the additional 0.7 of a unit funded by way of a commuted sum.

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

to the east and the community hall and youth support centre. The existing residential flats on the first floor of the building and there would be no projecting features such as balconies. As such, the first floor flats would be largely unaffected by the proposal, although there would be an element of overshadowing towards rear facing bedroom and bathroom windows on the easternmost flat as a result of the extension over unit 14. There would be no windows in this projecting part of the building that would face towards the first floor flats and, as such, no concerns relating to overlooking.

8.2.2 The nearest neighbouring dwellings outside of the site are on the opposite side of Brassey Avenue, approximately 25 metres to the south, and it is considered that this would be a sufficient distance to prevent the proposed building from appearing overbearing, causing undue overshadowing or allowing invasive views of those properties.

8.2.3 Whilst the intensity of the use of the site would increase as a result of the increase in residential units, it is considered that it would not be to the extent that it would be over intensive, given the site context, located within a busy District Shopping Centre. The residential use would also be compatible with the surrounding residential environment.

8.3 Design issues:

8.3.1 The proposed development would result in the creation of a sizeable four-storey building in a prominent location within the street scene. It is noted that para. 118 (e) of the Revised NPPF encourages extensions into the airspace above buildings with the caveat that they do not appear out of keeping with the general pattern of development within the street scene. Whilst the majority of buildings within the immediate surrounding area are two-storey, a significant amount of additional height is added in the form of pitched roofing. The profile of the proposed building would be lowered through the use of a flat roof design and the set back of the top-storey from the building frontage and its cladding in contrasting materials would soften its presence within the street scene and break up the mass of the building, preventing it from appearing overly dominant and drawing influence from the contrast between the roof line and elevation walls displayed on neighbouring buildings.

8.3.2 Furthermore, the large footprint of the building, coupled with the standalone nature of the site lend some flexibility in terms of the character of the development, with its size justifying it possessing an individual design and scale. It is considered this would be consistent with the varied nature of building design displayed within the street scene and the repeated fluctuation between building heights demonstrated throughout. It is also noted that a four-storey building of a larger footprint to the proposed scheme is already present within the neighbouring area in the form of flats at 2-46 Howletts Close, which is to the north of the site.

8.3.3 The proposed flats would be accessed from the rear of the site. Whilst it is preferential for residential buildings to be accessed directly from the street, this is not possible in this instance as the ground floor of the building is occupied by retail units. Given the presence of the shopfronts, and the large amount of

windows on the front elevation, it is considered that the building would continue to engage effectively with the street scene. The stairwell access points to the rear of the site are not isolated or secluded as they are located within the car park which would be in frequent use. The access points would also be well overlooked by the windows of neighbouring buildings, ensuring a good level of surveillance. As such, it is considered that the site access points would be secure and safe.

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

Unit Type	Floorspace provided	Minimum standard
Studio (2 person)	52.6 m ²	50 m ²
	50.9 m ²	
	50.9 m ²	
	50.9 m ²	
	50.9 m ²	
	50.9 m ²	
	48.9 m ²	
Studio (1 person)	43.9 m ²	39 m ²
	44.3 m ²	
	44.3 m ²	
	44.3 m ²	
	44.3 m ²	
	44.3 m ²	
	42.3 m ²	
1 bed 1 person	40.5 m ²	39 m ²
	42.4 m ²	
	43.5 m ²	
	41.3 m ²	
	41 m ²	
1 bed 2 person	52.3 m ²	50 m ²
	55.9 m ²	
	51.4 m ²	
	51.3 m ²	
	64.1 m ²	
	52.9 m ²	
	55.8 m ²	
	50.1 m ²	
2 bed 3 person	63.2 m ²	61 m ²
2 bed 4 person	83.5 m ²	70 m ²

- 8.3.5 All new units would be served by windows and openings that would provide a suitable level of natural light permeation, ventilation and outlook to ensure a

satisfactory living environment is maintained. The proposed scheme does not incorporate any private amenity space for use by future occupants, nor is there any communal amenity space provided. Given the site constraints, it is considered that it would not be feasible to provide communal amenity space as this would compromise car parking for the proposed development as well as the existing shops. As the units are generally small, it is not considered that they represent family units, which would have a greater requirement for on-site amenity space. Furthermore, there is a large amount of public open space within walking distance of the site, including Willingdon Levels, approximately 250 metres to the south of the site.

