

Planning Committee

20 October 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.

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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, Md. Harun Miah, Colin Murdoch, Barry Taylor and Candy Vaughan

Quorum: 2

Published: Monday, 12 October 2020

Agenda

- 1 Minutes of the meeting held on 25 August 2020 (Pages 5 - 8)**
- 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 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.
- 6 183 Langney Road. ID: 200402 (Pages 9 - 24)**

- 7 **Eastbourne District General Hospital, Kings Drive. ID: 200179** (Pages 25 - 32)
- 8 **Esperance Private Hospital, Hartington Place. ID: 200565** (Pages 33 - 50)
- 9 **Land adjacent to Southfields Court, Southfields Road. ID: 200323** (Pages 51 - 64)
- 10 **Date of Next Meeting**

To note that the next meeting of the Planning Committee which is scheduled to commence at 6:00pm on Tuesday, 24 November 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 Remote meeting (via Microsoft Teams) on 25 August 2020 at 6.00 pm.

Present:

Councillors Peter Diplock (Deputy-Chair, In the Chair), Jane Lamb, Robin Maxted, Md. Harun Miah, Colin Murdoch, Barry Taylor and Candy Vaughan.

Officers in attendance:

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

Also in attendance:

Councillor Robert Smart (Opposition Leader).

10 Welcome and Introductions

The Chair introduced members of the Committee via roll call, and those officers present during the remote meeting.

11 Apologies for absence and notification of substitute members

An apology for absence had been received from Councillor Jim Murray. Councillor Amanda Morris declared that she was acting as substitute for Councillor Murray for the duration of the remote meeting.

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

There were none.

13 Minutes of the meeting held on 21 July 2020

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

14 Urgent items of business.

There were none.

15 21-25 Gildredge Road ID: 200322 & 200332

ID: 200322 – Planning permission for the change of use from A1, A2 & B1a use to proposed residential use providing 15No. self-contained dwellings and associated facilities and **ID: 200332** – Planning permission for a loft conversion for the provision of 2 new dwellings – **MEADS**.

The Specialist Advisor informed the Committee that the applicant had submitted a report stating that they were not able to provide a financial contribution towards affordable housing, either on site or as a commuted sum and that the outcome of the independent assessment was awaited. He explained that if the independent assessment was approved and it was accepted that it was not viable, then the development would be approved without requiring affordable housing. If the assessment was not approved, then the Council would seek 30% affordable housing or refuse the application. Alternatively, if one application was approved and the other was refused, then a mechanism would be put in place within the S106 Agreement to ensure the appropriate contribution was received.

Councillor Smart, Ward Member, addressed the Committee. He stated that he was not against the application in principle but felt the obligation of affordability should continue irrespective of the outcome of the viability statement, and more parking should be provided.

The Committee welcomed the development, but raised concerns regarding the lack of a lift, parking spaces, car charging points, the loading/unloading of vehicles and the size of the 1 bedroom/1 occupant flats. Members were concerned that the affordable viability statement was still outstanding.

A Member asked if an advisory condition or informative could be imposed on residents to limit ownership of cars. The Lawyer advised the Committee that such a condition must be enforceable. The Specialist Advisory Officer confirmed that the Committee's concerns would be conveyed to developer.

Councillor Diplock proposed a motion to approve application ID: **200322**. This was seconded by Councillor Miah, and was carried.

200322 - RESOLVED (Unanimous): That permission be approved, subject to a S106 legal agreement securing affordable housing and a Local Labour Agreement and the remaining conditions set out in the report.

Councillor Diplock proposed a motion to refuse application ID: **200332**. This was seconded by Councillor Miah, and was carried.

200332 - RESOLVED (Unanimous): That permission be refused, subject to the conditions set out in the report.

16 Mansion (Lions) Hotel, 32-35 Grand Parade ID: 200280

Outline planning permission for the Conversion of rear part of hotel at 15-21

Hartington Place to 21N° two bedroom flats – **MEADS**.

The Committee was advised by way of an addendum report, of a revised recommendation, should the application be approved. Following an external viability assessment report it was concluded that the scheme could not sustain the delivery of affordable housing, therefore the requirement was removed from the recommendation.

In discussing the application, the Committee expressed concern at the loss of hotel rooms, retention of windows, parking, appropriate cycle and bin storage, paint colour and potential for an HMO (House in Multiple Occupation).

The Specialist Advisor stated that the conditions would be amended to monitor the façade of the building and restore the windows where appropriate. The applicant would be asked to supply details regarding the cycle storage and paint colour. He further advised that any conversion to HMO use would not be supported.

Councillor Miah proposed a motion to approve the application. This was seconded by Councillor Morris.

RESOLVED (Unanimous): That outline permission be approved subject to a S106 Agreement securing local labour and reasonable investment in retained tourism use and the conditions set out in the report.

17 Mansion (Lions) Hotel, 32-35 Grand Parade ID: 200280

Listed Building Consent for the Conversion of rear of hotel at 15-21 Hartington Place to 21N° two bedroom flats (Outline planning application under reference 200280) – **MEADS**.

Councillor Vaughan proposed a motion to approve the application in line with the officer's recommendation. This was seconded by Councillor Miah.

RESOLVED (Unanimous): That Listed Building Consent permission be granted, subject to the conditions set out in the report.

18 Date of Next Meeting

Resolved:

That the next meeting of the Planning Applications Committee which is scheduled to commence at 6:00pm on Tuesday, 22 September 2020 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, be noted.

The meeting ended at 7.22 pm

Councillor Peter Diplock

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Agenda Item 6

Report to: Planning Committee
Date: 20 October 2020
Application No: 200402
Location: 183 Langney Road, Eastbourne
Proposal: Clearance of site and construction of 7 x 1 bed maisonettes, 4 x 2 bed maisonettes and 1 x studio flat (12 units total)
Applicant: Aspiration Homes
Ward: Devonshire
Deadlines: **Decision Due Date:** 15 September 2020
Site Notice(s) Expiry date: 17 July 2020
Neighbour Con. Expiry: 17 July 2020

Recommendation: Approve subject to the following conditions and a Section 106 agreement to secure affordable housing and local employment training

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

Map Location:



1. **Executive Summary**

- 1.1 The proposed development represents the optimisation of the residential use of a brownfield site whilst ensuring that suitable living conditions are provided for future occupants and the amenities of neighbouring residents are preserved. It is not considered that the loss of the ground floor shop unit would compromise the viability and vitality of the District Shopping Centre.
- 1.2 Adequate mitigation measures have been provided to address dangers posed to future occupants as a result of flood risk. Due to the sustainable location of the site and the likely tenure of the units, it is considered a zero parking development is acceptable in this instance.
- 1.3 The proposed development would be constructed and managed by Aspiration Homes, a partnership between Lewes District Council and Eastbourne Borough Council and will provide 100% social housing .

2. **Relevant Planning Policies**

- 2.1 Revised National Planning Policy Framework 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
 - 14. Meeting the challenge of climate change, flooding and coastal change
 - 16. Conserving and enhancing the historic environmentNational Government Planning Practice Guidance
- 2.2 National Design Guide (2019)
- 2.3 Eastbourne Core Strategy Local Plan 2006-2027:
 - B1: Spatial Development Strategy and Distribution
 - B2: Creating Sustainable Neighbourhoods
 - C1: Town Centre Neighbourhood Policy
 - D1: Sustainable Development
 - D4: Shopping
 - D5: Housing
 - D8: Sustainable Travel
 - D9: Natural Environment
 - D10: Historic Environment

D10a: Design

2.4 Eastbourne Borough Plan Saved Policies 2007:

NE18: Noise

NE28: Environmental Amenity

UHT1: Design of New Development

UHT4: Visual Amenity

UHT15: Protection of Conservation Areas

US4 Flood Protection and Surface Water Disposal

HO1: Residential Development Within the Existing Built-up Area

HO9: Conversions and Change of Use

HO20: Residential Amenity

TR2: Travel Demands

TR11: Car Parking

US4: Flood Protection and Surface Water Disposal

3. **Site Description**

3.1 The site is occupied by a single-storey flat roof building that had been divided into 4 x shop units, each of which with a shop front facing onto Langney Road. Units a, b and c have been vacant for a significant period of time and the roofing over them has collapsed. As a result, hoarding has been erected to the front of these buildings. The remaining unit has been in more recent use and appears to have maintained structural integrity. There is a group of partially collapsed storage buildings to the rear of the site. The partially collapsed shop units and outbuildings have been colonised by overgrowth which has also spread across the open areas to the rear of the site. The site onto Langney Road (B2136) which connects Seaside with Eastbourne Town Centre. It is also close to the junction between Langney Road and Seaside (A259).

3.2 The site is positioned on the southern edge of the Langney Road to Springfield Road District Shopping Centre, which provides an assortment of retail and restaurant uses as well as community facilities. The majority of these uses are accommodated within terraces of three-storey buildings with residential uses occupying the upper floors. The predominant form of development shifts to residential use in the areas to the south and west of the site..

3.3 There is no overriding pattern in the architectural style of surrounding buildings although generally characteristics are of terraces of two and three-storey buildings of traditional appearance interspersed with occasional more modern development of three and four-storey flat roof and mansard roof structures. These more modern structures are generally absent from areas around the opposite side of Langney Road (south of the site) and the opposite side of Seaside (east of the site) which fall within the Seafront and Town Centre Conservation Area

- 3.4 From a spatial perspective, buildings within the surrounding area generally face directly onto the pavement and the density of development is relatively high, with only small gaps being maintained between individual buildings/terraces
- 3.5 The majority of the site falls within Tidal Flood Zone 3. A small portion, in the south-western corner of the site, falls within Flood Zone 2 and there is also a smaller pocket that falls within Flood Zone 1, adjacent to the western site boundary. There are no other specific planning constraints or designations attached to the site or the immediate surrounding area

4. **Relevant Planning History**

4.1 040835

Demolition of existing shops and erection of four storey building comprised of two retail shops, 6 no. one-bedroom flats and 6 no. bedsit flats (outline application).

Refused – 11th August 2004

4.2 080660

Proposed demolition of existing three single storey retail units and erection of new three storey development comprising two retail units at ground floor level and six residential units to upper storeys (four 1 bed units and 2 studio units) with ancillary cycle storage and rear amenity area accommodation. (Outline Application).

