

Planning Committee

21 July 2020



Working in partnership with **Eastbourne Homes**

Time: 6.00 pm

PLEASE NOTE: This will be a 'virtual meeting' held remotely in accordance with section 78 of the Coronavirus Act 2020 and section 13 of the related regulations.

Members of the press and public can view or listen to proceedings by clicking on the link provided on the agenda page on the Council's website.

Instructions for members of the Committee and Officers to join the meeting have been circulated separately.

Membership:

Councillor Jim Murray (Chair); Councillors Peter Diplock (Deputy-Chair) Jane Lamb, Robin Maxted, Paul Metcalfe, Md. Harun Miah, Barry Taylor and Candy Vaughan

Quorum: 2

Published: Monday, 13 July 2020

Agenda

- 1 Welcome and Introductions**
- 2 Apologies for absence and notification of substitute members**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**
- 4 Minutes of the meeting held on 25 February 2020 (Pages 3 - 8)**
- 5 Urgent items of business.**

The Chair to notify the Committee of any items of urgent business to be added to the agenda. These are items which the Chair has determined should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972.
In addition, a supplement report will be published to the Council's website and sent to Members in advance of the meeting to provide any updated information relating to the reports on the agenda.
- 6 Eastbourne District General Hospital, Kings Drive ID: 200179 (Pages 9 - 16)**
- 7 The Waterfront Car Park ID: 200138 (Pages 17 - 24)**

8 **68 Southern Road ID: 200203** (Pages 25 - 36)

9 **Date of Next Meeting**

To note that the next meeting of the Planning Committee which is scheduled to commence at 6:00pm on Tuesday, 25 August 2020 will take place in a virtual capacity, via Microsoft Teams, and in accordance with section 78 of the Coronavirus Act 2020 and section 13 of the related regulations.

Information for the public

Accessibility: 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.

Public Participation: Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to submit a speech on a matter which is listed on the agenda if applicable. Where speeches are normally allowed at a Committee, live public speaking has temporarily been suspended for remote meetings. However, it remains possible to submit speeches which will be read out to the Committee by an Officer.

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).

Other participation: Please contact Democratic Services for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

Democratic Services

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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 25 February 2020 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Sammy Choudhury (Reserve), Peter Diplock (Deputy-Chair), Jane Lamb, Robin Maxted, Paul Metcalfe and Candy Vaughan

Officers in attendance:

Helen Monaghan (Lawyer, Planning), Leigh Palmer (Interim Head of Planning), James McLean Smith, (Specialist Advisor for Planning), Anna Clare (Specialist Advisor for Planning) and Emily Horne, Committee Officer.

85 Minutes of the meeting held on 21 January 2020

The minutes of the meeting held on 21 January 2020 were submitted and approved as a correct record, and the Chair was authorised to sign them.

86 Apologies for absence and notification of substitute members

An apology was reported from Councillor Barry Taylor. Councillor Sammy Choudhury was the appointed substitute for Councillor Harun Miah.

87 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 Paul Metcalfe MBE declared a Personal Interest in minute 92, Wood Winton, 63a Silverdale Road, as he knew the architect but was not a close associate and also a Personal Interest in minute 91, Land adjacent to Broadwater Way, as a family member would wish to access specialist schooling in the area in the future.

88 Urgent items of business.

There were none.

89 Right to address the meeting/order of business.

The business of the meeting proceeded in accordance with the agenda.

90 59-63 Summerdown Road ID 190794

Planning permission for the demolition of existing Pentlow Nursing Home, partial demolition of adjacent Summerdown Nursing Home at 59 Summerdown Road. Construction of new 62 no. bed Nursing Home, including relocated entrance/exit on Summerdown Road. Formation of new off-street parking within the 59 Summerdown Road site and reinstating planting, landscaping and external works – **OLD TOWN**.

Mr Strange addressed the Committee on behalf of local residents and expressed a number of concerns. In particular regarding the scale and size of the development, access, parking, loss of light and privacy, and the increased footprint to facilitate 62 bedrooms.

Rebecca Madell, Heritage Champion, spoke in objection to the application stating the application failed to meet Policies UHT1, UHT2, UHT4 and HO20 of the Core Strategic Plan. Referring to the comments from the Design Review Panel, she said they found the proposal cramped and it would be oppressive if built. She said the four storey building would cause loss of light, and severe overlooking issues on three sides of the building. She felt the development was too big, was in the wrong location and there were other more suitable sites in the Borough.

Councillor Ungar, East Sussex County Councillor, spoke in objection regarding the lack of a light survey, size of the building, potential for an increase in traffic and lack of information contained in the plans. He urged the Committee to reject the application.

Simon Franks, Agent, spoke in support of the application stating that many care homes had closed and the replacement care home would provide much needed accommodation for residents in Eastbourne. Purchased in 2007, he said the nursing home had recently been decommissioned as it was no longer suitable and was uneconomically viable, but that a replacement provision was vital. The proposed care home would offer 62 ensuite bedrooms, and a communal area, and would provide 75 full time jobs for local staff.

In discussing the application, the Committee was of a mixed opinion. Councillors felt there was a need for modern care home facilities in Eastbourne and noted that the applicant had revised the application in light of concerns raised by the Committee when the application was previously refused. Some felt that the application had not improved in relation to scale or provision of parking.

A motion to approve the application, proposed by Councillor Murray and seconded by Councillor Vaughan was lost (3 votes to 4).

Councillor Diplock proposed a motion to refuse the application. This was seconded by Councillor Metcalfe, and was carried.

RESOLVED (by 4 votes to 3 votes): That permission be refused for the following reason:

The proposal by reason of its scale, design and relationship to the boundaries of the site is considered to result in an over dominant and unneighbourly form of development that fails to harmonise and build on local distinctiveness. It is considered therefore that the proposal would cause visual harm to the local street scene and have a material impact upon residential amenities currently enjoyed by the occupiers of the neighbouring properties. The proposed development therefore conflicts with the saved policies UHT1, UHT4, NE28 and HO20 of the Eastbourne Borough Plan and Policy D10a of the Eastbourne Core Strategy.

Informative: If the applicant chooses to amend the scheme to mitigate the impacts of the proposal then it is considered that a true two storey frontage building with single storey wings may be a more approval form of development for the site.

91 Land adjacent to Broadwater Way, Broadwater Way ID: 190812

Planning permission for the creation of new Special Educational Needs school, including part single / part two storey main school building, car parking and external play areas, landscaping and refuse storage area – **HAMPDEN PARK.**

Amendments to the report were noted in the Addendum.

Mr Scott-Ralphs, CEO of St. Wilfrid's Hospice, stated that he did not object to the new school, but raised concerns at the potential increase of vehicles using the shared access road during peak periods and loss of overspill parking. If the access road was widened, he said this would help improve traffic flow and enable cars to pass and to park. He also raised concerns regarding potential noise disturbance issues which should be addressed before the start of the build.

Remo Palladino, CEO of Southfield Trust, spoke in support of the application, stating that there was a demand for special need schools in East Sussex. Centrally located, he said the school would reduce travelling time, would be near to the hospital for medical support, and near to the college for students to access further education, and would create 100 new jobs.