8.4 Impacts on highway network or access:

- 8.4.1 The proposed development would intensify the use of the site, by way of the provision of a net increase of 29 x residential dwellings. There is an existing car park and service yard to the rear of the building which currently provides 20 x car parking spaces. This car park is accessed via Brodrick Road. This car park and access will be utilised to serve the proposed development. The overall development, which would include 7 existing 2 bedroom units, would be served by 9 parking spaces, all of which would be allocated to 2 bedroom units. A further 9 parking spaces would be available for use by visitors to the retail units within the building.
- 8.4.2 The overall development, which would include 7 existing 2 bedroom units, would be served by 9 parking spaces, all of which would be allocated to 2 bedroom units. A further 9 parking spaces would be available for use by visitors to the retail units within the building. The proposed 1 bedroom units would not be allocated any on-site car parking. 2 car parking spaces would be removed from the existing car park in order to provide space for recycling and waste storage facilities.
- 8.4.3 Whilst the level of car parking provided falls below the maximum standards prescribed by ESCC Highways, it is considered that the level of provision is sufficient due to the specific attributes of the site. The site is located within a highly sustainable area given that it has good access to public transport, Hampden Park Railway Station being within 125 metres of the site, as well as access to shops and services within the District Shopping Centre. A combination of the highly sustainable site location and the expected tenure of these small units, where expected car ownership levels are at a lower ratio, means that future occupants would have a lower reliance on the use of cars.
- 8.4.4 The submitted Transport Statement also includes a car parking survey, carried out in accordance with ESCC methodology, that demonstrates that capacity for the remaining 18 car parking spaces that the development is likely to generate demand for, could be provided on-street within 200 metres walking distance of the site, without resulting in unacceptable levels of parking stress, the current level being 44%. The survey has been assessed by ESCC Highways Officers and has received their approval.
- 8.4.5 A Travel Plan has been submitted as part of the Transport Statement. This document sets out measures and initiatives to be adopted in order to

encourage use of sustainable transport methods, providing information to promote the use of public transport, car-sharing and cycling. A Travel Plan co-ordinator would be employed to promote these methods, to carry out traffic monitoring work to help identify any ongoing issues and to act as a main point of contact between residents and the ESCC Travel Plan Officer.

- 8.4.6 Whilst there would be an increase in traffic as a result of the intensification of the use of the site, the level of on-site parking would decrease and, as such, the amount of vehicles entering and leaving the site would be unlikely to increase in any substantial way. It is also anticipated that car ownership amongst future occupants would be at a lower ratio due to unit size and the sustainable location of the site. As such, it is not considered that the proposed development would result in an increase in traffic that would be to the detriment of the free flow of traffic or to highway safety.
- 8.4.7 Car parking spaces would be provided in their existing location and there would be no increase in the footprint of the building. As such, the use of the service yard area to the rear of the retail units would not be compromised and delivery and servicing vehicles would be able to enter and leave the site in a safe manner. Visibility Splay and Swept Path Analysis diagrams provided as part of the Transport Statement demonstrate that delivery and servicing vehicles would be able to enter and leave the site in forward gear.

9 Human Rights Implications

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

10 Recommendation (This must include the reasons for each condition).

- 10.1 Approve, subject to the signing of a Section 106 legal agreement to secure a suitable provision of affordable housing and the conditions set out below:-
- 10.2 The development hereby permitted shall be begun before the expiration of three years from the date of permission.

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

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

279800-31 – Location and Block Plan
279800-37 Revision B – Proposed Ground Floor Plan
279800-38 Revision C – Proposed First Floor Plan
279800-39 Revision C – Proposed Second Floor Plan

279800-40 Revision C – Proposed Third Floor Plan
279800-41 Revision C – Proposed Roof Plan
279800-42 Revision B – Proposed Elevations (Sheet 1)
279800-43 Revision B – Proposed Elevations (Sheet 2)

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

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

Reason: To ensure a satisfactory appearance to the development.

- 10.5 Prior to the commencement of development, an Employment and Training Plan shall be agreed with the Local authority together with a written commitment detailing how the developer intends to undertake the works in accordance with the Local Employment and Training Supplementary Planning Document. The Employment and Training Plan must include, but not be limited to, the following details:
- a) A Local Employment Strategy to include the advertising of all new construction and operational vacancies locally (i.e. in the Borough of Eastbourne and within East Sussex), a strategy to secure the recruitment and monitoring of apprentices, work experience placements for those unemployed and NVQ training places associated with the construction and operation of the development as appropriate to the development and calculated in accordance with the Local Employment and Training Supplementary Planning Document.
 - b) The agreed Employment and Training Plan shall thereafter be complied with and all construction works to establish the development and the operational stage of the development hereby permitted shall be undertaken in accordance with the Employment and Training Plan Strategy approved pursuant to part a) above.