Approved Conditionally – 9th December 2008

4.3 141346

Demolition of 3 vacant retail units and construction of 9no. one and two bed apartments.

Approved Conditionally – 29th July 2015

5. **Proposed Development**

- 5.1 The site involves the removal of all remaining buildings and structures from the site and their replacement with a four-storey flat roof building that would accommodate a total of 12 x self-contained residential units (7 x 1 bed maisonettes, 4 x 2 bed maisonettes, 1 x studio flat).
- 5.2 The main frontage of the building would measure approximately 15.6 metres and it would face directly on to the pavement. The building would project approximately 17.4 metres towards the rear of the site, with the flank elevations stepping inward to reflect the tapering nature of the site boundaries, resulting in the rear elevation of the building being narrower, at approximately 7.8 metres in width. The roof top height of the building would be approximately 12.9 metres above site ground level. The lift shaft would project a further 0.5 metres approx. above the roof top. A single-storey wedge shaped section would be attached to the western side of the building frontage and would be used as a plant room.

- 5.3 The main entrance to the building would be via a door formed within an approx. 3 metre high wall which would extend from the eastern edge of the building frontage to the eastern site boundary. This would lead to a passageway that would, in turn, provide access to a corridor serving the 3 x ground floor flats as well as the stairs and lift which serve the upper floor flats. The passageway would also provide access to cycle and bin storage facilities which are to be provided to the rear of the site
- 5.4 A private garden area would be provided for the 2 bedroom ground floor flat to the rear of the site. No other outdoor amenity space, either private or communal, would be incorporated into the development.
- 5.5 The development would not incorporate any car parking facilities although a secure and covered cycle store would be provided.

6. Consultations

6.1 Specialist Advisor (Regeneration):

- 6.1.1 In accordance with the Local Employment and Training Supplementary Planning Document (SPD), adopted November 2016, this application for planning permission meets the threshold for a residential development and therefore qualifies for a local labour agreement.
- 6.1.2 The proposed development is in Devonshire ward, one of Eastbourne's most deprived wards within the Borough. The claimant count for Jobseekers Allowance and Universal Credit for May 2020 was the highest within the Borough as at May 2020.
- 6.1.3 It is hoped that should the planning application be successful, the development would engage local building contractors, use local trade suppliers and offer construction site work to people living in the area. The benefits from the construction of the development would be a positive boost to the local economy following the Covid-19 pandemic.
- 6.1.4 Regeneration supports the application and requests that should it be successful it be subject to a local labour agreement.

6.2 Southern Water

- 6.2.1 The proposed development will lie over an existing public foul sewer which will not be acceptable to Southern Water. The exact position of the public sewer must be determined on site by the applicant before the layout of the proposed development is finalised. It might be possible to divert the sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.
- 6.2.2 Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout. If the applicant would prefer to advance these options, items above also apply. In order to protect drainage apparatus, Southern Water

requests that if consent is granted, a condition is attached to the planning permission; for example, the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

- 6.2.3 Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. No surface water should be permitted to be discharged to the foul sewerage system, in order to protect properties downstream from flooding.

6.3 Environment Agency

- 6.3.1 We have reviewed the updated FRA and are happy to remove our existing objection subject to the inclusion of the following condition, in any permission granted. We consider that planning permission could be granted to the proposed development, as submitted, if a planning condition is attached requiring the development to be carried out and maintained in accordance with the submitted Flood Risk Assessment. Without this condition, the proposed development on this site poses an unacceptable risk and we would object to the application.

7. **Neighbour Representations**

- 7.1 None received.

8. **Appraisal**

8.1 Principle of Development

- 8.1.1 Para. 73 of the Revised National Planning Policy Framework (NPPF) instructs that 'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. As the Eastbourne Core Strategy is now more than 5 years old, local housing need is used to calculate the supply required.
- 8.1.2 The most recently published Authority Monitoring Report shows that Eastbourne can only demonstrate a 1.43 year supply of housing land. The application site is not identified in the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) or on a brownfield register. It therefore represents a windfall site that would boost housing land supply, contributing a net gain of 12 x residential units.

- 8.1.3 Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 8.1.4 The site is located within a District Shopping Centre. Change of use/loss of non-residential buildings to residential is resisted by saved policy HO9 of the Eastbourne Borough Plan unless it can be clearly demonstrated that the premises are redundant for continued commercial and/or business use. Para. 92 (d) of the NPPF states that planning decisions should 'ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community'.
- 8.1.5 The buildings currently/previously occupying the site were single-storey structures that occupied a relatively large footprint but did not provide any significant floor space due to their single-storey nature. An inefficient use of a site is of concern from a sustainability perspective, particularly given the constrained supply of housing land within the Borough. Para. 118 (e) of the Revised National Planning Policy Framework states that '*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.*'
- 8.1.6 The presumption of approval will therefore need to be balanced against potential impacts upon the viability and vitality of the District Shopping Centre and measures to control exposure to flood risk as well as other matters identified within the NPPF, such as safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 117), ensuring development is of suitable design and sympathetic to the character of the surrounding area (para. 127) and ensuring development does not compromise highway safety (para. 109).
- 8.1.7 The site also falls within Flood Zone 3 on account of tidal flood risk. Para. 163 of the NPPF requires development at risk of flooding where suitable design and mitigation measures are put in place to reduce vulnerability to flooding.
- 8.1.8 The main body of this report will make an assessment of the balance between the benefits of the proposed development in terms of contributing to the supply of housing and any detrimental impacts based on criteria set out above.

8.2 Affordable Housing:

- 8.2.1 Para. 62 of the Revised NPPF states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:
- 8.2.2 off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
- 8.2.3 the agreed approach contributes to the objective of creating mixed and balanced communities.
- 8.2.4 The proposed development would deliver a net gain of 12 residential units and, therefore, represents major development. Para. 64 of the Revised NPPF states that a minimum of 10% of units within major development should be provided as affordable housing.
- 8.2.5 Policy D5 of the Eastbourne Core Strategy reflects this national position and sets a requirement for 30% of units to be provided in 'Low Value Areas' (of which the Seaside neighbourhood is an example).
- 8.2.6 The proposed development would be undertaken and managed by Aspiration Homes, a partnership between Lewes District Council and Eastbourne Borough Council. The development would therefore deliver a 100% provision of social housing.
- 8.2.7 However, a section 106 agreement will be required to ensure there is an obligation to provide a policy compliant level of affordable housing in the event that the development of the site is transferred to another party.

8.3 Loss of Retail Use

- 8.3.1 The site is located within the Seaside District Shopping Centre. Para. 4.4.12 of the Eastbourne Core Strategy states that 'district, local and neighbourhood centres play a vital role in providing a range of services in locations that are accessible by a choice of transport.' Para. 4.4.13 states that 'shops, services and facilities that meet people's day-to-day needs will be supported.'
- 8.3.2 Three retail units have already been removed from the site, having fallen into a poor state of repair and the remaining unit has now been vacant for a sustained period of time. Restoring the site to retail use would therefore require considerable investment and it is unlikely that it would represent a viable form of development. The site has remained undeveloped for a number of years and its appearance is deteriorating, which presents a negative impression at what is the gateway to the Seaside District Shopping Centre.
- 8.3.3 The majority of nearby units continue to provide retail uses that do provide for essential needs and will continue to do so. The provision of a certain level of residential development within shopping areas is acknowledged by the NPPF (para. 85) to boost vitality in those areas, albeit the NPPF mentions this in the context of town centres.

- 8.3.4 Given the condition of the site, the presence of a strong nucleus of shops and services within the Seaside District Shopping Centre as a whole and the positive role an appropriate level of residential development can play within a shopping area, by way of providing additional custom, it is considered that the loss retail use on the site is acceptable in this instance. In any case, the principle of replacing these units with residential development has been established following approval of 141346.
- 8.4 Impact of proposed development on amenity of adjoining occupiers and surrounding area
- 8.4.1 The proposed building would be positioned to the side of Palgrave House, a four-storey building which is subdivided into 4 x flats (one per floor). There are windows on the eastern elevation at each floor level that serve rooms within these flats. At its closest point, the four-storey flank wall of the proposed building would be within approximately 5.7 metres of these windows. It is therefore considered that these windows would be subjected to a degree of overshadowing throughout morning hours whilst outlook from these windows would be dominated by the four storey western flank wall of the proposed building. However, it is noted that one of these windows serves a bathroom and the other appears to serve bedrooms. Given the triple aspect of the flats at Palgrave House, it is not considered that the additional overshadowing and reduced outlook caused by the proposed development would result in oppressive living conditions within any of the flats as a whole.
- 8.4.2 As it projects to the rear of the site, the western elevation would also impact upon outlook and shading of windows on the southern elevation of Windsor Court. However, the two buildings would be angled away from each other, thereby reducing the visual impact of the building upon these windows and, therefore, any sense of overbearing and reducing overshadowing impact.
- 8.4.3 The western elevation of the proposed building, where it faces directly towards Palgrave House, would incorporate only a single high level window per floor. As these windows will be set well above the finished floor levels of the rooms they would serve, their primary function would be to provide natural light to rooms and it is not considered that they would afford any realistic opportunity of intrusive views towards windows at Palgrave House. Side facing windows further towards the rear of the building would overlook the communal parking/landscaped area serving Palgrave House and Windsor Court and are therefore not considered to offer invasive views. Rear facing windows would overlook a communal yard area to the rear of 74 Seaside. It is not considered that invasive views of windows on the southern elevation of Windsor Court would arise as these windows are angled away from the proposed development. It is therefore considered that the proposed allow for any unacceptably invasive views of neighbouring residential properties and that the

outlook offered would be consistent with that of other development within the surrounding area, where residential density is high.

- 8.4.4 Planning permission has recently been granted under application 190888 for the extension of 74 Seaside to form additional flats to the rear. The proposed development would look towards a flank elevation wall and the roof top of this extension and, as such, it is not considered that the proposed development would compromise the future development of 74 Seaside.