Steve Giles, Motion Transport Planning (Transport Consultants for the scheme), confirmed there would be parking for 82 cars with additional drop off bays for 25 vehicles. The set back school meant there would be no blockages if vehicles arrived early and there would be space inside the site for vehicles to queue. He felt that widening the access road would not resolve the problems, but that double yellow lines on the access road would create a safer route into the site. He said the works were compliant with East Sussex Highways standards.

Councillor Whippy, Lead Cabinet Member for Disabilities and Community Safety spoke in support of the application stating that there were not enough school places for children with complex medical needs; the school was financially viable, it would create 100 jobs and was ideally located to reduce travelling distances for parents.

Members welcomed the application for the school, but recognised there was potential for noise disturbance, traffic and parking issues. To mitigate the issues, Members suggested using an alternative access point or widening the verge at the existing entrance to the Hospice and School to create an extended layby. Officers advised that these had been considered, but were not viable due to the loss of habitat / trees and would not be supported by the Ecologist. Although widening the road would encourage cars to pass, it might encourage speeding. Parking bays for dropping off and picking up children would be provided in front of the school and this would be marshalled to stop blockages occurring. Overflow parking would have to be by a private agreement and noise disturbance could be alleviated with an acoustic fence prior to any construction on the site. Concern was also expressed regarding impact on an archaeological dig that was taking place; officers advised the land would be checked before building work commenced.

Councillor Murray proposed a motion to approve the application. This was seconded by Councillor Vaughan.

RESOLVED (Unanimous): That permission be approved as set out in the report and the Addendum, and subject to an additional condition for an acoustic fence to be installed before development commences.

92 Wood Winton, 63a Silverdale Road ID: 190861

Reserved matters application for 6 dwellings approved by outline permission 181206 appeal reference APP/T1410/W/19/3229204 requesting consideration of access, appearance, landscaping, layout and scale - **MEADS**.

The Reserved matters for consideration were the access and landscaping arrangements; site layout and scale and appearance.

Mr Doel (neighbour) addressed the Committee in objection, raising concerns regarding cramped accommodation, overlooking, overdevelopment, inadequate access for service vehicles, lack of garden space and car parking, and risk of surface water flooding.

Mr Scard, Chair of Meads Community Association, referred to the increased scale of development and limited outside space.

Councillor Smart, Ward Councillor, addressed the Committee from the public gallery in objection to the application due to its increase in scale. He also highlighted that the Lead Local Flood Authority had objected to the scheme due to the lack of information provided.

Members were informed that houses No.2 to No.6 would increase from 48 square metres to 63 square metres and house No.1 would increase from 75 square metres to 109 square metres. It was confirmed that surface water drainage was regulated by Condition 7 and this would involve the installation of an alleviation tank that should be approved by the Local Planning Authority and Highways Authority before development commenced. Furthermore, the size of the gardens complied with minimum standards; the access road was able to accommodate two-way traffic and the proposed number of parking spaces was in accordance with East Sussex County Council's guidance for Parking at New Residential Developments. Officers advised that the scale of development was indicative only, so there was some flexibility for the applicant to amend the application.

The Committee welcomed the addition of family homes, but expressed its concern at the scale of the development, the increase in floor area, addition of bedrooms in the roof space, lack of garden space, and questioned the need for the car ports.

Councillor Lamb proposed a motion to defer the application. This was seconded by Councillor Diplock.

RESOLVED (Unanimous): That permission be deferred to enable officers to liaise with the applicant to seek to reduce the scale and footprint of the proposed dwellings. On receipt of the revised drawings then the application be reported back to the Planning Committee for determination.

93 60 Avard Crescent ID: 200037

Planning permission for a proposed rear extension - **RATTON**.

Members were informed that this application had been brought to Committee as the applicant is an employee of Eastbourne Borough Council.

Amendments to the report were noted in the Addendum.

Councillor Murray proposed a motion to approve the application. This was seconded by Councillor Diplock.

RESOLVED (Unanimous): That permission be approved as set out in the report and the Addendum.

94 Appeal Summary (Verbal Update)

There were none.

The meeting ended at 8.25 pm

Councillor Jim Murray (Chair)

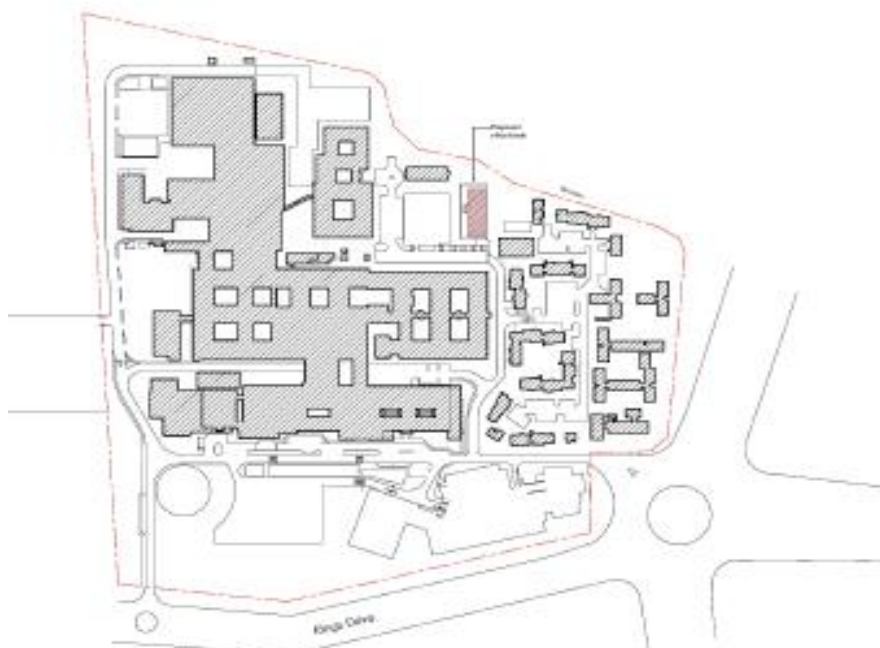
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Agenda Item 6

| | | |
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| App.No: 200179 | Decision Due Date: 2 June 2020 | Ward: Ratton |
| Officer: Chloe Timm | Site visit date: 16 th March 2020 | Type: Planning Permission |
| Site Notice(s) Expiry date: 30 March 2020 Neighbour Con Expiry: Press Notice(s): | | |
| Over 8/13 week reason: Outstanding County Archaeology Consultation and Committee Cycle | | |
| Location: Eastbourne District General Hospital, Kings Drive, Eastbourne | | |
| Proposal: Erection of three storey modular office building (Use Class B1) | | |
| Applicant: Mr Mike Chewter | | |
| Recommendation: That the application is Granted subject to S106 legal agreement to cover the payment of the monitoring fees pursuant to the Local Labour Agreement as outlined in condition. | | |

Contact Officer(s): **Name:** Chloe Timm
 Post title: Senior Caseworker
 E-mail: chloe.timm@lewes-eastbourne.gov.uk
 Telephone number: 01323 415962

Map location



1 Executive Summary

1.1 The application is reported to committee due to development type being classed as a major application with an internal floor space of 1334.1m²

1.2 The proposed development represents the utilisation of the currently disused tennis court situated to the rear of the hospital site.

The application is considered to support the activities of the hospital site, is considered to comply with national and local policies and is therefore recommended for approval subject to conditions.