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

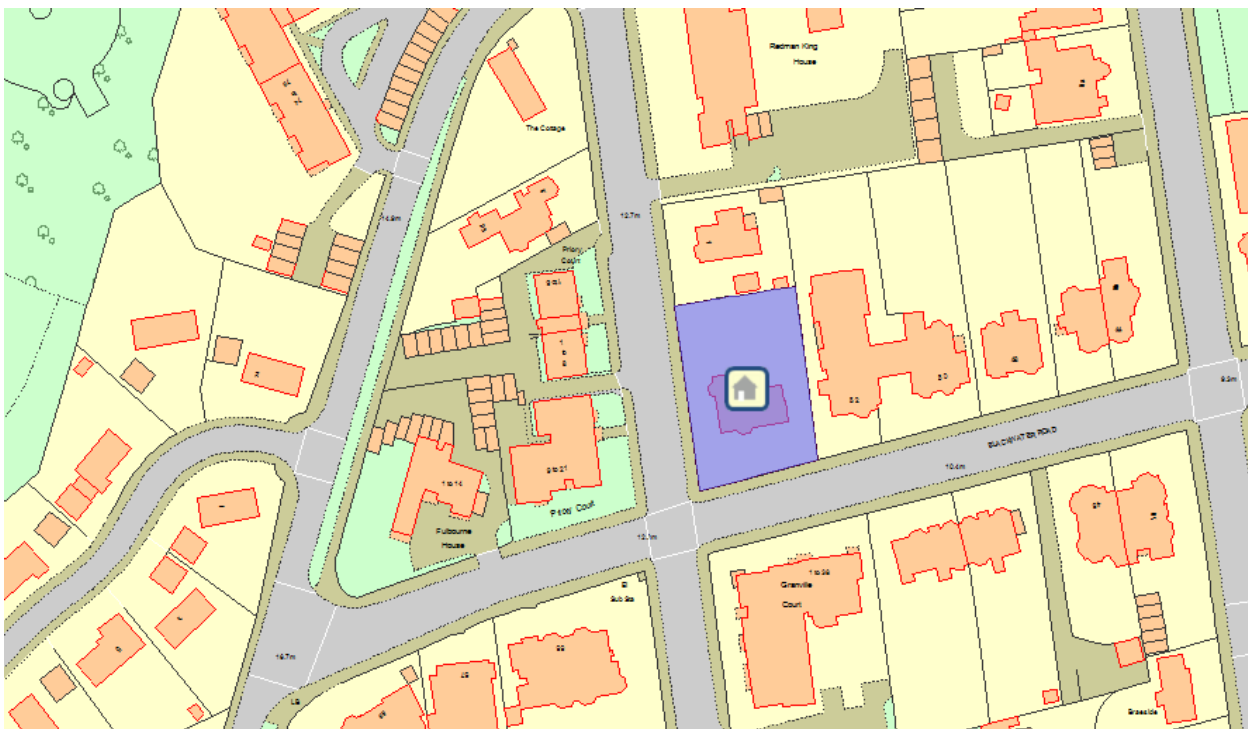
- 10.6 Further conditions relating to highways, parking and construction management will be added in receipt of formal advice from ESCC highways, which is currently awaited. These conditions will be set out on the Committee addendum sheet.

11 Appeal

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

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

Contact Officer(s): **Name:** James Smith
 Post title: Specialist Advisor (Planning)
 E-mail: James.Smith@lewes-eastbourne.gov.uk
 Telephone number: 01323 415026



1 Executive Summary

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

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework 2018:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

2.2 Eastbourne Core Strategy Local Plan Policies 2013

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

2.3 Eastbourne Borough Plan Saved Policies 2007

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

3 Site Description

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

4 Relevant Planning History

4.1 EB/1956/0261

Conversion into 8 self-contained flats.
Approved conditionally – 16th August 1956

4.2 180040

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

5 Proposed development

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

6 Consultations

6.1 Specialist Advisor (Planning Policy)

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

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

6.1.4 The Eastbourne Borough Plan states that the appearance of proposed development and its relationship to its surroundings are material considerations in determining planning applications. Furthermore applications for planning permission should be able to demonstrate how they have taken into account local character in their development proposal. Policy UHT1 considers the design of new development and requires that all development proposals must harmonise with the appearance and character of the local environment respecting local distinctiveness as well as making the most effective use of the site with the highest density appropriate to the locality. Policy UHT2 requires that new developments are to be of a similar height to the majority of surrounding buildings, in particular those developments in and adjoining conservation areas. Evidence in the associated planning statement suggests that the proposal is in accordance with policy UHT2.

6.1.5 Policy B2 of the Core Strategy states that developments will be required to protect the residential and environmental amenity of existing and future residents and to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. The proposal is considered to satisfy some of the requirements of policy B2 as the dwelling is in conformity with the Technical Housing Standards for all proposed dwellings. The affordable housing policy applies to proposals of conversions and sub-divisions where there is a net residential gain of 11 or more dwelling units. The proposal will result in eight net dwellings and therefore the affordable housing policy does not apply.