8.5 Living conditions for future occupants

- 8.5.1 The Technical housing standards – nationally described space standard (2015) identifies minimum levels Gross Internal Area (GIA) suitable for new residential development, based on the type of unit and the number of bedrooms provided. The accommodation provided within the proposed development comprises 8 x 1 bed, 2 person units and 4 x 2 bed, 3 person units.
- 8.5.2 The minimum GIA for a studio flat (with wet room rather than bathroom) is 37 m². The proposed studio flat meets this standard. The minimum provision for a two-storey 1 bedroom, 2 person unit is 58m². All of the proposed one bed maisonettes meet this standard. The minimum provision for a two-storey 2 bed, 3 person unit is 70 m². All two bed maisonette units meet this standard.
- 8.5.3 All habitable rooms would be served by clear glazed windows, allowing for the provision of natural light and ventilation. All rooms would be of a suitable size to support their intended function. Awkwardly shaped rooms and long corridors are avoided, ensuring internal space is used efficiently, is easily navigated and is adaptable to a variety of needs. All levels of the building would have lift access.
- 8.5.4 There is a single street access to the flats, in the form of a gateway facing directly onto Langney Road. This access point has a high level of natural surveillance from the windows of surrounding properties as well as pedestrians and motorists on what is a relatively busy street. There is, however, a rather enclosed section of footpath between the gated entrance and the main lobby to the flat. It is important that appropriate security measures are installed to control use of the main access gates in order to restrict access to this secluded area by any persons other than occupants of the flats. A planning condition will be used to ensure such measures are put in place.
- 8.5.5 Due to the constrained nature of the site, there is relatively little outdoor space available for amenity use. Although a small shared patio area would be provided adjacent to bike and bin storage areas. Unit 3, a 2 bedroom ground floor flat, would have access to a private outdoor amenity area. Whilst other units would not have access to private amenity space it is considered acceptable, in this instance, as the development provides smaller units that are less likely to be used as family accommodation and also due to the proximity of public open space at the seafront and nearby recreation grounds.

8.6 Impacts on highway network and Access

- 8.6.1 The proposed development does not incorporate any on-site car parking facilities. It is noted that this was also the case with the scheme previously approved under application 141346, albeit the current application includes an additional 3 units.
- 8.6.2 The Transport Statement, which forms part of the submitted application, draws attention to the proximity of the site to public transport hubs and nodes, shops and services, all of which are considered to be within reasonable walking/cycling distance. This observation reflects the sustainable nature of the site, adjacent to a district shopping centre and positioned on a main transport route. As a result, it is considered that future occupants of the development would have a far lower reliance on use of a private car than in those in less sustainable parts of the Borough. It is also noted that there are parking controls in place on neighbouring roads, acting as a further disincentive to car ownership.
- 8.6.3 It should also be noted that the proposed development would replace four former retail units which, based on standards set out in the ESCC Guidance for Parking at Non-Residential Development, would have generated parking demand for approx. 7 cars (1 space per 30 m² of A1 floor space). It is therefore considered any parking demand generated by the proposed development would be reduced from that generated by the previous retail use of the site.
- 8.6.4 The proposed development would include secure and covered storage facilities. These would be easily accessed from the flats and are also positioned close to the highway, with direct access to it available from a hard surfaced pathway. The Transport Statement notes that generally flat topography of the surrounding area and that this, along with the cycle storage facilities available, is likely to encourage increased uptake in the use of bicycles.

8.7 Flood Risk and Drainage

- 8.7.1 The majority of the site falls within Flood Zone 3 and, as such, is subject to an increased risk of tidal flooding. The proposed development involves the replacement of a 'less vulnerable' retail use to a 'more vulnerable' residential use (as per the vulnerability classification provided in para. 066 of the Planning Practice Advice for Flood Risk and Coastal Change). The level of flood risk presents a fundamental concern that self-contained residential units with sleeping accommodation at ground floor level would expose occupants to risk to their life in the event of a flood. As such, the Environment Agency objected to an initial scheme for flat development.
- 8.7.2 In response to these objections, the scheme has been modified to provide duplex units, with all sleeping accommodation being at first floor level or above. Upper floors can therefore be used as safe refuge in the event of a flood. The finished floor level at ground floor would also be a minimum of 3.9 metres above ordnance datum

(AOD) and a number of flood resilience measures would be incorporate into the scheme, consisting of:-

- Flood proof doors and openings at ground floor including flood proof air bricks;
- Electrical services run from high level;
- All new plumbing insulation to be of closed-cell design;
- Waterproof plasterboard used at ground floor laid horizontally
- Any new sewer connection from the site should be agreed with the local sewer provider and fitted with non-return valves to mitigate the risk of sewer flooding;
- Site users sign up to the EA Flood Alert Service; and
- Ground floor duplex units to be evacuated in the event of an extreme tidal flood event being predicted that may affect the property.

8.7.3 It is considered that these measures provide sufficient mitigation and management of flood risk and the Environment Agency have removed their objection in response to the amendments made to the scheme.

8.7.4 The Environmental Assessment accompanying the application shows how the Sustainable Urban Drainage Systems (SuDS) hierarchy has been followed when designing the proposed site drainage system. The assessment identifies connection to the existing surface water sewer as the most feasible option with existing connections being utilised.

8.7.5 It is noted that the majority of the existing site is hard surfaced. The proposed development would incorporate a number of measures to help limit and control runoff rate in order to reduce pressure on the surface water sewer network. This includes the use of permeable paving, rainwater harvesting equipment, geocellular attenuation tanks and infiltration devices. Southern Water have not objected to this arrangement, although their formal agreement for a connection would be required.

8.7.6 There is an existing public sewer that runs to the rear of the site, and neighbouring buildings to the east, having branched off from the main sewer line on Langney Road. This sewer currently terminates on site and presumably served the retail units that have now been removed from the site. Southern Water have stated that the sewer may need to be diverted prior to development commencing. This can be secured through the use of a planning condition. Any diversion to the sewer will need to meet Southern Water access requirements.

8.8 Sustainability

8.8.1 The development would include the installation of 18 x solar panels on the roof of the building. This apparatus would generate renewable energy for use on site and/or to feed back into the national grid,

improving the sustainability of the development and acting to reduce carbon production. It is also considered that the car free design of the development, sustainable location and provision of secure and covered cycle parking facilities will encourage the use of more sustainable modes of transport, reducing emissions.

8.9 Servicing

8.9.1 A secure and covered bin storage area would be provided to the rear of the site, in an easily accessible location but away from any windows and openings serving the proposed units or neighbouring properties. This facility would ensure that bins a sufficient amount of bins are provided and that they are appropriately contained so as to prevent unacceptable visual or environmental impact. The bin store is directly accessible via a pathway from Langney Road. The pathway would be approx. 15 metres long meaning the distance bins would need to be carried by refuse crews accords with the standards set out in the Good Practice Guide for Property Developers Refuse & Recycling Storage at New Residential Developments.

8.10 Design Issues

- 8.10.1 The proposed building would replace existing single-storey buildings that currently appear as somewhat of an anomaly within the street scene given that the vast majority of buildings of this part of Langney Road and Seaside are typically between 3 and 5 storeys in height. It is therefore considered that the proposed four-storey building would sit comfortably within the street scene and would not appear overly dominant or overwhelming. The flat roof design is considered to be consistent with the established character of more modern blocks of flats within the surrounding area which generally have either flat roofs or mansard style roofs.
- 8.10.2 It is considered that the proposed engage well with the street scene, assisted by the number of windows within the front elevation. Whilst the main building access would be set back to the side of the building, this is a necessity due to the building being directly adjacent to the pavement. However, a clearly defined gateway would be provided on Langney Road to create a sense of identity and interaction with the surrounding public domain. A well screened plant room would also be included at ground floor level, ensuring necessary plant and equipment can be installed without appearing as clutter.
- 8.10.3 A mixed palette of materials would be used as an effective means to break up the mass of the building. Blue engineering bricks would be used at ground floor level with contrasting metal mesh cladding on the floor above. This juxtaposition in appearance of the ground and upper floors is reflective of neighbouring buildings with ground floor shop fronts and residential accommodation above. Cement cladding would be positioned adjacent to windows to add definition to the building. It is considered that the proposed development would successfully introduce more modern external materials and finishes

within the surrounding environment whilst also respecting established characteristics.

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 Approve subject to the following conditions and a Section 106 agreement to secure affordable housing and local employment training.

10.2 Time Limit - 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 Approved Plans - The development hereby permitted shall be carried out in accordance with the following approved drawings:

1944/01 Revision A – Existing Plans and Elevations

1944/02 Revision A – Proposed Plans and Elevations

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

10.4 Flood Resilience - The development shall be carried out in accordance with the submitted flood risk assessment (Ref: 5329_FRA_SWDS, Final V3.0, 11/09/2020) and the following mitigation measures it details:

Finished ground floor levels shall be set no lower than 3.90 metres above Ordnance Datum (AOD).

Proposed ground floor units are to be arranged as two-floor duplex apartments with internal stairwells, providing safe refuge and sleeping accommodation on an upper floor.

Flood resilience and resistance measures are to be incorporated during construction as described in Paragraph 9.13.

Owners/occupants are to sign up to the EA's Flood Warning Service and a Flood action evacuation plan is to be developed for the site (details to be agreed by Local Authority Emergency Planners).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

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 and to maximise the safety of occupants of the building by providing safe refuge to those at risk on ground floors, and providing arrangements for evacuation in an extreme event. To also maximise the development's safety and resilience to floodwater.

- 10.5 Protection of Infrastructure - Prior to the commencement of development, the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect and/or divert the public sewer that crosses part of the site.

Reason: In order to ensure existing infrastructure is not compromised and in the interest of flood risk management and environmental amenities in accordance with saved policies NE28, US3 and US4 of the Eastbourne Borough Plan, policy D1 of the Eastbourne Core Strategy and para. 122 of the Revised National Planning Policy Framework.

- 10.6 Sustainable Drainage - Prior to the installation of any drainage system. details of the following shall be submitted to and approved by the Local Planning Authority:-

Specify the responsibilities of each party for the implementation of the SUDS scheme.

Specify a timetable for implementation.

Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. No surface water should be permitted to be discharged to the foul sewerage system, in order to protect properties downstream from flooding.

Reason: In order to ensure suitable drainage measures are in place, in the interest of environmental amenity and flood risk management in accordance with saved policies NE28 and US4 of the Eastbourne Borough Plan, policy D1 of the Eastbourne Core Strategy and section 9 of the Revised National Planning Policy Framework.

- 10.7 External Materials - The external materials and finishes used on the development hereby approved shall accord with the details submitted on the approved elevation drawings and shall be maintained in place thereafter.

Reason: In the interest of visual amenity and good design in accordance with saved policy UHT1 of the Eastbourne Borough Plan and policy D10a of the Eastbourne Core Strategy.