2 Relevant Planning Policies

2.1 National Planning Policy Framework

2.2 Eastbourne Core Strategy Local Plan 2006-2027

B2 Creating Sustainable Neighbourhoods

C5 Ocklynge & Rodmill Neighbourhood Policy

D8 Sustainable Travel – A2021 Quality Bus Corridor

D10 Historic Environment – Archaeological Notification Area

D10a Design

2.3 Eastbourne Borough Plan 2001-2011

LCF2: Resisting the Loss of Playing Fields

LCF18 Extension to Educational Establishments

TR4 Quality Bus Corridors

UHT1 Design of New Development

UHT4 Visual Amenity

UHT8 Protection of Amenity Space

US4 Flood Protection and Surface Water

US5 Tidal Risk

2.4 Eastbourne Employment Land Local Plan (ELLP- adopted 2016)

3 Site Description

3.1 The application site as it currently stands is a disused tennis court located to the rear of the Eastbourne District General Hospital site.

3.2 The hospital site itself is located on Kings Drive and has two access points, one from Rodmill roundabout and one from Kings Drive.

3.3 The hospital estate has multiple buildings with various hospital departments situated across the site along with internal roads and various areas for car parking throughout the site.

3.4 The south of the site are residential dwellings for use by hospital staff, the hospital social club, outdoor swimming pool and the tennis court subject of this application.

4 Relevant Planning History

4.1 There have been multiple historic applications within the Eastbourne District Hospital site, the most recent being:

- 4.2 180823
Proposed Urology Investigation Suite in former Hailsham Ward Two including new ventilation plant on supporting structure on the existing roof.
Planning Permission
Approved Conditionally
25/10/2018
- 4.3 190623
Proposed over roofing of the existing Boiler House and Generator house, provision of balustrading around roof areas where access is required and addition of 3 no. staircases to allow access to differing levels, including the painting of the existing chimney
Planning Permission
Approved Conditionally
19/09/2019
- 4.4 200069
Installation of an staircase and minor fenestration alterations at the MRI Department
Planning Permission
Approved Conditionally
18/03/2020

5 Proposed development

- 5.1 The application is seeking permission for the removal of the dis-used tennis court and the erection of a three storey modular building.
- 5.2 The proposal is to use the new building as office space ancillary to the hospital
- 5.3 Access to the building will be via the West elevation at ground floor and there will be an external staircase to all floors centrally located on the North elevation.

6 Consultations

6.1 Specialist Advisor (Regeneration)

- 6.1.1 A review of the application for planning permission for the above site identifies: New Build three storey office accommodation – total gross internal floor space 1334.1 sq. m
- 6.1.2 The above planning permission qualifies for a local labour agreement as it meets the thresholds for a commercial development a details on page 11 of the Employment and Training Supplementary Planning Document adopted November 2016.
- 6.1.3 In light of the above, Regeneration supports the application subject to the inclusion of a construction local labour agreement.

6.2 Specialist Advisor (Environmental Health)

- 6.2.1 Please add environmental health conditions in terms of dust, burning and hours of operation to any approved application.

- 6.3 Specialist Advisor (Planning Policy)
- 6.3.1 This application proposes a development of modular office space (Use Class B1a) on a disused and dilapidated tennis court within the grounds of the District General Hospital. This office space would be used for Hospital administration.
- 6.3.2 The site is located within the 'Ocklynge and Rodmill' as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013).
- 6.3.3 Policy C5 is the 'Ocklynge and Rodmill Neighbourhood' policy, which sets out the vision for this area as the following; "*Ocklynge and Rodmill will increase its level of sustainability by improving services and facilities and making the neighbourhood friendlier for pedestrians and cyclists, whilst continuing to promote access to open spaces and creating a more inclusive community.*" This vision will be promoted through a number of factors, including "*Increasing the provision of local and community health facilities.*" Although the extra floorspace is not technically in Use Class D1, the extra office space would constitute an expansion of the Hospital facility, and thus be in keeping with the vision.
- 6.4.5 Tennis Courts are defined in the Borough Plan as an 'Outdoor Playing Field.' Policy LCF2: Resisting the Loss of Playing Fields of the Borough Plan states that "*Proposals that result in the net loss of playing fields will not be permitted...[except where] a) alternative provision of equivalent community benefit is made available...*" The new office space available to the Hospital is of a significant community benefit, especially when compared to the dilapidated and out of use tennis court.
- 6.3.5 Paragraph 97 of the NPPF states that "*Existing open space...should not be built on unless...an assessment has been undertaken which has clearly shown the open space...[is] surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.*" There is an indication that the space is surplus to requirements and is not in use. Again, the benefits of the extra space made available for the Hospital should be taken into account here, as they would constitute a public benefit. Considering this, the application would comply with the NPPF on this point
- 6.3.6 The Eastbourne Employment Land Local Plan (ELLP- adopted 2016) states in Policy EL1 - Economy and Employment Land "*Job growth and economic prosperity in Eastbourne will be supported in order to enable the achievements of a sustainable economy and make Eastbourne a town where people want to live and work...[by]...Taking a positive approach that reflects a presumption in favour of sustainable economic development...*" The proposal would be in keeping with this policy, as it would generate extra employment floorspace.
- 6.3.7 The development would not be CIL liable.

- 6.3.8 It is important to note that this site is identified as being within an Archaeology Notification Area. Policy D10: Historic Environment of the Core Strategy states that *“There will be a presumption against any development that would directly or indirectly have an adverse effect on...Archaeological Notification Areas. Where development is proposed...appropriate assessments will be required and discovered remains will need to be preserved in situ or by record.”* The modular nature of the proposed buildings mean that there is likely to be very little or no disturbance of existing archaeological features, however this will still need to be brought to the attention of the County Archaeologist.
- 6.3.9 The Design and Access Statement that was provided with the application indicates that the application site is not within an area at risk of flooding according to the Environment Agency’s Flood Map for sea, river or surface water flooding. Furthermore, the modular nature of the building, and the fact that the area is currently an impermeable surface, indicate that there should be minimal change to the nature of the area as a whole if the site is developed.
- 6.3.10 As the tennis court is no longer in use, the proposal is consistent with National and Local Policy.

7 Neighbour Representations

- 7.1 No comments have been received

8 Appraisal

8.1 Principle of Development

- 8.1.1 There is no principle conflict with adopted policy, which would prevent approval of the application, subject to consideration of the design and visual impact upon the character of the area and the impact upon the amenity of neighbouring occupants, pursuant to the requirements of the National Planning Policy Framework (2018), policies of the Core Strategy 2006-2027 and saved policies of the Eastbourne Borough Plan 2001-2011.

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

- 8.2.1 It is considered that the erection of the 3-storey modular building will not give rise to a material loss of residential or visual amenity.
- 8.2.2 The proposed location for the building is set to the eastern boundary at the rear of the site and will not be within public view or surrounding street scenes.
- 8.2.3 The proposal is not thought to give rise to any loss of light or cause overshadowing to the surrounding buildings within the hospital site. Overshadowing may be caused to the car parking area to the North however this is considered to be acceptable.
- 8.2.4 The proposal is within close proximity to the hospital residences however due to the current setting of the hospital site the proposed office building is not thought to be out of character in terms of use and noise implications from the use.

