

Planning Committee

26 May 2021



Working in partnership with **Eastbourne Homes**

Time and venue:

6.00 pm in the Shackleton Hall in the Welcome Building, Devonshire Quarter, Compton Street, Eastbourne, BN21 4BP

This meeting is open to the public to attend. Whilst seating is currently limited due to social distancing guidelines, we ask that if you are planning to attend and observe the meeting, please let us know by emailing committees@lewes-eastbourne.gov.uk and let us know if you need to use the hearing loop unit at the meeting. We will also require that you wear a face covering (unless medically exempt), observe social distancing and check in at the meeting using the OR codes provided. Priority seating will be given to speakers.

Membership: Subject to approval at Full Council.

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: Tuesday, 18 May 2021

Agenda

- 1 Introductions**
- 2 Apologies for absence and notification of substitute members**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**
- 4 Minutes of the meeting held on 20 April 2021 (Pages 5 - 8)**
- 5 Urgent items of business.**

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.
- 6 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.
- 7 36 Broomfield Street. ID: 210108 (Pages 9 - 30)**

- 8 **Wood Winton, 63a Silverdale Road. ID: 210147 (Pages 31 - 36)**
- 9 **1 Elmwood Close. ID: 200855 (Pages 37 - 48)**
- 10 **54-56 Upperton Road. ID: 210045 (Pages 49 - 62)**
- 11 **Date of next meeting**

To note that the meeting of the Planning Committee is scheduled to be held on Tuesday, 29 June 2021 in the Court Room at Eastbourne Town Hall, Grove Road, Eastbourne, BN21 4UG.

Information for the public

Accessibility:

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

To assist with our arrangements, if you are planning to attend and observe the meeting please let us know by emailing committees@lewes-eastbourne.gov.uk and let us know if you need to use the hearing loop unit at the meeting.

Filming/Recording:

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

Speaking at Planning

Registering your interest to speak on Planning Applications.

If you wish to address the Committee regarding a planning application, you need to register your interest by emailing committees@lewes-eastbourne.gov.uk by 12 noon on Friday 21st May. Requests made beyond this date cannot normally be accepted. Please provide your name, address and contact number, the application number and the proposed development to which it refers. You need to make clear whether you wish to speak in favour or against the application and your relationship to the site. Please also let us know if you wish for your speech to be read out on your behalf.

The Public Speaking Scheme rules place a limit on the numbers of public speeches allowed and time allotted apply. So up to 2 members of the public can speak (up to 1 objector and 1 supporter) on a first come first served basis and that one person can act as spokesperson for a group. In addition, the ward member will be allowed to speak. Anyone who asks to speak after someone else has registered an interest will be put in touch with the first person, or local ward Councillor, to enable a spokesperson to be selected. Those who are successful, will receive an email to formally confirm their request to speak has been granted. The speech should take no longer than 3 minutes (which is approximately 500 words).

Please note:

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

You should arrive at the Shackleton Hall in the Welcome Building at least 15 minutes before the start of the meeting and you will be advised which microphone to use.

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

The Chair will then invite speakers to a standing microphone in turn to address the Committee in the following order:

- Objector
- Supporter
- Ward Councillor(s)

The objector or supporter can only be heard once on any application, unless it is in response to a question from the Committee.

Information for Councillors

Disclosure of interests:

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

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

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

Councillor right of address:

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

Democratic Services

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

Email: committees@lewes-eastbourne.gov.uk

Telephone: 01323 410000

Council website: <https://www.lewes-eastbourne.gov.uk/>

Modern.gov app available: View upcoming public committee documents on your device. Free modern.gov [iPad app](#) or [Android app](#) or [Microsoft app](#).

This page is intentionally left blank



Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held remotely on 20 April 2021 at 6.00 pm.

Present:

Councillor Jim Murray (Chair).

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

Officers in attendance:

Leigh Palmer (Head of Planning First), Neil Collins (Senior Specialist Advisor for Planning), Helen Monaghan (Lawyer, Planning) and Emily Horne (Committee Officer).

70 Welcome and Introductions

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

A short period of silence was held in memory of His Royal Highness, The Prince Philip, Duke of Edinburgh who passed away on Friday, 9th April 2021.

71 Apologies for absence and notification of substitute members

Apologies for absence had been received from Councillor Colin Murdoch. Councillor Paul Metcalfe MBE confirmed he was acting as substitute for Councillor Colin Murdoch.

72 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.