- 10.8 Bin and Cycle Storage - Prior to the first occupation of the development hereby approved, the secure and covered bin and cycle storage shown on the approved layout plan shall be installed and operational and shall thereafter be maintained in place throughout the lifetime of the development.

Reason: In the interest of sustainability and environmental amenity in accordance with saved policy NE28 of the Eastbourne Borough Plan and policy D8 of the Eastbourne Core Strategy.

- 10.9 Construction Environmental Management Plan - The site clearance and construction works associated with the development hereby approved shall be carried out in full accordance with the submitted Construction Environmental Management Plan (CEMP)

Reason: In the interest of environmental and residential amenity as well as highway safety in accordance with saved policies NE28 and HO20 of the Eastbourne Borough Plan and paras 108 and 109 of the Revised National Planning Policy Framework.

- 10.10 Secured by Design - Prior to the first occupation of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority as to how the development would adhere to the principles of Secured by Design, with particular reference to access arrangements. The development shall thereafter be maintained in accordance with those approved details.

Reason: In the interest of amenity and controlling the risk of crime in accordance with saved policy HO20 of the Eastbourne Borough Plan, policy D1 of the Eastbourne Core Strategy and paras 91 and 127 of the Revised National Planning Policy Framework.

11. **Appeal**

- 11.1 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**

- 12.1 None.

Agenda Item 7

Report to: Planning Committee
Date: 20 October 2020
Application No: 200179
Location: Eastbourne District General Hospital, Kings Drive, Eastbourne
Proposal: New three storey modular building to accommodate clinical wards (105 beds in a combination of single, twin, three and four bedrooms).
Type: Planning Permission
Ward: Ratton
Deadlines: **Decision Due Date:** 2 June 2020
Site Notice(s) Expiry date: 17 September 2020
Neighbour Con Expiry: 17 September 2020
Press Notice: 18 September 2020
Over 8/13 week reason: n/a

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: **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 1590.00m².
- 1.2 The proposed development will see the demolition of part of the existing building and erection of a three-storey modular building over the previous footprint and surrounding car park.
- 1.3 The building will have a D1 Class Use and will provide for a new clinical ward with 105 beds.
- 1.4 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
 - D10a Design
- 2.3 Eastbourne Borough Plan 2001-2011:
 - 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 to the west 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.

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 a staircase and minor fenestration alterations at the MRI Department. Planning Permission, Approved Conditionally, 18/03/2020
- 4.5 200179 - Erection of three storey modular office building (Use Class B1). Planning Permission, Approved Conditionally, 22/07/2020.

5. **Proposed Development**

- 5.1 The application is seeking permission for the removal of part of the existing building to the north side of the site and erection of a new three storey modular building.
- 5.2 The proposal is to use the new building as a clinical ward with 105 beds.
- 5.3 Access to the building will be via a link to the existing building at ground, first and second floor levels.

6. **Consultations**

6.1 Specialist Advisor (Regeneration):

- 6.1.1 A review of the application for planning permission for the above site identifies:
- New inpatient clinical care facilities.
- 6.1.2 The proposal is to build a three-storey inpatient block on a former single storey structure historically accommodated the Polegate rehabilitation ward. The existing structure consists of a complex of portable buildings
- 6.1.3 Employment and Training Supplementary Planning Document Adopted November 2016.
- 6.1.4 The demolition and new build will enable local contractors to tender for contracts and provide construction jobs locally. It will also be beneficial to local trade suppliers.
- 6.1.5 Although the new building will not create additional operational jobs it will enable the continuation of employment, via re-deployment, etc at a time when there are numerous job losses arising from the Covid-19 Pandemic.

6.1.6 If the planning application is approved Regeneration requests it is subject to a local labour agreement.

6.2 Specialist Advisor (Planning Policy)

6.2.1 This application proposes the demolition of and existing part of the DGH building, to be replaced with a modular building (Use Class D1) over the previous footprint and surrounding car parking. This will be used as an adult in-patient ward. The site is located within the 'Ocklynge and Rodmill' as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013).

6.2.2 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." Policy D7 also supports new provision, and enhancement to existing health care facilities. The expansion of the D1 floorspace within the hospital facility would be in keeping with these policies.

6.2.3 The development would not be CIL liable.

6.2.4 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.

6.2.5 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.

6.2.6 The application is an expansion of the current facilities. 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 northern boundary of the site and whilst sections of the proposal it may be visible from the public highway of Kings Drive it is not thought to impact on the visual amenity of the wider area.

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. Any shadowing caused would be into the surrounding car parking areas.

8.2.4 The proposal is within close proximity to the boundary with Sussex Downs College however due to the current setting of the hospital site the proposed building is not thought to be out of character in terms of use and noise implications from the use.

8.2.5 Glazing is proposed to all elevations with the majority of windows proposed being to service the areas where clinical beds will be located.

8.2.6 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 distance between the hospital site and the college site and the natural screening provided by a line of trees between the sites.

8.3 Use

8.3.1 The proposed use of the building is to be clinical ward (Class D1) to the hospital.

8.3.2 The new building will allow for an additional 105 clinical beds for the hospital and will form an adult in-patient ward.

8.3.3 The proposal is to relocate existing staff and not to increase the number of staff, this will be reviewed by the hospital as necessary.

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 proposal will see a decrease of 88 parking spaces at the hospital with 990 spaces and 25 disable spaces remaining in situ.

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-20-022-WI-001_Rev P1(2) – Site Plan

D-20-022-WI-002_Rev P1(1) – Site Plan

D-20-022-WI-003_Rev P1– Ground Floor Plan

D-20-022-WI-004_Rev P1– First Floor Plan

D-20-022-WI-005_Rev P1– Second Floor Plan

D-20-022-WI-006_Rev P1– Roof Plan

D-20-022-WI-007_Rev P2– North and East Elevations

D-20-022-WI-008_Rev P1– West and South Elevations

D-20-022-WI-009_Rev P1– Sections

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

10.4 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.

10.5 The Employment and Training Plan (ETP) 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**

11.1 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**

12.1 None

Agenda Item 8

Report to: Planning Committee
Date: 20 October 2020
Application No: 200565 (PPP)
Location: Esperance Private Hospital, Hartington Place, Eastbourne, BN21 3BG
Proposal: Conversion of existing hospital buildings to create 48 residential units with associated external alterations, parking and landscaping.
Applicant: Stonegate Homes Ltd
Ward: Meads
Deadlines: **Decision Due Date:** 10 November 2020
Site Notice(s) and neighbour Expiry date: 10 September 2020
Recommendation: Approve with conditions and subject to a Section 106 Legal Agreement
Contact Officer: **Name:** Neil Collins
Post title: Senior Specialist Advisor - Planning
E-mail: neil.collins@eastbourne.gov.uk
Telephone number: 01323 410000

Map Location:



1. **Executive Summary**

- 1.1 This application is brought to the Planning Committee in line with the Scheme of Delegation as it proposes major development.
- 1.2 The proposal relates to the vacated former Esperance Private Hospital site and would result in the net gain of 48 residential dwellings in a sustainable location through conversion of the existing buildings on this brownfield site.
- 1.3 At the time of receipt of the application, the buildings fell within the former D1 use class (considered a 'community use' in adopted policy). This use class has now been absorbed within a new Use Class E (Commercial) together with other formerly separate use classes. This allows for unfettered movement between community and non-community-oriented uses within Class E. As such, loss of the community use, otherwise protected by adopted policy, has been permitted through the recently adopted Use Classes Order 2020 and this is considered suitable justification for the loss in this case.
- 1.4 Officers agree with the applicant that the vacancy of the buildings, and the circumstances surrounding their vacancy, justify the application of Vacant Building Credit, which removes the requirement for Affordable Housing provision either on-site or by commuted sum.
- 1.5 Proposed residential development in this Town Centre location is welcomed in accordance with Eastbourne's Core Strategy objectives. It is considered that the proposal would result in the provision of good quality residential accommodation for future occupants and provides a housing mix in line with adopted policy.
- 1.6 The proposal includes the retention of the existing on-site parking with no changes to capacity (29 spaces, which is balanced with the retention and improvement to the soft landscaping features of the site).
- 1.7 Design, transport, access and amenity impacts of the development are considered to be acceptable and the development is considered to provide a good quality of proposed accommodation, taking into consideration the constraints of the site. It is not considered that the scheme would not give rise to significant material impacts in terms of activity, parking and noise and disturbance.
- 1.8 The scheme is recommended for approval subject to conditions and a Section 106 legal agreement for Affordable Housing, a Local Labour Agreement and a Travel Plan, to include the following:
 - An on-street car-club vehicle that would include entitlement to 3 years free membership to each first time occupant household and be open to wider membership to existing residents in Eastbourne;
 - 12-month season ticket for Eastbourne bus network;
 - £100 cycle voucher per first occupant;
 - Householder information pack (walking, cycling, public transport routes / distances to local schools, doctors, dentists, hospitals, public buildings, leisure facilities, timetables, etc); and

- Cycle Maintenance support scheme.

2. Relevant Planning Policies

2.1 National Planning Policy Framework:

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
15. Conserving and enhancing the natural environment

2.2 Eastbourne Core Strategy Local Plan 2006-2027:

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C1: Town Centre Neighbourhood Policy
- D1: Sustainable Development
- D5: Housing
- D7: Community Sport and Health
- D8: Sustainable Travel
- D9: Natural Environment
- D10: Historic Environment
- D10A: Design

2.3 Eastbourne Borough Plan 2001-2011:

- UHT1: Design of New Development
- UHT4: Visual Amenity
- UHT6: Tree Planting
- UHT7: Landscaping
- HO1: Residential Development Within the Existing Built-up Area
- HO6: Infill Development
- H07: Redevelopment
- H09: Conversions and Change of Use
- HO20: Residential Amenity
- TR1: Locations for Major Development Proposals

TR2: Travel Demands
TR5: Contributions to the Cycle Network
TR8: Contributions to the Pedestrian Network
TR11: Car Parking
BI1: Retention of Class B1, B2 and B8 Sites and Premises
BI4: Retention of Employment Commitments
NE4: Sustainable Drainage Systems
NE23: Nature Conservation of Other Sites
LCF4: Outdoor Playing Space Contributions
NE14: Source Protection Zone

- 2.4 Supplementary Planning Documents and other relevant documents:
Sustainable Building Design SPD
Trees and Development SPG
Eastbourne Townscape Guide SPG
Eastbourne Employment Land Local Plan (ELLP- adopted 2016).