- 8.2.5 The South and North elevations of the proposed building will be heavily glazed with less intensive glazing to the East and West elevations.
- 8.2.6 The West elevation faces the main hospital building and on this elevation there is glazing proposed however this will service the entrance, stairway and lobby areas. Due to the nature of this area it is not thought that the windows will be used as view/vantage points to cause issues with privacy.
- 8.2.7 The East elevation is proposed to have high level windows only which will service the washroom areas of the building.
- 8.2.8 From the North elevation views will be out onto the existing line of trees which will screen views of the car parking area and from the South will be onto the outdoor area of the social club/the trees surrounding the hospital site.
- 8.2.9 Outlook from the new building is not thought to be intrusive or impact on the privacy of the occupiers of the surrounding area, this is due to the positioning of the windows and the natural screening provided by the surrounding trees.

8.3 Use

- 8.3.1 The proposed use of the building is to be office space (Class B1) ancillary to the hospital.
- 8.3.2 The new building will allow the relocation of administration staff which will make way for space to be able to provide additional beds with the main hospital areas.
- 8.3.3 The proposal is to relocate existing staff and not to increase the number of staff

8.4 Design

- 8.4.1 Due to the mixed design, style and character within the hospital site the proposed building is thought to be in keeping.
- 8.4.2 The proposal will have a flat roof design which is a common feature of the buildings surrounding the proposed site.
- 8.4.3 The design of the building is relatively uniform in terms of the layout of the windows/glazing features.

8.5 Other Matters

- 8.5.1 The application site falls within an archaeological notification area, to date it is unclear as to whether a HER Consultation Report is required for the application site and this is outstanding with County Archaeology. To avoid further delay with the determination of the application a condition will be set to ensure that this matter is resolved prior to any works taking place on site.
- 8.5.2 The application is considered to comply with Local and National Policy and is therefore recommended for approval subject to conditions.

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 Granted subject to S106 legal agreement to cover the payment of the monitoring fees pursuant to the Local Labour Agreement as outlined in conditions 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:-

- D-20-011-SK-01 P2 – Site Location Plan
- D-20-011-SK-02 – Ground Floor Plan
- D-20-011-SK-03 P2 – First Floor Plan
- D-20-011-SK-04 P2 – Second Floor Plan
- D-20-011-SK-05 P2 – Proposed Sections
- D-20-011-SK-06 P2 – Proposed Elevations
- D-20-011-SK-07 P2 – Proposed Elevations
- D-20-011-SK-08 P1 – Site Plan

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

10.4 No development shall take place within the application site until a heritage statement has been submitted and approved in writing by the Local Planning Authority.

Reason: In order to ensure the protection of the Archaeological Notification Area within the application site.

10.5 Prior to Commencement of Development, Construction and Operational (if applicable) Employment and Training Plans shall be agreed with the Local Authority detailing how the developer will undertake the works in accordance with the Local Employment and Training Supplementary Planning Document. In order to enable the drafting of the Employment and Training Plans by the Council the developer is requested to submit Appendix 3 – Proforma for Construction Phase and Appendix 4 – Proforma for Operational Phase to the Council.

The Employment and Training Plan will be required to cover the whole of the Construction Phase including site preparation and demolition works and will include, but not be limited to the following:

- Details of the monitoring fee to be paid and secured by a S.106 unilateral undertaking if necessary prior to Commencement of Development
- Evidence of awareness and compliance with the Employment and Training Plan in the tendering and award of contract in the construction

- phase
- Submission of a detailed programme of works
- Contact details for all organisations awarded contracts for the development
- Completion of a monthly monitoring form (Appendix 5) and quarterly economic impact checklist – 25% of employees and contractors to be resident/based in East Sussex
- Promotion/advertising of all sub-contracting opportunities to local business and construction/operational vacancies to local people
- Work experience for the unemployed/those aged 14 – 18 years, apprenticeship starts/completions, NVQ starts/completions, curriculum/employability activities and guaranteed job interviews for those unemployed who have participated in site specific training

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

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

- 10.6 Hours of operation at the site during any tree works, demolition, site clearance, preparation and construction shall be restricted to 08:00 to 18:00 hours Monday to Friday and 09.00 to 13:00 hours on Saturdays. No working is permitted at any time on Sundays or Bank Holidays. No machinery shall be operated, no process shall be carried out and no deliveries or collections shall be made at the site outside of these specified times.

Reason: In the interest of maintaining the amenities of nearby residents/occupiers and also in the interest of maintaining the character of the wider area.

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

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| App.No: 200138 | Decision Due Date: 31 July 2020 | Ward: Sovereign |
| Officer: Chloe Timm | Site visit date: 09 May 2020 | Type: Planning Permission |
| Site Notice(s) Expiry date: 28 May 2020 Neighbour Con Expiry: 28 May 2020 Press Notice(s): n/a | | |
| Over 8/13 week reason: Committee Cycle | | |
| Location: The Waterfront Car Park, Eastbourne | | |
| Proposal: Change of use to include seasonal use of the car park for boat storage and extension of car park to provide 60 additional spaces and associated landscaping works (amended description) | | |
| Applicant: Premier Marinas (Eastbourne) Ltd | | |
| Recommendation: Approve Conditionally | | |
| Reasons for recommendation: Approve Conditionally | | |

Contact Officer(s): **Name:** Chloe Timm
 Post title: Senior Caseworker
 E-mail: chloe.timm@lewes-eastbourne.gov.uk
 Telephone number: 01323 415962

Map location



1 Executive Summary

- 1.1 The application is reported to committee due to the number of comments and objections received on the proposal.
- 1.2 The proposed development represents the utilisation of the car park area within the sovereign harbour, a functioning harbour, to be used for additional car parking and boat storage.
- 1.3 The application is considered to support the current activity of Sovereign Harbour, is considered to comply with national and local policies and is therefore recommended for approval subject to conditions.

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework

- 2. Achieving sustainable development
- 4. Decision-making
- 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
- C14: Sovereign Harbour Neighbourhood Policy
- D1: Sustainable Development
- D4: Shopping
- D5: Housing
- D10a: Design

2.3 Eastbourne Borough Plan Saved Policies 2007

- HO20: Residential Amenity
- NE16: Dev Within 250m of Former Landfill Site
- NE18: Noise
- NE28: Environmental Amenity
- SH7: District Local and Neighbourhood Centres
- TR11: Car Parking
- UHT1: Design of New Development
- UHT4: Visual Amenity
- UHT8: Protection Amenity Space
- US5: Tidal Flood Risk

3 Site Description

- 3.1 The application site forms part of the Waterfront Car Park in Sovereign Harbour, the area subject of this application is situated to the north west side of the car park.
- 3.2 The Waterfront Car Park is accessed via Pevensey Bay Road and is available for use by visitors to Sovereign Harbour.

- 3.3 To the south east of the site there is a public foot path and cycle path, Harbour Quay, Sovereign Harbour Yacht Club and the residential properties of St Lawrence Way and Harbour Club Apartments.
- 3.4 The application site as it currently stands has car parking spaces marked out and a one way road system navigating through the area. There are two raised planters located within the car park area, one raised planter to the south of the site as well as a grassed area with planting.
- 3.5 The site was previously referred to as Site 5 Sovereign Harbour, within the Sovereign Harbour Supplementary planning Document 2013 the site 5 had been allocated for use for a community centre. Since the allocation the community centre has subsequently been built on site 6.