6.1.6 It is also important to note that as this proposal is a development of flats, it would not be liable to pay CIL under Eastbourne's current charging schedule.

6.1.7 The proposal is considered to make a positive contribution towards the housing target resulting in a net increase of eight dwellings. As the proposal site is located within a Predominantly Residential Area (Policy HO2 of the Eastbourne Borough Plan), residential development is acceptable in principle. Overall there is no objection to the proposal from a planning policy perspective, in principle. However any impact on residential amenity (Policy HO20 of the Eastbourne Borough Plan) will need to be considered.

6.2 Regeneration Manager

6.2.1 In line with our consultation response for planning application 180040 dated 23 January 2018 in respect of the above site, Regeneration would support this application subject to the inclusion of a local labour agreement.

6.3 Specialist Advisor (Arboriculture)

- 6.3.1 There is no objection to the proposal to remove 11 or so Lime tree pollards from the front garden.
- 6.3.2 Concern is raised about the fate of the street tree (Elm – possibly *U. glabra*) – T19 on the tree report plan and located in the south east quarter in Blackwater Road, but tree protection measures detailed in the Arboricultural Method Statement should ensure the tree survives post-development operations.
- 6.3.3 The proposed soft landscaping fails to adequately soften the large hard standing for the car parking area. Much more could be done to soften and visually break up this this harsh urban feature. Soft landscaping could be set aside as a reserved matter in the event planning permission is granted.

6.4 Specialist Advisor (Private housing)

- 6.4.1 An Improvement Notice was served on 15th July 2016 numerous hazards of varying seriousness and works were identified as needing to be undertaken at the property. By August 2017 all works on this notice had been complied with except 3 repairs, 2 of these were affecting 1 flat and 1 affecting another flat, I believe both of these flats are still occupied, however the outstanding items were rated as category 2 hazards (more minor) and 1 being some water ingress it was unclear at the last inspection whether this had been rectified and still drying out or unresolved.
- 6.4.2 I also served a suspended Improvement Notice in respect of flat 2 on the 11th May 2017, the flat had become vacant and the owners did not want to re-let it, the notice is dormant until the flat is occupied at which point the notice becomes an active Improvement Notice. This flat was affected by one category 1 hazard (serious) which was damp and mould and 2 category 2 hazards personal hygiene, sanitation and drainage and electrical hazards.

6.5 County Archaeologist:

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

6.6 East Sussex County Council Highways

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

6.7 SUDS

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

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

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

6.10 The Eastbourne Society

6.10.1 Object to the application.

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

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

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

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

6.11 Meads Community Association

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

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

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

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

7 Neighbour Representations

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

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

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

8 Appraisal

8.1 Addendum to original officer report

- 8.1.1 The proposed development is largely identical to a previous scheme (reference 180040) that was refused by committee in April, overturning an officer recommendation for approval. The application was refused for the reasons provided below:-
- 1) The proposed demolition would result in the loss of this Victoria Villa within an Area of High Townscape Value, detrimental to the character and appearance of the area contrary to saved policy UHT16 of the Borough Plan 2007, D10 of the Core Strategy Local Plan 2013 and section 12 of the National Planning Policy Framework 2012.
 - 2) The proposal, by virtue of the height, footprint, bulk and scale and detailed design and materials is an over development of the plot which does not respect the character and appearance of the Area of High Townscape Value nor the pattern of development in the area, contrary to saved policy UHT1, UHT4, UHT5 and UHT16 of the Borough Plan 2007, Policies D10 and D10a of the Core Strategy Local Plan 2013 and Section 7 of the National Planning Policy Framework 2012.
- 8.1.2 The current application is supported by additional documentation, in the form of building surveys, a Building Regulations report which sets out adaptations that would need to be made to the building in order for it to be compliant with Building Regulations, a Heritage Appeal Statement and details of features of the existing building which may be salvaged and re-used (facing tiles, capitals and flint inlays) and an appraisal of potential alternative schemes for the site.
- 8.1.3 An appeal statement which provides a response to the reasons for refusal of the previous application and re-values the proposal in the context of the Revised National Planning Policy Framework, which was adopted in July 2018.
- 8.1.4 It is re-iterated that the current configuration of the building provides large flats that do not represent an efficient use of the building, particularly given the context of the current failure of the Borough to fulfil its obligations of a 5 year supply of land for housing development.
- 8.1.5 The submitted Financial Appraisal demonstrates that works to subdivide the building to provide a more efficient use would require further development of the site in terms of adaptations to the building and increased car parking area, therefore having some level of impact upon the existing character of the site.

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

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

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

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

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

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

8.2.2 Where the policies that are most important for determining the application are out of date, which includes, for applications involving the provision of housing, situations where the local authority cannot demonstrate a five year supply of deliverable housing sites, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the NPPF as a whole.