3. **Site Description**

- 3.1 The application site comprises the former Esperance Private Hospital, which operated as a private health care facility until July 2019, other than its fertility services, which relocated in March 2020. The site has since been, and is currently, vacant.
- 3.2 The site itself is a relatively substantial in size, forming a parcel with frontages onto Hartington Place to the north east, Trinity Trees to the north and Devonshire Place to the southwest. To the southeast and west, the site is bounded by residential properties comprising large buildings in a similar architecture style to the site.
- 3.3 The site is approximately 550m from Eastbourne Train Station.
- 3.4 There are two buildings on the site. The main hospital building is a large three-storey Victorian building taking up the southern portion of the site. The building was formerly two separate buildings but has been joined together with a linking three storey flat roof extension. As such, these are referred to as building A and B on the submitted drawings.
- 3.5 A separate three-storey pastiche building was built in the northern portion of the site, which is known as Esperance House. This is referred to as building C on the submitted drawings.
- 3.6 The site comprises a good degree of soft landscaping and existing parking uses in association with the former hospital use.
- 3.7 The site lies within the Eastbourne Town Centre and Seaside Conservation Area. The site does not comprise any Listed Buildings, nor are there any within close proximity of the site, with the nearest being the Church of

Holy Trinity, a Grade II* listed building located approximately 60 metres from the site.

- 3.8 The site comprises both an access and egress on Hartington Place for vehicles using the site, with 29 parking spaces on site.

4. **Relevant Planning History**

- 4.1 Due to the nature of the site, the planning history includes many small-scale applications. However, the hospital use of the site has been longstanding and no applications considered relevant to this proposal.

5. **Proposed Development**

- 5.1 The application seeks permission for a change the use of the existing buildings on the site from their former use as a private hospital (formerly Use Class D1, now Use Class E) and conversion to provide 48 residential flats, comprising 30 one-bed (15 x 1-bed 1-person and 15 x 1-bed 2-person), 16 two-bed and 2 three-bed units.

- 5.2 The proposal would not result in an increase in floor space but would involve some minor external alterations in the form of minor excavation at basement level of the main building to provide light wells for the proposed accommodation, together with fenestration changes in the form of new windows and doors to match the existing.

- 5.3 The proposal also involves various landscaping works associated with the creation of communal amenity space for residents.

6. **Consultations**

6.1 East Sussex County Council (ESCC) Highways

- 6.1.1 No response received.

6.2 Southern Water

- 6.2.1 Our investigations indicate that Southern Water can facilitate foul and surface water sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

6.3 ESCC SuDS

- 6.3.1 No objections raised.

6.4 Sussex Police Crime Prevention Officer.

- 6.4.1 Advises that accredited security measures are applied to all basement and ground floor and ground floor accessible door and windows, particularly with regard to access controls.

6.5 Specialist Advisor Planning Policy

- 6.5.1 Support the application. Though the change of change of use from D1 to C3 may contravene the Core Strategy (2013), it is unlikely to have a significant impact on the sustainability of the neighbourhood,

and the 'presumption in favour of sustained development' outlined in the NPPF takes precedence. On balance in this instance the level of evidence supplied regarding the lack of demand for the current use is considered acceptable and if the site was eligible for vacant building credit (as the application has stated that it will not provide any affordable housing), policy would look favourably upon this application.

6.6 Specialist Advisor Public Protection

6.6.1 Measures shall be implemented and observed during the development project to ensure that the risk of emissions from dust generated by site operations are minimised during construction and that best practice measures are applied.

6.6.2 Developers and contractors shall employ best practice measures to minimise any impact on the environment and local community.

6.6.3 Dust emissions from construction can cause nuisance and annoyance and can be prejudicial to the health of members of the local community. In the interests of controlling dust the following recognised hierarchy of control should be implemented:

- Elimination
- Reduction/Minimisation
- Control

Burning on site:

6.6.4 There shall be no burning of any waste or other materials on the site. This includes in incineration barrels

Hours of work:

6.6.5 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. No work on site on the premises outside the following hours unless deemed an emergency

6.7 Specialist Advisor (Regeneration)

6.7.1 In line with the Local Employment and Training Supplementary Planning Document, adopted November 2016, this application for conversion of an existing hospital to residential units meets the threshold for a residential development and therefore qualifies for a local labour agreement.

6.7.2 It is anticipated that the proposed conversion will provide contractual opportunities for locally based small and medium enterprises, increased business to the supply chain and local economy, as well as, construction employment during the conversion.

6.7.3 Regeneration requests that if the above application is given approval it be subject to a local labour agreement.

7. Neighbour Representations

7.1 11 letters of objection, 5 general observations and 3 letter of support have been received following public consultation. Objections are lodged on the following grounds:

- Parking
- Maintenance of the site
- Too many units
- Too many 1 person units
- Potential for light pollution from new lighting
- Noise from vehicles
- Poor vehicular circulation on the site
- Fear of unsociable use of smaller units
- Impact upon wildlife
- Loss of privacy
- Traffic flow
- Highway safety
- Loss of amenities
- Loss of biodiversity
- Density
- Housing need
- Overdevelopment / overcrowding

8. Appraisal

8.1 Principle of Development

Loss of community facilities:

- 8.1.1 Until recently, the buildings on the site were in use as a private hospital, operated by BMI. This established use fell within the former D1 use class (Non-Residential Institutions). However, recent changes to planning use classes, as outlined in the Use Classes Order 2020, have resulted in an amalgamation of former uses, including D1, now known as new Use Class E (Commercial).
- 8.1.2 Community facilities, including healthcare, are subject to a level of protection under both local planning policy (Borough Plan Policy LCF21 and Core Strategy Policy D7) and the National Planning Policy Framework (at para. 92). However, taking into account that Class E includes other commercial uses that are not considered to provide community facilities, their protection pursuant to the above

policy is considered to be defunct in the context of the Government's legislative changes. Therefore, loss of the former community facilities is considered to be justified by the adoption of the Use Class Order 2020 and of the Class E use of the site.

8.2 Proposed residential use

- 8.2.1 The application site is a brownfield site and is located within the Town Centre Neighbourhood. The redevelopment and re-use of brownfield sites is enshrined by the Revised National Planning Policy Framework (NPPF), which also acknowledges the role residential development has to play in driving the viability and vitality of town centre locations.
- 8.2.2 The site is located within the Town Centre Neighbourhood and Policy C1 of the Core Strategy sets out the vision for this area, which includes 'Delivering new housing through conversions, infill development and redevelopment'.
- 8.2.3 The Core Strategy states that the Town Centre Neighbourhood is one of the town's most sustainable neighbourhoods. It also states that "The Town Centre will make an important contribution to housing needs as a sustainable centre. Future residential development will be delivered through conversions and changes of use of existing buildings".
- 8.2.4 In addition, Policy B1 in the Spatial Development Strategy states that higher residential densities will be supported in these neighbourhoods. This site would be considered a brownfield site and the strategy states that 'in accordance with principles for sustainable development, it will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land'.
- 8.2.5 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. 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).
- 8.2.6 Although the Town Centre Neighbourhood comprises a diverse range of land uses and architectural building types, the application site is located within a part of the town centre that is predominantly residential in character. Residential development in town centre locations is encouraged by the Eastbourne Borough Plan (Policy HO2), the Eastbourne Core Strategy (Policies B1, C1 and D5) and

the Town Centre Plan (Policy TC6) as well as the NPPF. Adopted policy also encourages an increased density of residential development in appropriate locations where it would not result in harmful amenity impacts.

8.2.7 Taking account of the above policy position, the proposed residential use of the site is considered to be wholly in line with the objectives of the Development Plan and is considered to be acceptable in principle.

8.3 Housing Mix and Affordable Housing

Housing mix:

8.3.1 The application proposes conversion of the buildings to provide a mix of 1, 2 and 3 bed units. Town Centre Local Plan policy TC6 confirms that a mix between 1, 2 and 3 beds is sought for development proposals within the town centre and the proposal therefore accords with this policy objective.

8.3.2 The precise proportions in the split between dwelling sizes is not explicitly outlined within adopted policy. Therefore, it is not considered that it would be reasonable to refuse this application based upon the proposed mix of dwelling sizes, in the absence of such detail in adopted policy.

8.3.3 However, the issue of the exact proportions of the proposed mix of dwelling sizes is a material consideration that carries a degree of weight in balancing the planning issues. Table ES1 within the Eastbourne Strategic Housing Land Market Assessment (SHMA) 2016 defines housing need for the Borough during the period 2015-2035. It states that 16.9% of new housing stock should be 1 bed flats and 18.1% of stock should be 2 beds, with 3.5% being 3 bed flats.

8.3.4 Whilst table ES1 lists flats alongside other identified housing need, including houses and bungalows, the following table shows the proportionate split between the need for 1, 2 and 3 bed flats (identified within the SHMA) and how that compares with the proportionate split of dwelling sizes within the proposal.

Dwelling sizes	Proposal (%)	SHMA (%)
1 Bed	62.5	43.8
2 Bed	33.3	47
3 Bed	4.1	9

8.3.5 As can be seen from the table above, the proposed dwelling mix does not accurately reflect the identified housing need proportionately. However, the existing building has a number of physical constraints that have an impact upon the delivery of specific unit sizes and it is considered that this is suitable justification for the proposed dwelling mix in this case.

Affordable Housing:

- 8.3.6 Any application submitted which results in a net increase of 10 or more residential units requires provision of affordable housing as per Eastbourne Borough Council's Affordable Housing SPD (2017).
- 8.3.7 However, the application seeks the uptake of Vacant Building Credit (VBC), which incentivises the uptake of brownfield land by exempting such development from affordable housing provision, based upon other considerations.
- 8.3.8 Vacant Building Credit is outlined in NPPF Para 63, which states, 'To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.(Equivalent to the existing gross floor space of the existing buildings).
- 8.3.9 The application of VBC is expanded upon in National Planning Practice Guidance (Paras 026, 027 and 028), which explains that it is subject to the following considerations:
- Whether the building has been abandoned;
 - The condition of the property;
 - The period of non-use
 - Whether there is an intervening use;
 - Any evidence regarding the owner's intention;
 - Whether the building has been made vacant for the sole purposes of re-development; and
 - Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development
- 8.3.10 This has been covered within the submitted Planning Statement accompanying the application and the reasons provided are considered to be suitable justification for the application of VBC in this case.
- 8.3.11 No new floor space is proposed with all accommodation being made available through conversion of existing floor space. As such, there would be no chargeable floor space for the purposes of an affordable housing contribution.
- 8.4 Design and appearance and impact upon the surrounding area
- 8.4.1 The application proposes very minor alterations to the external envelope of the building. The most significant of these is the creation and enlargement of light wells on the building to provide outdoor amenity space and improved light to basement units, together with new windows and doors.
- 8.4.2 The proposed alterations are considered to be acceptable, but a condition is recommended to ensure that there is continuity between the design of the new fenestration and the existing.