4 Relevant Planning History

- 4.1 010727
Temporary storage of boats (to March 2004) on the north-eastern part of the carpark to be bounded by 2 metre high security fencing.
Planning Permission
Approved Conditionally
05/10/2001

5 Proposed development

- 5.1 This application is seeking permission for the extension of the existing Waterfront car park area. The area in question is located to the north western side of the carpark.
- 5.2 The proposal will increase the car park area by 60 spaces.
- 5.3 The car park will be used as seasonal use for boat storage.
- 5.4 The proposal will remove the existing soft landscaping area to the south west of the site and replace this with a new brick planter to match other planters within the car park site.

6 Consultations

6.1 Specialist Advisor (Contaminated Land)

- 6.1.1 I am aware that Soil Limited has prepared a report (very brief 4 pages report) about landfill issue at the site (dated 10 March 2020). But it is not clear whether landfill gas regime will change because of the extension of car park or any intrusive activities at the site. If no intrusive activities at the site, then land contamination condition would be useful, but if any intrusive activities at the site, then as a minimum land fill gas risk assessment will be required at the site.
- 6.1.2 If LPA is minded to grant planning permission, this should be subject to condition.

6.2 Highways ESCC

6.2.1 No objection provided someone is available 24/7 to remove bollards/fencing in the event the route for emergency vehicles through the carpark is required.

6.3 Sovereign Harbour Residents Association

6.3.1 We are commenting on behalf of the Sovereign Harbour Resident Association

6.3.2 The risk we see is that car-park users may seek to create an unofficial access between Pevensey Bay Road and Harbour Quay. We also are concerned that a future application for formal access at this point will be facilitated, unless more permanent and restrictive structures are put in place now – AND supported by appropriate planning conditions, as part of any consent that may be granted for this proposal.

6.3.3 SHRA objects to the creation (whether or not intended, now or future) of any potential access to or from Harbour Quay. Although the present plans show no present intention to do that, it is clear that the north-eastern (lower right) corner of the proposed extension is adjacent to, and level with, the existing highway opening vis. splay at Harbour Quay. It is separated only by a timber 'knee-rail' (readily demountable) and some random stones.

6.3.4 Significantly, the applicant owns all of the land on this side of Harbour Quay – and a site inspection reveals that the existing demarcation between the 'Shingle Bank' and the car-park site, which also consists of a 'knee-rail', encompasses and abuts the highway opening/splay at Harbour Quay. [To that extent, the applicants' plans (19-3346-100 &101) may seem to ignore the risk outlined above.]

6.3.5 In addition, we have been unable to obtain clarity about when the land will be used as a boat store and when it will be used as a car park. We suggest that EBC seeks clarity from applicant as to the months it is likely the land will be used as a boat store and the months when car parking will predominate especially as we understand that there is a contract with

7 **Neighbour Representations**

7.1 33 representations have been received on this application, 1 letter of support, 2 general observation letters and 30 letters of objection.

Support

7.2 Sovereign Harbour is a growing leisure/housing area for Eastbourne.

General Observations

7.3 Car park does not reach full capacity, may as well keep the garden area.
New planters should be installed to ensure privacy to neighbours surrounding.

Objections

7.4 Noise
Privacy

Loss of the Garden/Wildlife/Habitats
Additional Parking Not Required
Encourage nuisance
Concrete Jungle
Light Pollution
Create access between Pevensey Bay Road and Harbour Quay
Use as boat storage changes the use
Visual Harm to the surrounding area.

8 Appraisal

8.1 Principle of Development

8.1.1 There is no principle conflict with adopted policy, which would prevent approval of the application, subject to consideration of the design and visual impact upon the character of the area and the impact upon the amenity of neighbouring occupants, pursuant to the requirements of the National Planning Policy Framework (2018), policies of the Core Strategy 2006-2027 and saved policies of the Eastbourne Borough Plan 2001-2011.

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

8.2.1 It is considered that the proposed change of use and extension to the existing car parking area by removal of existing landscaping would not give rise to a material loss of residential amenity.

8.2.2 It is accepted that the use as seasonal boat storage will give rise to some additional noise in the area however the location of the proposal is in close proximity to the boat storage adjacent to the harbour waters, any additional noise is considered to be in line with existing noise generated and deemed to be acceptable.

8.2.3 It is not considered that the proposal will impact on the privacy of the surrounding occupiers. The application site is within close proximity but is not set directly adjoining the residential properties on Harbour Quay and St Lawrence Way.

8.2.4 The proposal will see the existing planting/garden area to the south west of the site removed. This garden area has been the subject of multiple representations received on the application. It is understood that the garden area was created by a local resident who installed this some years ago and regularly maintains it.

8.2.5 Premier Marina has advised that whilst they allowed the garden to remain in situ this was only until such time that the land would be developed. Premier Marina, as the land owner, could remove this garden at any given time regardless of whether this planning application was to receive approval or not.

8.3 Design

8.3.1 The proposal is in keeping with the surrounding car park, will be laid out to a

similar design will have raised brick planters similar to those in place throughout the carpark.

8.4 Use

8.4.1 The proposal is to extend the car park by an additional 60 car parking spaces with similar one way road system throughout as the existing car park.

8.4.2 Seasonal use as boat storage will also occur within this area of the car park to support the existing boatyard function of the harbour. Sovereign harbour is a functioning harbour with c800 berths; the change of use for seasonal boat storage is considered to be acceptable and will support the harbour.

8.4.3 Access for boats will be via Harbour Quay and when the car park is being used as boat storage a removal fence will be placed around the area to ensure the protection and safety of the public.

8.4.4 It is noted that when the area is in use as boat storage this will be visible within the surrounding area, however, the location being within a functioning harbour is not considered to be out of keeping with the character of the area and is not considered to create visual harm.

8.5 Flood Risk Area

8.5.1 The application site is located within flood risk zone 3 however, due to the use of the site the proposal is not thought to have detrimental impacts with regards to surface water run-off and is it not considered the proposal will impact on existing flood defence measures.

8.6 Contaminated Land

8.6.1 The application site falls within a historic landfill site, following consultation no objection has been raised by the LPA's contaminated land specialist advisor in relation to contaminated land subject to the works not being intrusive and planning condition.

8.6.2 The contaminated land report submitted as part of the application raises no concerns with regards to the works disrupting existing barriers to contaminant and gas movement

8.7 Highways

8.7.1 East Sussex Highways raised initial concerns with regards to impacts on the emergency access route through the site that was secured within the S106 agreement as part of planning application 131002. During the course of the application the concern has been resolved and the proposal has been found to not impact the access route.

8.7.2 Highways have no concerns with regards to the temporary fence that would be in place when the area is being used as boat storage subject to there being someone available in site to remove this in the event of the emergency access

route being required. It has been confirmed that there is a staff presence on site 24 hours a day 365 days a year.

8.8 The application is recommended for approval.

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.