73 Minutes of the meeting held on 23 March 2021

The minutes of the meeting held on 23 March 2021 were submitted and approved as a correct record, and the Chair was authorised to sign them.

74 Urgent items of business.

There were none.

75 Gate Court Dairy, Waterworks Road. ID: 200742

Outline Planning Application (Access, Appearance, Layout and Scale) for the redevelopment of site to form 60N° flats, consisting of 3N° three bedroom flats, 29N° two bedroom flats and 28N° one bedroom flats
– **DEVONSHIRE.**

The Committee was advised by way of an addendum report of two additional representations that had been received, an additional condition at paragraph 10.21 for the provision of electric charging points and the inclusion of Car Club contributions to be added to the S106 agreement.

A typographical error was noted at Condition No.10.15, page 25 of the report. Replace the words 'flood warming' with 'flood warning'.

The Committee were reminded that the details for consideration were: access, layout, scale and appearance. If consent was granted, a Reserved Matters application would be brought to the committee for additional consideration and would involve: landscaping, construction and environmental management, drainage, sustainability, land contamination investigation / remediation and travel plan.

In discussing the application the Committee felt it was in keeping with the surrounding area and was good use of a brownfield site. Concerns were raised regarding flood risks, sewage and drainage, infrastructure and parking.

Officers advised the Committee the Council had consulted with the Environment Agency regarding the flood risks and they had raised no objection subject to the conditions set out in the officers report. It was noted that a flood risk assessment and an evacuation plan were required for an application in a flood risk zone. Sewage and drainage matters would be considered under reserved matters in consultation with East Sussex County Council and Southern Water. Whilst the scheme was too small for an infrastructure report it would be monitored by East Sussex County Council and unallocated parking arrangements would be secured as part of the S106 agreement.

Councillor Vaughan proposed a motion to approve the application in line with the officers' recommendation, the provision of electric charging points and the inclusion of Car Club contributions to be added to the S106 agreement as referred to in the Addendum. This was seconded by Councillor Metcalfe and was carried.

RESOLVED: (Unanimously) that outline planning permission be granted, with all matters reserved for the redevelopment of site to form 60 flats subject to a S106 legal agreement securing affordable housing, a local labour agreement and to secure unallocated on-site parking provision, a S278 agreement for off-site highway works, the remaining conditions set out in the report and the inclusion of Car Club contributions as a Head of Term to be added to the S106 agreement as referred to in the Addendum.

The meeting ended at 6.46 pm

Councillor Jim Murray (Chair)

This page is intentionally left blank

Agenda Item 7

Report to: Planning Committee
Date: 25th May 2021
Application No: 210108
Location: 36 Broomfield Street, Eastbourne
Proposal: Outline planning permission (Access, Appearance, Layout and Scale) for demolition of existing dwelling and garage block and erection of 4 x detached 3 bedroom dwellings, 2 x semi-detached 3 bedroom dwellings and 2 x semi-detached 2 bedroom dwellings (8 residential units in total following amendments) - resubmission of 200302

Applicant : MR H GOACHER
Ward: Old Town

Recommendation: Approve with conditions

Contact Officer: **Name:** Sam Finnis
Post title: Specialist Advisor - Planning
E-mail: sam.finnis@lewes-eastbourne.gov.uk
Telephone number: 01323 410000

Map Location:



1. **Executive Summary**

- 1.1 This application is referred to the Planning Committee due to the level of representations currently received.
- 1.2 The submission comprises an Outline planning application with Access, Appearance, Layout and Scale under consideration with landscaping details a reserved matter although layout drawings show indicative landscaping arrangements.
- 1.3 The proposal involves the demolition of all existing buildings within the site area and the redevelopment of the site for residential purposes. The scheme as now amended would incorporate 8 no dwellings.
- 1.4 The proposed development would represent the optimisation of the use of a previously developed site to residential. It would ensure that the amenities of neighbouring residents are preserved.
- 1.5 It is acknowledged that that the Council is not, at present, able to substantiate a five-year supply of housing. The development of housing on this previously developed site is considered to accord with the 3 dimensions of sustainable development as set out in paragraph 11 of the NPPF. The proposal will make a welcome contribution to the housing stock in the Borough.
- 1.6 The application 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. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places

2.2 Eastbourne Core Strategy Local Plan 2006-2027:

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C4 Old Town Neighbourhood Policy
- D1 Sustainable Development