- 8.4.3 Black railings would enclose the light wells for safety and approval of their detailed design would be required by condition.
- 8.4.4 The proposed retention and improvement of soft landscaping features of the site is welcomed in the interest of preserving the character and appearance of the Town Centre and Seafront Conservation Area.

8.5 Impact upon the amenity of the neighbouring occupants

Noise and disturbance:

- 8.5.1 The principal consideration with regard to any potential impact upon neighbouring amenity is that of the proposed change of use of the building itself. Notwithstanding that the building has been vacant for some time; the former use established a significant degree of activity associated with the site, including visiting patients and their family/friends, together with staffing and servicing/deliveries. It is considered that the proposed residential use of the site would result in a reduction in activity and pedestrian/vehicular movements related to the site and would thereby reduce the associated disturbances upon neighbouring residential occupiers.

Privacy:

- 8.5.2 Further to this, the building comprises an established outlook to neighbouring residential accommodation. Very few new windows are proposed and those that are would not provide any new vantage point that doesn't already exist from the buildings.
- 8.5.3 It is considered that the proposal complies with Policy HO20 of the Eastbourne Borough Plan Saved Policies (2007).

8.6 Living Conditions of future occupants

Standard of proposed accommodation:

- 8.6.1 The proposal would create 48 units in total, comprising 30 one-bed units, 16 two-bed units and 2 three-bed units.
- 8.6.2 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.
- 8.6.3 The proposed 1 bed units vary in size and are defined on plan as 1 person and 2 person units. The difference between units being considered suitable for 1 or 2 persons is a matter of the size of the bedroom, as defined by the nationally described space standards. The threshold for single or double occupancy of a bedroom is 11.5m², which in turn defines the required Gross Internal Area (GIA) of each unit. A single occupancy unit requires a GIA of 39m² (37m² if this would include a shower room rather than bath). A one-bed two-person unit requires a 50m² GIA to be achieved.

- 8.6.4 There has been a degree of discussion during the application period regarding the internal floor spaces of a portion of the 1 bed units, as shown on the originally submitted plans, due to their bedrooms being suitable for double occupancy and their GIA falling short of the required floor space for 2 person units. This has been amended and the revised units are either studio or provide only 1 bed space, suitable for 1 person occupancy in accordance with the standards.
- 8.6.5 Following revision, all of the proposed units 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'.
- 8.6.6 The units also provide a suitable amount of storage space for future residents.

8.7 Outlook and Privacy

- 8.7.1 The proposed units would comprise a good level of outlook for future occupants, with adequate daylight levels within habitable rooms. As such, the scheme is considered to be acceptable in respect of these elements, in accordance with Policy HO20 Residential Amenity.

Outdoor Amenity Space

- 8.7.2 The proposal would provide private outdoor space for the lowest (basement) level units through adaption and in some cases the creation/enlargement of light wells. Communal outdoor amenity space in the form of landscaped gardens would be made available to all residents of the building. This level of provision is considered to be sufficient and appropriate given the constraints of the building, the sensitivity in alterations to its design and the retention and improvement of the landscaped areas of the site.
- 8.7.3 Taking the above considerations into account, the proposal is considered to offer a good standard of accommodation for future occupants of the units and would meet the objectives of adopted policy.

8.8 Accessibility and impacts upon highway network

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

Accessibility:

- 8.8.2 The site is located within the Town Centre Neighbourhood, which is considered one of the most sustainable neighbourhoods in the borough.
- 8.8.3 The site is well served in terms of public transport and amenities. The site is served by a number of bus routes with stops on Cornfield Road heading north and south. The site is also a short distance to

Eastbourne Railway Station, located approximately 550 metres walk from the site, which provides regional access, including direct access to neighbouring towns and cities; London, Ashford and Brighton.

- 8.8.4 Eastbourne Town Centre is also with walking/cycling distance to the north of the site, with the seafront located to the south, both of which provide a range of amenities, including shops, restaurants and services.
- 8.8.5 The site comprises existing vehicular access from Hartington site and this would be retained for use by future occupants.

Parking:

- 8.8.6 The ESCC Car Parking Calculator indicates that the proposed development would generate demand for 32 car parking spaces. The proposed development would be served by the existing level of on-site parking associated with the former hospital use. This includes 29 defined parking bays. The shortfall of 3 off-street spaces is not considered to be significant, especially in the context of the town centre location of the site and can be accommodated within the surrounding streets without significant impact for neighbouring residents and businesses.
- 8.8.7 However, the parking demands of the proposed residential use are also set against the context of the demand associated with the established hospital use, which was significantly higher. In addition, according to 2011 census data, 74% of people who live in 1 person accommodation in Eastbourne do not own vehicles.

Trip Analysis:

- 8.8.8 The submitted Transport Statement utilises TRICS data to identify that the hospital use involved approximately 67 vehicle trips in the weekday morning peak hour (8:00-9:00), approximately 52 trips within the evening peak hour (17:00-18:00) and an approximate 666 vehicle trips daily.
- 8.8.9 In contrast, the proposed residential use would generate approximately 22 vehicle trips in the weekday morning peak hour (8:00-9:00), approximately 29 trips within the evening peak hour (17:00-18:00) and an approximate 228 vehicle trips daily. This would be a reduction of 45, 23 and 448 trips respectively.

Sustainable Transport:

- 8.8.10 The Council is committed to reducing the carbon footprint of the Borough and recognises the contribution that sustainable travel can make towards this objective.
- 8.8.11 The submitted Travel Plan recommends that a Travel Information Pack be issued to first residents of the units and this would be secured through a S106 agreement. This would include the following measures.
- 8.8.12 Provision of a car club space on street in Hartington Place, Trinity Trees or Devonshire Place, with the exact location to be agreed.

This would include funding of the process to implement the Traffic Regulation Order to assign the space on the public highway.

8.8.13 Provision of 3 years free membership to co-wheels Car Club for each first occupant household.

8.8.14 12 month Stagecoach 'megarider' season ticket for the local Eastbourne bus network, per first occupants of each dwelling.

Cycle storage facilities:

8.8.15 The Council's policy TR2 (Travel Demands) seeks a balance between public transport, cycling and walking to meet the transport demands of proposed development. The application includes the provision of cycle storage facilities on the Hartington Place frontage for 64 cycles, which exceeds ESCC adopted standards.

8.8.16 A condition will be attached to ensure cycle parking is provided on site prior to first occupation.

8.8.17 Taking the above considerations into account, it is considered that the proposed development complies with Policy TR11 of the Eastbourne Borough Plan Saved Policies (2007).

8.9 Other Matters

Refuse/Recycling storage facilities:

8.9.1 The application provides details of refuse/recycling storage facilities within dedicated facilities on the Hartington Place Frontage. The proposed facilities would be large enough for the intended occupancy and suitably sited for collection and a condition has been attached to ensure that they are provided prior to first occupation of the building.

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 a S106 legal agreement to include the following:

- Affordable Housing
- Local Labour Agreement
- Travel Plan

and the following conditions:

10.2 Time Limit - 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 Approved Plans - The development hereby permitted shall be carried out in accordance with the following approved drawings:

Proposed Block Plan: 20 Rev P1

Proposed Site - Ground Plan: 21 Rev P1

Proposed Ground Floor Buildings A and B: 30 Rev P1

Proposed Site Roof Plan: 22 Rev P1

Proposed First Floor Buildings A & B: 31 Rev P1

Proposed Second Floor Buildings A & B: 32 Rev P1

Proposed Floor Plans Building C: 34 Rev P1

Proposed Basement Buildings A & B: 33 Rev P1

Proposed Elevations 02 Buildings A & B: 36 Rev P1

Proposed Elevations 03 Buildings A & B: 37 Rev P1

Proposed Elevations 04 Building C: 38 Rev P1

Proposed Elevations 05 Building C: 40 Rev P1

Proposed Courtyard Elevations Buildings A & B: 39Rev P1

Proposed Refuse and Cycle Stores: 60 Rev P1

Demolition Plans 01 Buildings A & B: 50 Rev P1

Demolition Plans 02: 60 Rev P1

Demolition Plans 03 Buildings A & B: 37 Rev P1

Ecological Impact Assessment, by Lizard Design and Ecology, dated 30 July 2020

Framework Travel Plan, by Motion, dated 07/07/2020 and 28/07/2020

Planning and Heritage Statement, by ECE, dated Jul 2020

Drainage and Flood Assessment, by Motion, dated 27 July 2020

Design and Access Statement, by ECE, dated May 2020

Transport Statement, by Motion, dated 13/07/2020 and 28/07/2020

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

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

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

- 10.5 Window and door details - Large-scale drawings at a scale no smaller than 1:10 and samples of the windows and doors of the development, hereby approved, including details of their materials and their arrangement within apertures, shall be submitted to and approved in writing and shall thereafter be implemented in accordance with the approved details approved prior to first occupation.

Reason: To ensure that the development has a satisfactory appearance that preserves the character of the Town Centre and Seafront Conservation Area.

- 10.6 Railing details - Large-scale drawings at a scale no smaller than 1:20 of the railings enclosing the light wells of the development, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be implemented in accordance with the approved details prior to first occupation and maintained as such for the lifetime of the development.

Reason: To ensure that the development has a satisfactory appearance that preserves the character of the Town Centre and Seafront Conservation Area.

- 10.7 Parking spaces - No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking spaces for the development.