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

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

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

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

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

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

- 8.2.11 The vision of the Meads Neighbourhood is to strengthen its position as one of the most sustainable neighbourhoods in the town as well as making an important contribution to the delivery of housing all whilst conserving and enhancing its heritage and historic areas. The vision will be promoted by providing new housing through redevelopment and conversions in a mix of types and styles as well as protecting the historic environment from inappropriate development. Additionally, the proposal site is in a Predominantly Residential Area as identified by the Eastbourne Borough Plan (Policy HO20).
- 8.2.12 Policy B1 of the Core Strategy will deliver at least 5,022 dwellings in accordance with the principles of sustainable development. Policy D5 focusses on delivering housing within sustainable neighbourhood. Furthermore the National Planning Policy Framework (NPPF) supports sustainable residential development. As of 1 January 2018, Eastbourne is only able to demonstrate a 3.16 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. Para 14 of the NPPF identifies that where relevant policies are out of date, permission should be granted 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'. In addition, national policy and case law has shown that the demonstration of a 5 year supply is a key material consideration when determining housing applications and appeals. The site has not previously been identified in the Council's Strategic Housing Land Availability Assessment so therefore it would be considered a windfall site. The Council relies on windfall sites as part of its Spatial Development Strategy (Policy B1 of the Core Strategy, adopted 2013) and the application will result in a net gain of eight dwellings. The proposal is in accordance with local and national policy.
- 8.3 Impact of proposed development on amenity of adjoining occupiers and surrounding area:
- 8.3.1 The site is situated on a corner plot with No.1 Granville Road to the north, which is converted into self contained flats, one flat per floor and no.53 Blackwater Road to the East, which is a boarding house for Eastbourne College students.
- 8.3.2 In terms of properties opposite on Granville Road to the west and Blackwater Road to the South it is not considered that the proposal would increase overlooking significantly to warrant a refusal of the application. Whilst terraces are introduced both opposite properties have existing terraces, and overlooking across roads is normal in an urban environment.
- 8.3.2 No.1 Granville Road, to the north is set away from the proposal by approximately 18m elevation to edge of rear balcony. The property is set away from its own boundary by approximately 8m and the proposed building is set back 10m². The windows in this elevation of Granville Road at higher level are secondary to windows in either the front or rear elevation.

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

8.4 Impact of proposed development on amenity of future occupiers:

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

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

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

8.5 Design issues:

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

- 8.5.9 The contemporary style is considered suitable for the site within this context. The replacement building in terms of the scale and siting within the plot is considered in context with other infill development in the area an appropriate development considering the large corner plot.
- 8.6 Impacts on trees:
- 8.6.1 The application will result in the loss 11 Lime Pollards from the side/rear garden. Our Arboricultural Specialist has confirmed that they are not considered to be sufficiently important to merit a TPO and their loss will only be from a vegetative screening than important arboricultural features point of view.
- 8.7 Impacts on highway network or access:
- 8.7.1 This application seeks approval for the redevelopment of the existing eight apartments at 3 Granville Road and their replacement with a total of 16 apartments, comprising one 1-bedroom unit and 15 no. 2-bedroom units. In principle the proposed redevelopment of this site at this scale is acceptable in terms of traffic impact expected on the surrounding network. In terms of location and local infrastructure, the site benefits from a range of services and public transport within walking distance.
- 8.7.2 A total of 16 parking spaces are proposed to serve the 16 units on site. The ESCC car parking demand calculator has been used and the calculations presented in Appendix D of the transport report. This shows that if no spaces are allocated, the development is likely to create a demand for 10 spaces. The 16 parking spaces would therefore result in a net reduction in on-street parking demand compared with the existing situation (8 flats without any off-street parking), which is welcomed. Amendments to the proposed access and a road safety audit has been undertaken. East Sussex County Council Highways have confirmed they are satisfied that a safe means of access to the development has been adequately demonstrated and there are no highways grounds for objection to the application.

9 Human Rights Implications

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

10 Recommendation

- 10.1 It is recommended that the application is approved, subject to the following conditions:-
- 10.2 The development hereby permitted shall be begun before the expiration of three years from the date of permission.

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

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

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

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

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

Reason: To ensure a satisfactory appearance to the development.