D5 Housing

D8 Sustainable Travel – A2021 Quality Bus Corridor

D10a Design

2.3 Eastbourne Borough Plan 2001-2011:

NE7 Waste Minimisation Measures in Residential Areas

NE28 Environmental Amenity

UHT1 Design of New Development

UHT4 Visual Amenity

UHT7 Landscaping

HO1 Residential Development within the Existing Built-up Area

HO2 Predominantly Residential Areas

HO8 Redevelopment of Garage Courts

HO20 Residential Amenity

TR6 Facilities for Cyclists

TR11 Car Parking

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

3. **Site Description**

3.1 The application site comprises a self-contained garage compound with associated hardstanding which has vehicular access from Broomfield Street. The rear gardens of dwellings on Northiam Road, Dillingburgh Road, Broomfield Street and Longland Road back onto the northern, eastern, southern and western boundaries of the site respectively.

3.2 The garages are positioned centrally within the compound in a single block comprising a total of 40 garages (2 rows of 20 positioned back to back). The garages have shallow pitched roofing and would appear to be in good condition. The garages are let out for use for storage purposes and their use is not directly tied to any neighbouring properties for the purpose of car parking.

3.3 The application site also incorporates the existing plot at 36 Broomfield Street which comprises a detached two-storey dwelling along with front and rear garden areas.

3.4 Surrounding development is predominantly residential and in the form of relatively large two-storey dwellings, the majority of which are semi-detached or terraced, that are set back from the road in a uniform building line and have fairly lengthy rear garden space. Due to the surrounding topography, properties to the south of the site are on lower lying ground whilst those to the north and west are on raised ground as are properties to the east at the northern end of Dillingburgh Road.

- 3.5 There is open green space at Old Town Recreation Ground, which is nearby to the west, whilst further to the north west are the fringes of the South Downs National Park, defined by wooded hill slopes.
- 3.6 The site is located within the settlement boundary. There are no specific planning constraints or designations attached to the site or the immediate surrounding area.
- 3.7 The site has been identified within both the 2017 and 2019 Strategic Housing and Economic Land Availability Assessments (SHELAA) as suitable for residential development with up to 9 no dwellings under site reference OL21.

4. **Relevant Planning History**

- 4.1 **EB/200302** - Outline planning permission (Access, Appearance, Layout and Scale) for demolition of existing dwelling and garage block and erection of 2 x 2 bedroom flats, 3 x detached 4 bedroom dwellings, 2 x semi-detached 3 bedroom dwellings and 2 x semi-detached 2 bedroom dwellings (9 residential units in total).
- 4.2 The most recent submission at this site was refused for the following reasons:
- 1) The development, as a consequence of its unsympathetic street frontage and layout when viewed from Broomfield Street, would disrupt the prevailing visual and spatial characteristics of the surrounding area resulting in an incongruous appearance and a poor level of integration within the streetscape. The development is therefore in conflict with para. 122 and para. 127 of the Revised National Planning Policy Framework, saved policies UHT1, UHT4 and HO8 of the Eastbourne Borough Plan and policy D10a of the Eastbourne Core Strategy.
- 2) The development, as a consequence of the positioning of significant sections of flank walls in relation to neighbouring gardens and windows (in the case of plots 1 and 2) as well as the frequency and distribution of windows and roof lights overlooking rear gardens would result in an unneighbourly, oppressive and overly dominant relationship being generated, to the detriment of the amenities of neighbouring residents in conflict with part 12 of the Revised National Planning Policy Framework, saved policies HO8, HO20 and NE28 of the Eastbourne Borough Plan and policy D10a of the Eastbourne Core Strategy.
- 4.3 The proposal scheme has been amended following the earlier refusal. The submitted details now confirm that there would be 8 no properties proposed and all properties would be two storey with no rooms proposed at second floor level.
- 4.4 In addition, following further consideration Plot 1 has now been amended to form a single 3 bed dwelling, rather than a 2-unit maisonette as initially proposed, and has been reduced in size to remain in keeping with the rear building line of adjacent properties.
- 4.5 **EB/1964/0270** - Erection of a block of 40 lock-up garages, with access from Broomfield Street. - Granted 1964-05-21.

- 4.6 **EB/1964/0054** - Erection of a block of 40 lock-up garages - Granted, subject to conditions -1964-02-06.