- 10.8 Cycle Parking - Secure covered cycle parking facilities for a minimum of 64 bicycles shall be provided in accordance with the details approved prior to first occupation of the development, hereby approved, and shall thereafter be retained in accordance with the approved details for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

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

- 10.9 Refuse and Recycling - Refuse and recycling facilities shall be provided in accordance with approved plans prior to first occupation of the development, hereby approved, and retained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

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

- 10.10 Vehicular Access - The development, hereby approved, shall not be occupied until the vehicular access serving the development has been constructed in accordance with the approved drawings.

Reason: In the interests of road safety.

- 10.11 Lighting scheme - Lighting on site shall be designed and positioned so as not to result in light pollution and/or disturbance to neighbouring residential occupiers.

Reason: In the interests of neighbour amenity.

Landscaping prior to occupation - The development, hereby approved, shall not be occupied until hard and soft landscaping has been constructed in accordance with the approved details. Any new tree(s) that die(s) is/are removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which die, is removed, becomes severely damaged or diseased within five years of planting shall be replaced.

Replacement planting shall be in accordance with the approved details unless agreed otherwise with the Local Planning Authority.

Reason: To safeguard and enhance the character and amenity of the area.

11. **Appeal**

- 11.1 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**

- 12.1 None.

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Agenda Item 9

Report to: Planning Committee
Date: 20 October 2020
Application No: 200323 (PPP)
Location: Land adjacent to Southfields Court, Southfields Road, Eastbourne
Proposal: Construction of 19no apartments in a five storey building and associated external and enabling works
Applicant: Eastbourne Borough Council
Ward: Upperton
Deadlines: **Decision Due Date:** 8 July 2020
Neighbour Con. Expiry: 11 June 2020
Recommendation: Approve with conditions and subject to a Section 106 Legal Agreement to cover affordable housing and local labour and travel plan
Contact Officer: **Name:** Neil Collins
Post title: Specialist Advisor - Planning
E-mail: neil.collins@eastbourne.gov.uk
Telephone number: 01323 410000

Map Location:



1. **Executive Summary**

- 1.1 This application is brought to the Planning Committee in line with the Scheme of Delegation as it proposes major development.
- 1.2 The application proposes the construction of a 5 storey building resulting in the net gain of 19 residential flats, comprising a mix of one and two beds and includes two 1-bed wheelchair accessible apartments.
- 1.3 The proposal would result in development of a brownfield site and the creation of good quality residential accommodation in a sustainable location close to transport links and the amenities of Eastbourne Town Centre.
- 1.4 The proposal would provide 40% affordable housing provision, in excess of the 30% required by policy.
- 1.5 Design, transport, access, amenity and drainage impacts of the development are considered to be acceptable and the development is considered to provide a good quality of proposed accommodation.
- 1.6 The scheme is recommended for approval subject to conditions and a Section 106 legal agreement for Affordable Housing, a Local Labour Agreement and a Travel Plan, to include the following:
 - An on-street car club vehicle that would include entitlement to 3 years free membership to each first time occupant household and be open to wider membership to existing residents in Eastbourne;
 - 12 month season ticket for Eastbourne bus network;
 - £100 cycle voucher per first occupant;
 - Householder information pack (walking, cycling, public transport routes / distances to local schools, doctors, dentists, hospitals, public buildings, leisure facilities, timetables, etc); and
 - Cycle Maintenance support scheme.

2. **Relevant Planning Policies**

2.1 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
15. Conserving and enhancing the natural environment

2.2 Eastbourne Core Strategy Local Plan 2006-2027:

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C1: Town Centre Neighbourhood Policy

D1: Sustainable Development

D5: Housing

D7: Community Sport and Health

D8: Sustainable Travel

D9: Natural Environment

D10: Historic Environment

D10A: Design

2.3 Eastbourne Core Strategy Local Plan 2001-2011:

UHT1: Design of New Development

UHT4: Visual Amenity

UHT6: Tree Planting

UHT7: Landscaping

HO1: Residential Development Within the Existing Built-up Area

HO6: Infill Development

H07: Redevelopment

H09: Conversions and Change of Use

HO20: Residential Amenity

TR1: Locations for Major Development Proposals

TR2: Travel Demands

TR5: Contributions to the Cycle Network

TR8: Contributions to the Pedestrian Network

TR11: Car Parking

BI1: Retention of Class B1, B2 and B8 Sites and Premises

BI4: Retention of Employment Commitments

NE4: Sustainable Drainage Systems

NE23: Nature Conservation of Other Sites

LCF4: Outdoor Playing Space Contributions

NE14: Source Protection Zone

2.4 Supplementary Planning Documents and other relevant documents

Affordable Housing SPD

Sustainable Building Design SPD

3. Site Description

- 3.1 The application site comprises Southfields Car Park, owned and operated by Eastbourne Borough Council. The car park has provided parking for Council staff on weekdays, with weekends being offered on a pay and display basis to the general public although without staff travelling to work, this has recently extended to a full time pay and display facility.
- 3.2 The site is roughly rectangular and is accessed at its southwestern end from Southfield Road. It is bounded on its north western side by residential buildings, including Southfields Court, a 5 storey residential block of flats fronting Southfields Road and further to the north, Allingham Lodge, a taller 5 storey retirement home. It is bounded on its south-eastern side by the Post Office Depot.
- 3.3 The site forms part of a larger Development Opportunity Site (TO02) as defined within the Strategic Housing Land Availability Assessment (SHELAA 2019) including the adjacent Post Office Depot site.
- 3.4 The site falls within the Environment Agency's Flood Risk Area 1 (Low Risk).

4. Relevant Planning History

- 4.1 No relevant planning history.

5. Proposed Development

- 5.1 The application seeks permission for the construction of a five storey building located centrally on the site. The building would comprise 19 self-contained flats, which would provide a mix of housing between 1 and 2 beds and would include two 1 bed wheel chair accessible units at ground floor level.
- 5.2 8 of the 19 units, including the wheelchair accessible units, would be affordable, amounting to 40% on site affordable housing provision.
- 5.3 The building design and internal unit layout focusses outlook towards the front and rear of the site, with secondary outlook from the side elevations. Outdoors amenity space would be provided in the form of ground floor courtyards and balconies for the upper floor units.
- 5.4 The building would continue to provide vehicular access from Southfields Road and parking for two Blue Badge Holder vehicles for use by the wheelchair accessible units.
- 5.5 Secure internal ground floor cycle storage facilities would provide 38 cycle spaces for use by residents. Refuse and recycling storage facilities would be provided at the front of the site.
- 5.6 The proposal would incorporate a SUDs scheme, including a below ground tank to attenuate surface water discharge rates in the main sewer.

6. **Consultations**

6.1 East Sussex County Council (ESCC) Highways:

6.1.1 Objection to the displaced parking from the site and the on-street demands for the development.

6.2 Southern Water:

6.2.1 Our investigations indicate that Southern Water can facilitate foul and surface water sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

6.3 ESCC SuDs:

6.3.1 Objection on grounds that the site offers surface water attenuation for run off from the public highway, which would no longer be possible following development.

6.4 Specialist Advisor Planning Policy:

6.4.1 No objection to the development – sustainable residential development within the town centre location.

6.5 Specialist Advisor Regeneration:

6.5.1 In line with the Local Employment and Training Supplementary Planning Document, adopted November 2016, this application meets the threshold for a residential development and therefore qualifies for a local labour agreement.

6.5.2 Regeneration requests that if the above application is given approval it be subject to a local labour agreement.

7. **Neighbour Representations**

7.1 15 letters of objection, 4 general observations and 1 letter of support have been received following public consultation. Objections are lodged on the following grounds:

- On street parking stress
- Loss of car park
- Traffic generation
- Boundary wall alterations
- Overdevelopment
- Noise
- Pollution
- Loss of light
- Loss of privacy
- Too high

- Highways safety
- Loss of adjacent tree prior to application.

8. Appraisal

8.1 Principle of Development

- 8.1.1 Para. 73 of the Revised National Planning Policy Framework (NPPF) instructs that 'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. As the Eastbourne Core Strategy is now more than 5 years old, local housing need is used to calculate the supply required.
- 8.1.2 The most recently published Authority Monitoring Report shows that Eastbourne can only demonstrate a 1.43 year supply of housing land. The application site is not identified in the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) or on a brownfield register. It therefore represents a windfall site that would boost housing land supply.
- 8.1.3 Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 8.1.4 This site would not be considered a windfall site, as it has previously been identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). The application will result in a net gain of 19 residential units.
- 8.1.5 The site is located within the Town Centre Neighbourhood and Policy C1 of the Core Strategy sets out the vision for this area, which includes 'Delivering new housing through conversions, infill development and redevelopment'.
- 8.1.6 The Core Strategy states that the Town Centre Neighbourhood is one of the town's most sustainable neighbourhoods. It also states that "The Town Centre will make an important contribution to housing needs as a sustainable centre. Future residential development will be delivered through conversions and changes of use of existing buildings".
- 8.1.7 In addition, Policy B1 in the Spatial Development Strategy states that higher residential densities will be supported in these neighbourhoods. This site would be considered a brownfield site and the strategy states that 'in accordance with principles for sustainable

development, it will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land'.

- 8.1.8 Taking account of the above policy position, the proposed residential use of the site is considered to be wholly in line with the objectives of the Development Plan and is considered to be acceptable in principle.

8.2 Housing Mix and Affordable Housing

Housing mix:

- 8.2.1 Policy TC6 of the Eastbourne Town Centre Local Plan covers Residential Development in the Town Centre and states that it should provide a mix of different dwellings to include one, two and three bedroom units to suit the needs of a range of different occupiers.
- 8.2.2 The proposed building would comprise a mix of 1 and 2 bed units although 17 of the 19 would be 2-bed with the remaining two being 1-bed. Whilst no 3-bed flats would be provided, such family-sized accommodation should have access to good quality outdoor amenity space. This constrained site would not allow for many ground floor 3 bed units and would need to replace the proposed wheel chair accessible units, which there is a far greater need for, especially as they would be included within the affordable housing provision. Therefore, 2-bed units are considered to be well suited to this site given the other considerations.
- 8.2.3 Furthermore, the precise proportions in the split between dwelling sizes is not explicitly outlined within adopted policy. Therefore, it is not considered that it would be reasonable to refuse this application based upon the proposed mix of dwelling sizes, in the absence of such detail in adopted policy.
- 8.2.4 Therefore, the proposed mix is considered to be acceptable on this site.