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

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

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

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

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

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

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

- 10.8 No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:-
- The anticipated number, frequency and types of vehicles used during construction.
 - The method of access and egress and routing of vehicles during construction,
 - The parking of vehicles by site operatives and visitors,
 - The loading and unloading of plant, materials and waste,
 - The storage of plant and materials used in construction of the development,
 - The erection and maintenance of security hoarding,
 - The provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - Measures to manage flood risk, both on and off the site, during the construction phase.
 - Details of public engagement both prior to and during construction works.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 Appeal

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

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App.No: 181008	Decision Due Date: 12 December 2018	Ward: Old Town
Officer: Danielle Durham	Site visit date: 11 November 2018	Type: Planning Permission
Site Notice(s) Expiry date: 23 November 2018 Neighbour Con Expiry: 23 November 2018 Press Notice(s): NA		
Over 8/13 week reason: For the application to be discussed at planning committee		
Location: Rose Corner, 34 Dillingburgh Road, Eastbourne		
Proposal: : Proposed single storey side extension to provide ground floor flat		
Applicant: Mr Ashley Bennett		
Recommendation: To approve conditionally		

Contact Officer(s): **Name:** Danielle Durham
Post title: Specialist Adviser
E-mail: danielle.durham@eastbourne.gov.uk
Telephone number: 01323 415489



1 Executive Summary

- 1.1 This application is being reported to committee given the number of objections received.
- 1.2 The site has had a number of previous applications for new dwellings on the site that have either been refused or withdrawn.
- 1.3 The most recent application on the site was a single storey side extension which was approved.
- 1.4 The new application is for the same footprint and size extension as previously approved but with alterations to the layout of windows and for the extension to be a new one bed, one person dwelling.
- 1.5 As the main house has already been sub-divided into two self-contained flats and the extension itself has already been approved, it is considered that there would not be a significant additional impact to either the visual or residential amenity of the area. The proposal is to be considered by the planning committee as there have been 7 objections to the proposal.

2 Relevant Planning Policies

- 2.1 National Planning Policy Framework
 - Paragraph 102 promoting Sustainable transport
 - Paragraph 117 Making effective use of land
 - Paragraph 122 Achieving appropriate densities
 - Paragraph 124 Achieving well-designed places
- 2.2 Eastbourne Core Strategy Local Plan Policies 2013
 - B1 Spatial Development Strategy and Distribution
 - B2 Creating Sustainable Neighbourhoods
 - C4 Old Town Neighbourhood Policy
 - D5 Housing
 - D10a Design
Eastbourne Borough Plan Saved Policies 2007
 - HO2 Predominantly Residential Areas
 - NE14 Source Protection Zone
 - HO20 Residential Amenity
 - UHT1 Design of New Development
 - UHT2 Height of Buildings
 - UHT4 Visual Amenity

3 Site Description

- 3.1 The site consists of a two storey semi-detached building that has previously been sub-divided into flats. The site is located on the Northern corner of the junction of Dillingburgh Road and backs onto a service road providing access to the back gardens of properties in both Dillingburgh Road and Victoria Drive.

4 Relevant Planning History

The property was constructed around 1927. Permission was granted in 1960 for the use of the property as two non-self-contained units subject to a condition that the arrangement would enure for the benefit of the applicant only and the dwelling would be returned to single occupation. The applicant applied for the self-containment of the units in 1970, and this was granted. It is noted in previous permissions that this may have been on compassionate grounds against officer advice.

Planning permission was refused in 1988 for the erection of a detached bungalow in the rear garden and this was dismissed at appeal (EB/1988/0447)

A further two applications were submitted in 2003 one for a bungalow which was withdrawn and one for a chalet bungalow which was refused on the following grounds:

1. That, the proposed dwelling would be out of keeping with the established building pattern of the surrounding area and would comprise an alien and intrusive form of development, in an area characterised by semi-detached dwelling houses with deep rear gardens. As such the proposal would conflict with policy UHT1 of the Eastbourne Borough Plan

2. That the proposal would adversely affect the amenities of occupiers of adjacent properties by reason of the loss of privacy and overlooking of rear gardens. The policy would therefore be contrary to policy HO20 of the Eastbourne Borough Plan (E/2003/0515)

A further application was submitted in 2007 for the erection of single storey extension to form one self contained flat. This was refused on the ground that 'the proposed development would, by reason of its size, siting, and design, result in an incongruous and intrusive feature in the street scene which would be out of keeping with, the character and appearance of the area. As such the proposal would conflict with policies UHT1 and UHT4 of the Eastbourne Borough Plan 2001-2011'

EB/1988/0447

Erection of a detached bungalow, with garage.

Refused, three reasons.

1988-08-17

Dismissed - DoE. letter dd: 10/03/1989 refers.

EB/1970/0352

Alterations and installation of sanitary fittings to self-contain 2 flats.