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:-

- 19-3346-100-P2 – Location Plan and Ownership Boundary
- 19-3346-201-P2 – Proposed Site Clearance Plan
- 19-3346-202-P2 – Proposed Site Plan

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

10.4 In the event that contamination not previously identified is found to be present at the site, no further development shall be carried out (unless otherwise agreed in writing with the Local Planning Authority) until a remediation strategy detailing how contamination will be dealt with has been submitted to, and approved in writing, by the Local Planning Authority. All subsequent development shall be carried out in strict accordance with the approved remediation strategy prior to first use of the development, hereby approved.

Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10.5 Details of the chemical testing and assessment of all re-used or imported soils for the development, hereby approved, which demonstrates the suitability of the soils for the proposed use, shall be submitted to and approved in writing by the Local Planning Authority prior to the use of soil in relation to the development.

The assessment shall be undertaken by a suitably qualified and competent person. Thereafter, only approved soils shall be used in the development.

Reason: To ensure that all re-used or imported soils are safe for their intended use.

- 10.6 Prior to the first use of any part of the development, a written verification report shall be submitted to and approved in writing by the Local Planning Department which demonstrates that only soils suitable for the proposed use have been used. The report shall include results of sampling and monitoring carried out in accordance with the approved verification scheme to demonstrate that the site remediation criteria have been met.

Reason: To ensure that any contamination of the land is remediated to protect future occupants of the development and local water sources from unacceptable levels of pollution.

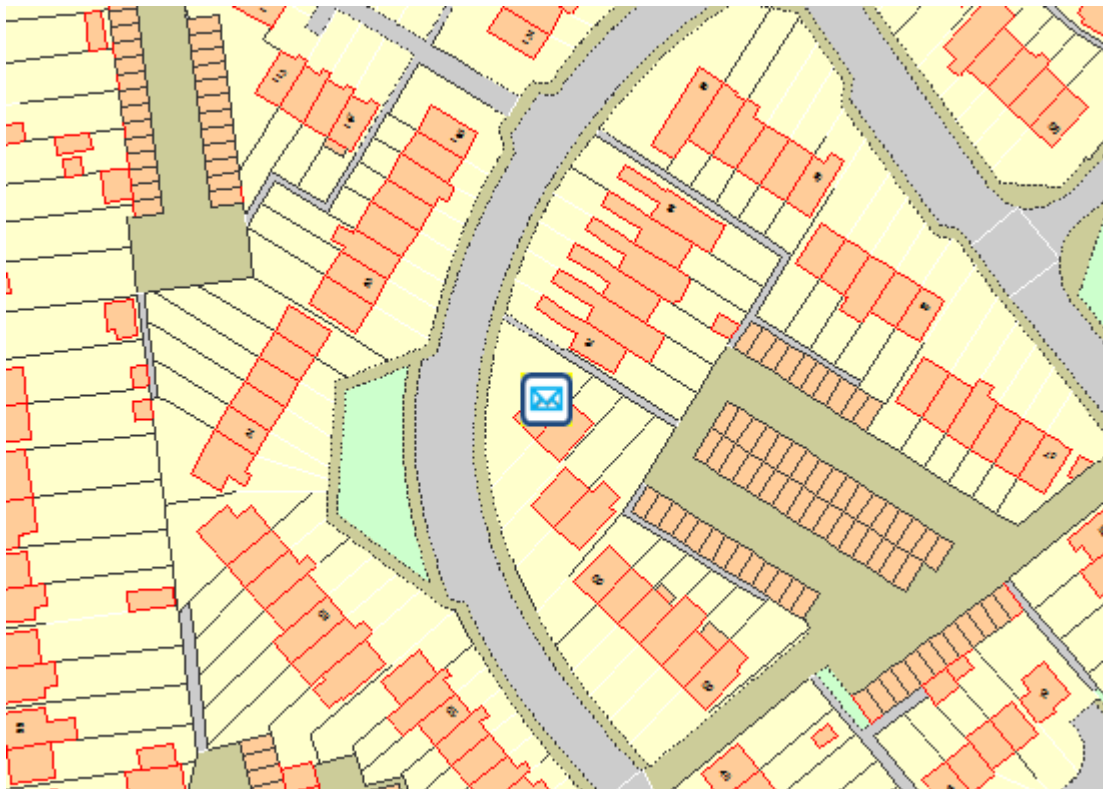
11 **Appeal**

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

Agenda Item 8

| | | |
|---|--|-------------------------------------|
| App.No: 200203 | Decision Due Date: 4 May 2020 | Ward: Hampden Park |
| Officer: Neil Collins | Site visit date: 19 th March 2020 | Type: Planning Permission |
| Site Notice(s) Expiry date: 6 April 2020 Neighbour Con Expiry: 6 April 2020 Press Notice(s): | | |
| Over 8/13 week reason: Committee cycle | | |
| Location: 68 Southern Road, Eastbourne | | |
| Proposal: : Erection of three bedroom dwellinghouse | | |
| Applicant: Mr Gianfranco del Medico | | |
| Recommendation: Grant Planning Permission subject to conditions | | |

Contact Officer(s): **Name:** Neil Collins
 Post title: Specialist Advisor - Planning
 E-mail: neil.collins@eastbourne.gov.uk
 Telephone number: 01323 4150000



1 Executive Summary

- 1.1 This application is brought to the Planning Committee at the discretion of the Head of Planning.
- 1.2 The application seeks permission for the erection of a three bed dwelling, which would adjoin the western elevation of an existing pair of semi-detached dwellings.
- 1.3 This application follows the grant of planning permission for the erection of a house on the site, which is almost identical in design other than the addition of a roof extension to increase the accommodation provided.
- 1.4 Planning permission has previously been refused for a similar scheme for a single dwelling at 131 Southern Road and subsequently allowed at appeal. This decision has carried significant weight in the grant of planning permission for a dwelling at this site. The reasons for refusal of the previous application are discussed in more detail later in this report, but this application is considered to overcome the previous reasons for refusal and meet all other adopted policy requirements.
- 1.5 The application has attracted a total of 11 objections.
- 1.6 The application is recommended for approval, subject to conditions.

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework (2019)

2. Achieving sustainable development
3. Plan-making
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
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

2.2 Eastbourne Core Strategy Local Plan (2013)

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C7: Hampden Park
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D10a: Design

2.3 Eastbourne Borough Plan – Saved Policies

- NE4: Sustainable Drainage Systems;

UHT1: Design of New Development;
UHT2: Height of Buildings;
UHT4: Visual Amenity;
HO1: Residential Development Within the Existing Built-Up Area;
HO2: Predominantly Residential Areas;
HO6: Infill Development;
HO20: Residential Amenity;
TR2: Travel Demands
TR6: Facilities for Cyclists;
TR11: Car Parking;

3 Site Description

- 3.1 The application site is located on the north-eastern side of Southern Road, within the Hampden Park Neighbourhood. It currently comprises a two-storey single-family dwelling, which is part of a pair of semi-detached dwellings.
- 3.2 The site does not comprise any listed buildings, nor is the site located within any designated conservation area or an Area of High Townscape Value.
- 3.3 A portion of the site is located within Flood Zone 2.
- 3.4 The site is not located within any designated Conservation Area and the application site does not comprise any statutorily listed buildings.