Affordable Housing:

- 8.2.5 Any application submitted which results in a net increase of 10 or more residential units requires provision of affordable housing as per Eastbourne Borough Council's Affordable Housing SPD (2017). As such, this proposal for 19 dwellings will require the provision of affordable housing in line with adopted policy.
- 8.2.6 Para. 62 of the Revised NPPF states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:
- off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
 - the agreed approach contributes to the objective of creating mixed and balanced communities.

- 8.2.7 Eastbourne is divided into two Market Value Areas, as defined by the Eastbourne Affordable Housing SPD 2017, which reflect dwelling prices across Eastbourne. The Town Centre Neighbourhood is identified as being a 'Low Value Market Area'. Developments within Low Value Areas require 30% provision of affordable housing on all sites.
- 8.2.8 However, the application proposes that 8 of the 19 units would be affordable, which would amount to 40% of the scheme, well exceeding the required provision. This includes the 2no. accessible units at ground floor that will help meet the need for Disabled Ready Units required by Eastbourne Borough Council.
- 8.2.9 The 8 units will either be all affordable rent or a mix of affordable rent and shared ownership, to be agreed by the Council. In either scenario, the ground floor will be affordable rent.
- 8.3 Design and the impact upon the surrounding area
- 8.3.1 The application proposes the construction of a five storey building, which is a reduction in height of a storey from a previously submitted scheme. The height would be taller than the neighbouring Southfields Court, but lower than Allingham Lodge. It is considered that overall height, scale and bulk of the building is sympathetic to the layout, pattern and scale of existing development in the vicinity and would be a positive addition to landscape in Southfields Road.
- 8.3.2 The building adopts a contemporary design aesthetic and would utilise modern metal cladding elements alongside traditional facing brick. It is considered that the palette of materials would harmonise with the surrounding context and would be high quality finish to the external envelope of the building.
- 8.4 Impact upon the amenity of neighbouring occupants
- Noise and disturbance:
- 8.4.1 It is not considered that there would be any significant noise related issues with the proposal.
- Daylight:
- 8.4.2 The proposed building would be set well away from neighbouring buildings and it is not considered that existing habitable room windows would suffer from any significant loss of light as a result.
- Privacy:
- 8.4.3 The building would provide an outlook on all elevations of the building, including towards neighbouring residential buildings, Southfield Court and Allingham Lodge.
- 8.4.4 The impact upon the privacy for occupiers of each neighbouring building has been carefully considered. The outlook from the proposed building would be secondary to the primary outlook from living spaces to the front and rear. However, the outlook would also be set at an oblique angle to neighbouring sensitive windows at

Southfields Court and Allingham Lodge, such that direct views between windows would be slight.

8.4.5 Further to this, there is an established level of privacy between the two existing buildings and the proposal would not provide any significant reduction in the level of privacy currently enjoyed by existing neighbouring occupants.

8.4.6 It is considered that the proposal complies with Policy HO20 of the Eastbourne Borough Plan Saved Policies (2007).

8.5 Living Conditions of future occupants

Standard of proposed accommodation:

8.5.1 The proposal would create 19 units in total, comprising 2 one-bed units and 17 two-bed units.

8.5.2 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.

8.5.3 All proposed flats meet the respective floor space standards required by the nationally described space standards.

8.6 Outlook and privacy

8.6.1 The proposed units would comprise a good level of outlook for future occupants, with adequate daylight levels within habitable rooms. As such, the scheme is considered to be acceptable in respect of these elements, in accordance with Policy HO20 Residential Amenity.

8.7 Outdoor Amenity Space

8.7.1 The proposal would provide private outdoor space for all dwellings. In the case of the ground floor units, private amenity space would be made available by way of enclosed courtyard spaces, accessed directly from the ground floor units. On the upper floors, dwellings would have private Balconies located on the front and rear elevations of the building.

8.7.2 Taking the above considerations into account, the proposal is considered to offer a good standard of accommodation for future occupants of the units and would meet the objectives of adopted policy.

8.8 Accessibility and impacts upon highway networks

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

Accessibility:

- 8.8.2 The site is located within the Town Centre Neighbourhood, which is considered one of the most sustainable neighbourhoods in the borough.
- 8.8.3 The site is well served in terms of public transport, amenities and public services with Eastbourne train station and the town centre just a short walk from the site. The site is served by a number of bus routes in the vicinity.
- 8.8.4 The site comprises existing vehicular access from Southfields Road and this would be retained to provide access to disabled parking for disabled blue badge holders within the site.
- 8.8.5 The site is considered to be in a highly sustainable location from a transport perspective.

Parking:

- 8.8.6 The existing car park provides 25 car parking spaces, which have until recent changes to working arrangements from the pandemic, provided in the week days for Council staff working at the Grove Road site.
- 8.8.7 The proposal would result in the loss of parking for staff, but this has been provided at the Tennis Centre at Devonshire Park. As such, daytime demand resulting from displacement of the 25 car park spaces is not considered to be significantly different as a result of the proposal.
- 8.8.8 The ESCC Car Parking Calculator indicates that the proposed development would generate an additional demand for 12 car parking spaces. An overnight on-street parking survey was undertaken in March 2020, which identified that there is additional capacity for 5 car parking spaces. Together with the proposed provision of two on-site car parking spaces for disabled Blue Badge holders, the resulting shortfall would be 5 spaces.
- 8.8.9 This is a highly sustainable location and provides excellent access to public transport, amenities and services. It is considered that the shortfall would be acceptable provided mitigating measures to dissuade vehicle ownership and encourage the uptake of sustainable methods of transport.
- 8.8.10 It is therefore recommended that a S106 agreement secures the delivery of a Travel Plan, which includes the following:
- An on-street car club vehicle that would include entitlement to 3 years free membership to each first time occupant household and be open to wider membership to existing residents in Eastbourne;
 - 12-month season ticket for Eastbourne bus network;
 - £100 cycle voucher per first occupant;

- Householder information pack (walking, cycling, public transport routes / distances to local schools, doctors, dentists, hospitals, public buildings, leisure facilities, timetables, etc); and
- Cycle Maintenance support scheme.

Cycle storage facilities:

- 8.8.11 The Council's policy TR2 (Travel Demands) seeks a balance between public transport, cycling and walking to meet the transport demands of proposed development. The application includes the provision of cycle storage facilities within a dedicated internal area with accommodation for 38 cycles, which significantly exceeds ESCC adopted standards of 0.5 spaces per unit in communal facilities.
- 8.8.12 A condition will be attached to ensure cycle parking is provided on site prior to first occupation.
- 8.8.13 Taking the above considerations into account, it is considered that the proposed development complies with Policy TR11 of the Eastbourne Borough Plan Saved Policies (2007).

8.9 Other matters

Drainage:

- 8.9.1 ESCC SUDs Team has been consulted regarding the application, who has identified that the site level is lower than the highway in Southfields Road. This means that the site currently takes on surface water discharged from the public highway.
- 8.9.2 The submitted drainage information confirms that the site would be built up so that the ground level would prevent surface water entering the site from the highway. Therefore, surface water discharging from the highway would no longer use the site by the public sewers. Management of surface water on the public highway is a matter for ESCC.
- 8.9.3 In terms of the surface water and foul sewerage requirements for the site itself, the proposal would incorporate a SUDs scheme on-site, which would include a below ground tank to attenuate surface water discharge rates in the main sewer. Southern Water has agreed that there is capacity for both foul and service water

Refuse/Recycling storage facilities:

- 8.9.4 The application provides details of refuse/recycling storage facilities within dedicated facilities on the Southfield Road Frontage. The proposed facilities would be large enough for the intended occupancy and suitably sited for collection and a condition has been attached to ensure that they are provided prior to first occupation of the building.

Community Infrastructure Levy:

8.9.5 The development is not liable for CIL, as it is a development of flats, which are not included under the current charging schedule.

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 a S106 legal agreement to include the following:

- Affordable Housing:
- Local Labour Agreement
- Travel Plan

and the following conditions:

10.2 Time Limit - 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). Approved Plans

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

Site and Location Plan: 2779/01

Proposed Plans Sheet 1: 2779/02

Proposed Roof Plans Sheet 1: 2779/03

Proposed Elevations Sheet 1: 2779/04

Proposed Elevations Sheet 2: 2779/05

Bay Study and Materials: 2779/06

Visuals Sheet 1: 2779/07

Visuals Sheet 2: 2779/08

Sustainable Drainage & Flood Risk Assessment, by HOP, dated March 2020

Proposed Drainage Strategy: 15744-HOP-ZZ-XX-DR-C-10001 Rev 1

Design and Access Statement, by Felce and Guy Partnership LLP

Transport Statement, by Motion, dated 24/03/2020

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

- 10.4 External Materials - The external surfaces of the development, hereby approved, shall be finished in accordance with the approved Design and access Statement, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory appearance.

- 10.5 Parking spaces - No part of the development shall be occupied until the disabled car parking has been constructed and provided in accordance with the approved plans. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide disabled car-parking spaces for the development.

- 10.6 Cycle Parking - Secure covered cycle parking facilities for a minimum of 38 bicycles shall be provided in accordance with the details approved prior to first occupation of the development, hereby approved, and shall thereafter be retained in accordance with the approved details for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

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

- 10.7 Refuse and Recycling - Refuse and recycling facilities shall be provided in accordance with approved plans prior to first occupation of the development, hereby approved, and retained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

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

- 10.8 Vehicular Access - The development, hereby approved, shall not be occupied until the vehicular access serving the development has been constructed in accordance with the approved drawings.

Reason: In the interests of road safety.

- 10.9 Green Roof and Micro Generation - No development shall commence until details of the green roof have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the green roof shall be implemented in accordance with the approved details, the development, hereby approved, shall not be occupied until the green roof and renewable energy equipment has been constructed in accordance with the approved drawings.

Reason: of the amenity of the area and sustainability.

- 10.10 Level Access - The development, hereby approved, shall not be occupied until level access from the car parking spaces and the public highway to the dwellings has been constructed in accordance with the approved drawings.

Reason: In the interests of accessibility.

10.11 Construction Management Plan - 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, unloading and storage of plant, materials and waste;
- the times of any deliveries related to the development, which should avoid peak travel times;
- the erection and maintenance of security hoarding;
- details of wheel washing, or any other measures to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- details of public engagement both prior to and during construction works;
- details of any temporary structures or hoarding on or around the site.

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

11. **Appeal**

11.1 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**

12.1 None.