Granted (Five years).
197 0 -07-23
EB/1960/0497
Installation of sink on first floor.
Granted, subject to conditions.
1960-09-08

030699
Erect a single-storey two-bedroom dwelling.
Planning Permission
Withdrawn
22/06/2003

030759
Erect a part two-storey, part single-storey split level two bedroom dwelling with integral garage.
Planning Permission
Refused
09/10/2003

070507
Erection of single-storey extension at side to form one self-contained flat
Planning Permission
Refused
03/10/2007

130500
Erection of two storey, two bedroomed detached property with garage and access from Dacre Road.
Planning Permission
Refused
03/10/2013

141389
Erection of a detached 2 bedroom bungalow with garage within the rear curtilage of the application site, accessed from Dacre Road.
Planning Permission
Refused
08/01/2015

180814
Proposed single storey side extension with internal alterations
Householder
Approved conditionally
27/09/2018

5 Proposed development

- 5.1 The applicant is seeking planning permission to build a single storey side extension to create an independent flat. The flat would be for one person and would have a total internal floor space of approx. 41.1m². The bedroom would be 11.9m² and 3.4m in width. There is to be a hipped roof the front and faux hipped roof to the rear.
- 5.2 Effectively the application is to build the previously approved extension, but instead of using in connection with the existing building it will form a self-contained 1-bedroom, 1-person flat.
- 5.3 The proposals also seek to sub-divide the back garden in order to provide private amenity space, bin/recycling storage, and cycle storage for the new flat.

6 Consultations

CIL- No response

7 Neighbour Representations

7.1 Objections have been received and cover the following points:

- Increase in parking
- Further subdivision of the property will have a detrimental impact on the area
- Over development of the site
- Impact on street parking
- Over densification of the property
- Increase and impact to parking
- Previous application was for a similar proposal and refused
- Overcrowded site
- Increase to parking
- The extension on the opposite house has a condition that it must not be separate from the main dwelling

This was originally proposed to be an extension

- Over densification of the site
- Set a precedent
- Increase pressure on parking
- Loss of windows on the existing ground floor flat
- The owner is likely to apply in the future to convert the private amenity space into off street parking.
- The flat is too narrow, small and overcrowded and not good living conditions
- Building spate properties within the gardens of properties will degrade the character of the town lowering the quality of life.
- In 2007 a single storey extension to provide a flat was refused the reasons for refusal are still valid.
- Impact to parking
- The property is already divided into flats and it is the only one on the street. Creating three flats would be unprecedented.
- Over development of the plot.

8 Appraisal

8.1 Principle of development:

There is no objection in principle to the creation of new dwelling houses on brownfield land on the basis that it does not materially impact of the visual and residential amenities of surrounding properties and complies with local and national planning policies.

8.2 Amenity of future occupiers:

The proposed flat is single storey and for 1 occupant it is also proposed to have a separate garden and amenity space to the rear with bin storage and Cycle storage. The propose overall floor space of the flat is 41.1m² this exceeds the Governments Nationally described space standards which says that 39m² for a single occupancy single storey dwelling is sufficient. The Space Standards also sets out that a single person bedroom should be 7.5m² and the proposed bedroom is 11.9m which also exceeds the guideline space for a two person bedroom.

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

8.4 It is considered that the structure height, footprint and dimensions of the structure have been previously approved for a single storey side extension under planning application ref 180814 it is therefore considered that there would be no additional impacts of overshadowing or loss of light as a result of the proposal over and above the approved extension.

8.5 It is considered that the proposed windows on the proposed flat would have a similar outlook as the windows approved on the previous application 180814. The window proposed on the front elevation would have a similar view as existing windows on the front elevation and would be overlooking an area visible from the public road. As such it is considered that the front of the flat would not have a significant adverse impact of overlooking and loss of privacy to the front of the properties facing 34 Dillingburgh Road. The windows proposed on the side elevation of the new flat would also be facing over the road and would be overlooking no30 Dillingburgh Road; it is considered that the view from these windows would not cause as much overlooking as is currently available from the public areas outside the property. The proposed glass doors to the rear would also have no more impact of overlooking that the existing windows on the rear of the property.

8.6 Design issues:

The proposed extension to provide a flat would externally appear no different than the previously approved extension in terms of size and scale.

The extension is set back from the principle elevation and the rear elevation is in line with the existing rear elevation of the main dwelling. The materials proposed are to match the existing and would as such be considered to be in keeping with the design of the main dwelling and the design of the area.