4 Relevant Planning History

- 4.1 190137
Erection of 2 bedroom single family dwelling
Planning Permission
Withdrawn
17/05/2019
- 4.2 191027
Erection of two bedroom single family dwelling
Approved with conditions
04/03/2020
- 4.3 131 Southern Road

190132
Proposed erection of a 3 bed semi-detached dwelling
Refused, 04/06/2019
Allowed at appeal
25/11/2019

5 Proposed development

- 5.1 The application seeks permission for the erection of a three bed dwelling, which would adjoin the western elevation of an existing pair of semi-detached dwellings.

- 5.2 The dwelling would be two-storey and would comprise a stepped floor plan due to the location on the bend in Southern Road.
- 5.3 The proposed dwelling would have access to a rear private amenity space, which would be enclosed by a close boarded fence, and the proposal includes a designated refuse and recycling storage area to the rear of the building.

6 Consultations

6.1 Internal
None

External

6.2 Given the development is under 5 new residential units then it falls to be determined under the ESCC Highways standing advice.

7 Neighbour Representations

7.1 A total of 11 objections and 1 neutral representation have been received following public consultation with neighbouring residents. Objections are made on the following material planning grounds:

- Drainage
- Parking
- Highway safety
- Loss of green space

8 Appraisal

8.1 Principle of development:

- 8.1.1 The site is located within the built-up area and also within an area recognised as predominantly residential by Policy HO2 of the Eastbourne Borough Plan. This Policy states that, in order to ensure that at least 60% of residential dwellings are built on previously developed land, planning permission will be granted for residential schemes in the areas identified on the Proposals Map as predominantly residential areas. The Policy goes on to state that infill development, such as can be described by this planning proposal, is an acceptable method of fulfilling this aim.
- 8.1.2 The site is located within the Hampden Park Neighbourhood Area. Policy C4 of the Core Strategy states that some residential development should be carried out within this area, with infill development and redevelopment of commercial premises identified as appropriate ways of achieving this.
- 8.1.3 As an example of infill development within the Hampden Park Neighbourhood, the principle of the proposed development is considered to be acceptable.
- 8.1.4 The National Planning Policy Framework (NPPF) requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of October 2019, Eastbourne is only able to demonstrate a 1.43 year supply of housing land,

meaning that Eastbourne cannot demonstrate a five-year housing land supply. National policy and case law has shown that the demonstration of a five year supply is a key material consideration when determining housing applications and appeals. It also states that where relevant policies are out-of-date, permission should be granted “*unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole*”, (NPPF, paragraph 11).

8.1.5 This site would be considered a windfall site, as it has not been previously been identified in the Council’s Strategic Housing Land Availability Assessment (SHLAA). The Borough Plan Policy HO2 identifies this location as being predominantly residential. In this area, windfall sites are one of the ways additional housing is achieved. Additionally, Policy HO2 states that “...*to ensure that at least 60% of homes are built on previously developed land...schemes for new homes will be achieved through...conversion of existing residential... use to provide additional dwelling units.*” The application will result in a net gain of 4 residential units.

8.2 Impact of proposal upon the amenity of adjoining residents

8.2.1 The proposed dwelling would be situated to the west of number 68 and to the south of number 70, which forms the southern end of a terrace of dwellings fronting Southern road.

8.2.2 *Privacy*

Number 68 provides an existing northerly view to the nearest neighbouring property, number 70 Southern Road, to which it is perpendicular. As such the existing view is to the flank wall of number 70, although views are also afforded over the rear garden.

8.2.3 The proposed dwelling would provide an outlook to the rear that would be similar in relationship to number 70. However, a very oblique view would be made possible from proposed rear facing windows to those at number 70. It is not considered that this would allow for any intrusive view that would result in a loss of privacy.

8.2.4 The application seeks to provide additional accommodation within an extended roof space when compared to the approved dwelling on the site, which was limited to accommodation on two floors. Given the arrangement, it is not considered that the additional windows would have any significant impact upon neighbour privacy and is considered to be acceptable in amenity terms.

8.2.5 *Dominance*

Given that the proposed dwelling, together with the proposed additional bulk at roof level, would not appear within views from adjoining neighbour’s windows, it is not considered that the proposal would have a significant dominant impact upon the outlook for neighbouring occupants.

8.2.6 *Impact upon light loss for neighbouring dwellings*

The proposed addition of a rear dormer roof form beyond the approved development is not considered to have any significant impact upon light serving neighbouring habitable room windows, taking account of the orientation of the

buildings.

8.2.7 Taking account of the above considerations, it is considered that the proposed development would not result in a significant impact upon amenity and is considered to be acceptable in terms of the impact upon existing neighbouring residents, in accordance with Policy HO20 Residential Amenity.

8.3 Impact of proposed development on amenity of future occupiers

8.3.1 *Standard of proposed accommodation:*

The proposed dwellings would generally provide a good standard of accommodation for future occupants, being well arranged on plan. The proposal would create a single dwelling with 3 bedrooms, suitable for a total of 4 individuals.

8.3.2 The 'Technical housing standards - nationally described space standards', adopted by central Government in March 2015 defines the requirements for internal space standard for new residential units, including both the Gross Internal Area (GIA) of each unit and the internal floor area of individual rooms and storage space. Each of the proposed dwellings would comprise dwellings of the same size and arrangement. As such, the table below provides details of the proposed internal areas for assessment, based upon the common design of the proposed dwelling.

8.3.3

| | Required | Proposed | Complies |
|-------------|---------------------------------------|--------------------|-----------------|
| Bedroom 1 | 11.5m ² (double) | 15.9m ² | Yes |
| Bedroom 2 | 7.5m ² (single) | 7.5m ² | Yes |
| Bedroom 3 | 7.5m ² (single) | 10.3m ² | Yes |
| Total (GIA) | 90m ² (3 storey, 3b 4p) | 90m ² | Yes |

8.3.4 The proposed unit would meet the minimum internal space standards in terms of the total Gross Internal Area and individual bedroom sizes required by the 'Technical housing standards - nationally described space standards'.

8.3.5 *Outlook and privacy:*

The proposed dwellings comprise a suitable level of outlook for future occupants taking into account the obscure glazing. It is not considered that there would be any privacy issues and the scheme is considered to be in accordance with Policy HO20 Residential Amenity.

8.4 Design issues:

8.4.1 The proposed dwelling is an enlarged design compared to the approved dwelling insofar as it adds bulk to the roof of the building for additional accommodation at second floor level.

8.4.2 To recap on the considerations of the approved dwelling design, it is considered that the building would be a logical addition to the existing dwellings when viewed within the wider street scene. It is noted that the building would form the

end of the existing dwellings in this part of Southern Road and that, together with the location on the bend of the road, that it would be closer to the pavement than other houses in the vicinity, which are typically set further back. However, the building design is stepped, so as to reduce the bulk on the corner of the building. The resulting design is not considered to be overly dominant in the street scene.

8.4.3 The proposed dwelling would reduce the amount of land currently afforded around the existing dwellings. However, the general layout of dwellings and the open character of the local area would not be significantly impacted by the proposal.

8.4.4 When considering the proposed additional bulk at roof level (the change to the approved design proposed within this application), it is considered that the resulting appearance would not be overly obtrusive or dominant. The dormer element would also be set back from the side elevation, so as to reduce its presence within views from Southern Road.

8.4.5 It is noted that there are other dormer roof forms on neighbouring properties that form part of views within the street scene and that the proposed is considered to be in keeping with the general character of the area.