5. **Proposed Development**

- 5.1 This is an outline application. Full details of access arrangements, the layout, scale and appearance of the development have been provided. Site landscaping has been requested to be left as a reserved matter although layout drawings show indicative landscaping arrangements.
- 5.2 Following amendments to plots 1 and 2 which now combine the units into a single property the development would comprise the following:-
- 5.3 Plot 1 – Detached 2-storey 3 bed-dwelling. This building would be positioned on the existing plot at 36 Broomfield Street, with the southern elevation facing out towards the street. The building footprint would measure 5.05 metres in width by approx. 13 metres in depth at ground floor including a 3.3. metre single storey extension. The first floor would measure 9.9 metres in depth. The roof would be hipped with eaves height at approx. 5.8 metres to 5.3 metres as the land rises to the rear with a metres and the ridge line at approx. 7.8 metres stepping down to approx. 3.5 metres on the single-storey element.
- 5.4 Plot 2 – A detached 2 storey 3 bed dwelling with detached garage (with a section of pitched roofing providing a covered link to the main dwelling). The building footprint measures 7 metres in width by 8.5 metres in depth. The roof would be hipped with eaves height at approx. 5.25 metres and the ridge line at approx. 8.4 metres.
- 5.5 Plot 3 – A detached 2-storey 3 bed dwelling with attached garage. The dwelling footprint would measure 6.2 metres in width by 8.5 metres in depth. The roof would be hipped with an eaves height of approx. 5.25 metres and the ridge line at approx. 8 metres. The attached garage would measure 3.1 metres in width by 6.2 metres in depth. It would have a gable roof with an eaves height of approx. 2.25 metres and a ridge height of approx. 5.2 metres.
- 5.6 Plot 4 – A detached 2-storey 3 bed dwelling with attached garage and protruding gable element on front elevation. The dwelling footprint would measure 6.9 metres in width by 8.5 metres in depth. The roof would be hipped with an eaves height of approx. 5.25 metres with the ridge line at approx. 8.4 metres. The attached garage would measure 3.2 metres in width by 6.2 metres in depth. It would have a gable roof with an eaves height of approx. 2.25 metres and a ridge height of approx. 5.2 metres.
- 5.7 Plots 5 & 6 – A pair of semi-detached 2-storey 3 bed dwellings with a staggered frontage. Each dwelling would have a footprint of 5.6 metres in width by 9.3 metres in depth. The roof would be hipped with eaves height at approx. 5.25 metres and a ridge height of approx. 7.9 metres. Plot 5 would be provided with a detached garage, linked to the main dwelling by a section of roof, which would measure 3.2 metres in width by 6.2 metres in depth. The roof would be part gable and part hipped and have an eaves height of approx. 2.4 metres with the ridge line at approx. 4.2 metres.

- 5.8 Plots 7 & 8 – A pair of semi-detached 2-storey 2 bedroom dwellings. Each dwelling would have a footprint of 4.65 metres in width by 9 metres in depth. The roofing would be hipped with an eaves height of approx. 5.25 metres and a ridge height of approx. 8.65 metres.
- 5.9 The dwellings would be configured in a cul-de-sac arrangement with the existing site access being widened to 4.5 metres and a spinal road formed along the eastern site boundary. A turning head would be provided roughly halfway into the site with the road beyond that leading into a car parking area.
- 5.10 Plots 1, 2, 3 and 4 would have 2 spaces. Plot 5 would have a single allocated parking bay and a garage. Plots 6, 7 and 8 would not have any allocated parking but 6 unallocated bays would be provided in the car parking area adjacent to them.
- 5.11 All dwellings would have access to private amenity space to the rear whilst the ground floor flat would have access to an enclosed courtyard area. Cycle and bin storage areas would be provided within the rear gardens of each dwelling with the flats sharing facilities that would be provided to the sides of the building.
- 5.12 The submitted plans show landscaping throughout the site however this is indicative and not a matter to be considered as part of this outline application.

6. Consultations

- 6.1 The consultation responses refer to the original 9 units proposed; this reflects the scheme as originally submitted prior to amendments. The amendments to the scheme have seen a reduction of units and a reduced level of built form to plot 1. As the changes do not bring about a greater level of impact the relevance of the comments provided remain valid.

6.2 External

6.3 ESCC Highways – 12.04.2021

No objection - subject to the imposition of conditions relating to provision of adequate visibility splays, ensuring compliance with approved plans, and provision of parking spaces, cycle spaces and turning space for vehicles has been provided.

6.4 ESCC SuDS – 25.03.2021

No objection - subject to the imposition of conditions relating to the submission of a detailed surface water drainage system, management and maintenance provision, measures to manage flood risk and confirmation of construction in accordance with approved plans.