- 8.7 The extension is also set back from the side boundary of the plot with adequate space to access the entrance and also to move bins and bicycles from the back garden to the front of the property, and also access the service road to the rear.
- The side extension is similar in appearance, form, scale and siting, as an existing entrance to the side of 33 Dillingburgh Road, on the opposite side of the street to the application site, and also on a corner plot.
- 8.8 The overall size and scale is considered to be in keeping with the property which is a large detached corner plot. It is not considered to create a precedent for the other properties in this area which although are detached they are not corner plots and do not have sufficient space between the properties to provide for side extensions of this nature.
- 8.9 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 will not adversely impact either conservation areas or listed buildings as a result of the proposal.
- 8.9 Impacts on trees:
Trees have been removed to the front of the property prior to decision on this application. Previous refusals for additional dwelling on this site were partly in the basis that the removal of these trees would result in a detrimental impact to the street scene. As the trees have been removed the impact to the street scene as a result of loss of these trees cannot be taken into account.
- 8.10 Impacts on highway network or access:
It is considered that the site has no off street parking and the proposal would increase the number of occupants to the site by 1 additional person. It is considered that the proposal provides for a cycle storage area in the rear garden that would aim to encourage cycling. The site is close to a bus corridor and the Old Town Shops and within 1m of the town centre as such it is considered that there is adequate public transport links in this area not to warrant the need for extra parking spaces.
- 8.11 Sustainable development:
The NPPF requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years worth of housing. As of 1 April 2018, Eastbourne is only able to demonstrate a 3.26 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. National policy and case law has shown that the demonstration of a five year supply is a key material consideration when determining housing applications and appeals.
- 8.12 The National Planning Policy Framework (NPPF) supports sustainable residential development and planning permission should be granted to meet local and national housing needs. The site would be considered a windfall site, as it has not previously been identified in the Council's Strategic Housing Land

8.13 Availability Assessment (SHLAA). The Council relies on windfall sites as part of its Spatial Development Strategy (Core Strategy Policy B1) and this development proposes an increase in residential accommodation to what is currently present, resulting in a net gain of 1 dwellings.

8.14 This application complies with many national and local policies. This is a brownfield, windfall site which the council rely on as part of its Spatial Development Strategy Policy B1. Currently the Borough does not meet the required 5 years' worth of housing land supply and this application would contribute a net gain of 1 dwellings towards this.

Other matters:

8.15 It has been raised by neighbours that the proposal will result in the loss of windows on the side elevation of the existing flat. As part of the application process the applicant has amended the floor plan of the existing ground floor flat in order that there would be no loss of light to habitable rooms. Loss of light to non-habitable rooms such as hallways, kitchens and bathrooms is not a planning concern or ground for refusal.

8.16 It has also be raised by objectors that the proposal would result in the over development of the site. It is considered that the proposal would be no larger in footprint or height that the approved side extension. It is considered that there would one additional dwelling and one additional occupant on the site. It is considered that although this street in particular is predominantly dwelling houses, there are a number of different types of buildings in close proximity for example Seaforth Court which is a modern block of flats and bungalows which backs onto the service road to the application site and is only 100m away. The introduction of a single property that has been converted and extended into three flats would not significant diversify the overall type of dwellings in this area in such a way as to make it lose its character as detached single dwellings as this a small and minor variant form the norm. In addition it is considered that it would not create a precedent for developments of this type as each application is considered on its own merits.

8.17 Objectors have also raised concerns that the proposal would diversify the site and create a precedent for flats and subdivision of properties in this area. It is considered that this property is already divided into flats and has been in this layout for a number of years and there has not been additional flats created on this street since. It is also considered that every application is considered on its own merits and it would not as such create a precedent.

Conclusion

It is considered that the proposed development will not negatively impact the amenity of the occupiers of surrounding properties or be detrimental to the character and appearance of the area. The proposal therefore complies with local and national policies.

9 Human Rights Implications

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

10 Recommendation (This must include the reasons for each condition).

- 10.1 It is recommended that the proposal should be approved conditionally.

Conditions:

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

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

2) The development hereby permitted shall be carried out in accordance with the approved drawings

- Drawing No. 2018-76-03a- Proposed Floor Plans- Submitted 28 November 2018
- Drawing No. 2018-76-09 Proposed Layout Plan and garden layout- Submitted 5 November 2018
- Drawing No. 2018-76-05-Proposed Site Location Plan- Submitted 31 October 2018
- Drawing No. 2018-76-08- Proposed Refuse and Cycle Storage- Submitted 31 October 2018
- Drawing No. 2018-76-04- Proposed Elevations- Submitted 31 October 2018
- Drawing No.

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

3) No part of the development shall be occupied until the Bin and Recycling Storage facilities have been provided in accordance with the approved plans. The area shall thereafter be retained for that use and shall not be used other than for the use of bin/recycling storage,

Reason: to provide adequate refuse disposal for the future occupants.

4) No part of the development shall be occupied until the Cycle parking spaces have been provided in accordance with the approved plans. The area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

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

5) No part of the development shall be occupied until the private amenity space to the rear garden is provided in accordance with the approved plans. The area shall thereafter be retained for that use and shall not be used other than for the approved new dwelling.

Reason: to provide adequate amenity space for the future occupiers.

6) The boundary fence hereby approved to the centre of the existing rear garden to provide separate amenity space should be no higher than 2m and retained as such.

Reason: To prevent adverse impact to the residential and visual amenity of neighbouring properties in accordance with policies D10a and UHT4.

11 Appeal

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

12 Background papers

Not applicable.