8.4.6 The proposed development would be finished in materials to match the existing and neighbouring buildings in terms of its visual appearance.

8.5 Impacts on highway network or access:

8.5.1 *Access:*

The site is located in the Hampden Park Neighbourhood, which is noted as a sustainable neighbourhood within the Core Strategy. Therefore, residential development is considered to be acceptable in principle in this location. The site is located within walking/cycling distance of Hampden Park Train Station and a number of amenities, as well as a number of bus routes in the vicinity. Therefore, residents of the proposed development would have access to a number of methods of transport other than use of a motor vehicle. This contributes to the Council's aim of being carbon neutral by 2030.

8.5.2 *Cycle storage facilities*

The submitted plans do not include the provision of cycle storage facilities at the site, but it is considered that there would be sufficient space to accommodate facilities to meet policy requirements. As such, their provision would be secured by condition of permission.

8.5.3 *Parking:*

The proposed dwelling would provide a relatively small amount of accommodation, suitable for 4 individuals. Therefore, the parking demand generated by the development would be very low. No off street parking is proposed for the site, so parking would need to be accommodated on street.

8.5.4 It is also noted that planning permission has been granted by way of an appeal at 131 Southern Road. In deciding the appeal, the Inspector noted that the demand generated by a single house in this location would be generally very low and that it is likely that this demand could be accommodated on street. Taking

this into account, it is not considered that the impact upon on-street parking could reasonably be defended as a reason for refusal.

8.6 Highway Safety

8.6.1 The proposed dwelling would be closer to the highway than existing neighbouring buildings and, together with the location on the bend in this part of Southern Road, this has attracted a number of concerns from neighbouring residents regarding road safety. This has been carefully considered as part of the previous application for a dwelling and it is noted that the impact upon road safety would not be altered as a result of this modified proposal.

8.6.2 Road safety concerns from objectors can be broken down into two main parts; visibility and additional on-street parking. In terms of visibility, a distance of 2.3m would be retained from the pavement edge to the closest part of the proposed dwelling. Neighbouring dwellings to the north of the application site, numbers 70 to 80, include driveways that are directly accessed from Southern Road. Concerns have been raised regarding the visibility from vehicles using these driveways, particularly that of number 70, which is closest to the application site.

8.6.3 The proposed 2.3m set back of the proposed building from the edge of the site is considered to provide sufficient visibility splays to the side of the existing driveway across the application site. A condition is recommended to ensure that no enclosures or other structures that might otherwise be afforded by permitted development legislation could be erected to impact upon the visibility splay. Furthermore, this would also restrict the ability for a hardstanding to be created at the application site for off street parking for the proposed development.

8.6.4 When considering views from neighbouring driveways, it is noted that due to the bend in Southern Road cars parked on street are the main obstacle to views of oncoming traffic from existing driveways. Due to the unfettered nature of on-street parking, this can include cars parked back to back along the length of the road, incidentally including in front of the driveway to number 70, given the absence of any white line on the road surface.

8.6.5 Turning to the safety impacts related to any increased on-street parking demand, it is noted that the proposal would not affect the location of vehicles parked on street taking into account the lack of on-street parking controls. Therefore, on-street parking and the ease of movement by vehicles on the highway, including emergency vehicles, would remain unchanged from the existing arrangement.

8.6.6 Taking the above into account, the proposal is considered to be acceptable in terms of highway safety.

8.7 Other matters:

8.7.1 *Refuse/Recycling storage facilities:*

The application proposes dedicated refuse/recycling storage facilities at the rear of the site, which is considered to be suitable for ease of collection by refuse operatives. Their provision prior to first occupation would be secured by condition.

8.7.2 *Drainage*

A comprehensive sustainable drainage scheme has been required by condition of the approved application. Details have been submitted to discharge that condition, which are currently being considered by ESCC Flood Risk Team.

8.7.3 In the absence of any response from ESCC prior to determination by Committee, the same conditions are recommended for this application. However, any response, or indeed approval from ESCC in relation to drainage will be reported to Committee in an addendum.

8.7.4 In terms of the connection to the foul sewer, this would be a matter for Southern Water, who would need to approve new connections to the system prior to habitation and this is included as an informative on the decision notice.

8.8 Conclusion

8.8.1 The proposed development is considered to meet the requirements of adopted policy.

8.8.2 Eastbourne is only able to demonstrate a 1.57 year supply of housing land, therefore In accordance with paragraph 14 of the NPPF, 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'.

8.8.3 The proposal will result in the net gain of a residential dwelling in a sustainable location, which meets current residential standards. For reasons outlined in the report the design, layout and any impacts upon existing residential properties, as well as highway safety, are considered to be acceptable. Therefore, the development is considered to be compliant with adopted policy in all respects.

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 Grant Planning Permission 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

approved drawings and documents received on **9th March 2020**:

- **Drawing: 11 – Site Location and Block Plans**
- **Drawing: 14 - Proposed Plans**
- **Drawing: 15 – Proposed Elevations**
- **Flood Risk Assessment, produced by CKA Architects**

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

- 10.4 The external finishes of the development, hereby permitted, shall match in material, colour, style, bonding and texture to those used in the external surfaces of the existing dwelling.

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

- 10.5 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 development shall be undertaken without the prior grant of planning permission by the Local Planning Authority.

Reason: In the interests of the design, impact upon neighbouring residents and highway safety.

- 10.6 No above ground build shall take place until details of a surface water drainage scheme have been submitted to and agreed in writing by the local planning authority. The surface water drainage scheme should be supported by an assessment of the site's potential for disposing of surface water by means of a sustainable drainage system and be carried out or supervised by an accredited person. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM). The implementation of the surface water drainage scheme shall thereafter be carried out in accordance with the approved details prior to the occupation of the dwelling hereby approved.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve existing habitats.

- 10.7 Following completion of the works a statement by an accredited person, who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM), confirming that the suds scheme approved under condition 6 has been fully implemented shall be submitted to the Local Planning Authority.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve existing habitats.

- 10.8 Prior to first occupation of the development, hereby approved, refuse and

recycling storage facilities shall be provided in accordance with the approved plans. Thereafter, the facilities shall be retained solely for the storage of refuse and recycling in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the amenity of future occupants of the development and the health and safety of the site.

- 10.9 Prior to first occupation of the development, hereby approved, secure and covered cycle parking shall be provided within the rear garden area. Thereafter the facilities shall be retained solely for the parking of cycles, in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

- 10.10 The recommendations contained within the submitted Flood Risk Assessment (received 9th March 2020) shall be adhered to in full. All future habitants of the residential unit, hereby approved, shall be signed up to the Environment Agency's Flood Warning Service.

Reason: In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants.

Informatives:

- 1) In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework. This included amendments to the proposal during the course of the application.
- 2) Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You are advised that carrying out any building works that can be heard at the boundary of the site, including demolition, site clearance or building operations, should only take place only between the hours of 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays.
- 3) Your proposals may be subject to control under the Building Regulations which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings.
- 4) A formal application regarding the impact upon and connection to the public sewerage system is required in relation to this development. For further information, the applicant is advised to contact www.southernwater.co.uk
- 5) In relation to condition 9 above, future residents can be signed up to the Environment Agency's Flood Warning Service at: www.gov.uk/sign-up-for-flood-warnings

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.