Internal

6.5 Specialist Advisor (Waste)

No comments received.

6.6 Specialist Advisor (Environmental Health)

No comments received.

6.7 Specialist Advisor (Planning Policy)

No objection – No affordable housing requirement. No comments from previous application other than at 1st October 2020 the 5-year housing land supply is 1.8 years.

7. **Neighbour Representations**

7.1 A number of representations have been received in respect of this proposal comprising:

- 65 letters of objection
- 1 letter of support
- 1 Petition with 213 signatures.

The following is a summary of the main themes and issues raised by the objectors:

- Issues from parking
- Issues created by additional traffic and congestion
- Out of character;
- Loss of privacy and overlooking
- Overbearing;
- Safety implications from increased vehicles;
- Excessive density of development – overdevelopment
- Loss of Daylight and Sunlight
- Ecological impacts – Bats have been sighted;
- Biodiversity impacts;
- Loss of residential amenity;
- Potential noise impacts;
- Reasons on previous refusal remain valid and have not been addressed;
- Potential surface water drainage issues
- No changes to the previously refused scheme
- Demolition of 36 Broomfield Street is not justified;
- Would not be in keeping with the character of the area;
- Loss of garaging would be detrimental to the area;
- Impact on rear amenity areas of surrounding properties.

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 Eastbourne can currently only demonstrate a 1.8 year supply of housing land. The application site is identified in the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) as site OL21. It is assessed as being potentially developable for a provision of up to 9 dwellings. The application, if members were minded to approve, would result in a net gain of 7 units. It is important to note that this is based on a general overview of the site rather than the full gamut of relevant planning considerations.
- 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 presumption of approval will therefore need to take into account the balance between the 3 overarching objectives of sustainable development, (these being social, economic and environmental benefits), 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).
- 8.1.5 The shortfall in the supply of housing land is a material consideration that weighs heavily in favour of allowing the proposed development.
- 8.1.6 The site is within the Old Town Neighbourhood and policy C4 of the Core Strategy Plan sets out the vision of the area, which includes *'Delivering some housing through infill and redevelopment of commercial premises.'*
- 8.1.7 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 for the Neighbourhood and is considered to be acceptable in principle.

8.2 Housing Supply:

- 8.2.1 The proposed development would result in a net gain of 7 residential units (due to the existing dwelling at 36 Broomfield Street being demolished). It is considered that the unit sizes across the development provides for a mixed and balanced community as required by policy D5 of the Eastbourne Core Strategy, with small and

larger family homes being incorporated as well as para. 122 a) of the Revised National Planning Policy Framework which maintains that *'Planning policies and decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development...'*

8.3 Loss of Garage Facilities:

- 8.3.1 The site currently provides a single block of 40 garages. These garages are not directly associated with car parking for neighbouring dwellings on Broomfield Street, Longland Road, Northiam Road and Dillingburgh Road and are let out primarily for storage purposes. The applicant states that demand for the use of the garages is on the decline.
- 8.3.2 The saved policies of the Eastbourne Borough Plan include a specific policy, HO8, to encourage the redevelopment of garage plots for residential purposes where a submitted scheme represents:-
- a) a well designed development in terms of siting, scale and materials;
 - b) no significant harm to residential, visual or environmental amenity;
 - c) no adverse effect on road safety;
 - d) provision of adequate car parking.
- 8.3.3 The redevelopment of such sites is also encouraged by para. 118 d) of the Revised National Planning Policy Framework. As such, it is considered the redevelopment of the garage site is acceptable in principle subject to these criteria, against which the development will be fully assessed in the main body of this report.

8.4 Design issues

- 8.4.1 The previously refused scheme included 2 reasons of refusal which considered design along with impact on the amenities of adjoining dwellings. As will be discussed in this report the concerns in respect of residential amenity have now been removed leaving the design reason alone to be assessed. It therefore falls to assess the design of the proposal as currently tabled against the previous design concerns raised.
- 8.4.2 The properties that back onto the site comprise a mix of terraced, semi-detached and detached dwellings. That mix is partially reflected in the scheme proposed with the inclusion of semi detached units. It is noted that the previously refused submission under 200302 incorporated larger dwellings which included rooms within the roof and higher ridgelines. The design approach now tabled has taken account of the previous reasons for refusal, primarily in respect of the scaling back of units backing onto Longland Road and Northiam Road so that

the dwellings better match the form of those existing two storey units surrounding the site.

- 8.4.3 The proposed scheme is made up of a group of dwellings positioned around an access road in a typical cul-de-sac arrangement. Given the position of the site to the rear of existing properties fronting on to Northiam Road, Dillingburgh Road, Broomfield Street and Longland Road the proposed properties within the centre of the site do not necessarily have to fit into an existing street scene. Whilst the design of the dwellings does not replicate that of neighbouring buildings it is considered that the more relatable two storey scale of the development, as well as the self-contained nature of the site, is such that it is reasonable for it to possess its own character, which is a positive factor in creating a new development with a strong sense of identity.
- 8.4.4 The dwelling buildings are considered to be well articulated, engaging in appearance and the variance in design between buildings (whilst maintaining elements of commonality) is considered to create an interesting and distinctive environment within the centre of the proposed development.
- 8.4.5 The design, size and massing of the proposed buildings and the palette of materials, also take their cue from the surrounding properties. This is acceptable and helps to assimilate the dwellings into the landscape as well as tying them to the surrounding area with the use of traditional forms and materials.
- 8.4.6 An area of concern within the previously refused submission was the proposed 2 no flats facing onto Broomfield Street which was considered an incongruous and disruptive feature within the street scene that would compromise the established visual and spatial characteristics of the surrounding environment. Whilst the overall form and massing of the property when seen from Broomfield Road would appear similar to the previous scheme the unit has now been amended to become a 3 bed dwelling rather than flats. A single dwelling fronting Broomfield Road is considered to be more inkeeping with neighbouring properties.
- 8.4.7 The depth of the property has also been reduced to better match the rear building line of adjoining dwellings although the width remains less than that of other properties at this point along Broomfield Street. It is noted that the reduced width is required to enable sufficient access to the remainder of the development.
- 8.4.8 With regard to impact on the wider surrounding area, given the proximity of the site to the South Downs National Park, it is not considered that the proposed scheme would have a negative impact. This was also the conclusion reached in the previous submission.

8.4.9 The visual gap currently afforded by the low level development of the site does not provide any key outlook towards the Downs and the presence of two storey buildings would not be any more disruptive to such views than surrounding residential development. Whilst a certain level of light spillage may be generated it is noted that the proposed development would be embedded in a developed area with an established presence of street lights as well as windows at ground and first floor height and it is not considered that any light generated would appear pronounced or isolated when viewed from the downs nor would it compromise the overall tranquillity of the downland, which is designated as a dark sky reserve.

8.4.10 Summary of design issues

8.4.11 With regard to Plot 1 notwithstanding the amendments made to this submission, the conclusions reached in the previous refusal in respect of prevailing visual and spatial characteristics of the surrounding area have not been adequately addressed. The form and scale of the property would not align with that of other properties in the streetscene.

8.4.12 However, the harm attributed to this aspect must be assessed against the context of the presumption in favour of sustainable development. The harm attributed to this element of the proposal is not considered to outweigh the benefits provided through the provision of housing within the wider site. Therefore, it is not considered that an objection to the scheme could be sustained for the design reason alone for plot 1 when assessed against the policies in this Framework taken as a whole.

8.4.13 In respect of plots 2 to 8 it is considered there would be no conflict therefore, with the thrust of policies UHT1, UHT4, HO6 and HO8 of the Eastbourne Borough Plan which, together, seek to ensure that new residential development is well designed in terms of siting, scale, design and materials, and that it reflects the local townscape/ local distinctiveness whilst making the most effective use of the site.

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

8.5.1 The proposed dwellings will occupy an area that currently appears is a largely open space when viewed from neighbouring properties on account of the only built form present being a low-rise garage block. Its redevelopment with 8 no two storey properties would inevitably have a greater impact on adjoining residents. However, this is not a reason for refusal; very many developments have an effect. The issue is whether those impacts are unreasonable in terms of, for example, the overbearing nature of the properties, loss of light or overlooking.

- 8.5.2 It is recognised that the development proposed may increase the perception of overlooking for adjoining occupiers. Moreover, the distances of the proposed dwellings to the rear garden boundaries would not be substantial. However, whilst there may well be some mutual intervisibility, this is not uncommon in urban settings and the separation distance would be sufficient to ensure that there would be no materially harmful overlooking or loss of privacy for adjoining occupiers. In terms of overlooking the rear facing windows at plots 2 to 8 would face towards garden areas on Longland Road (to the west) and Northiam Road (to the north). These neighbouring properties are on land that is raised in comparison to the application site level. As such, first floor windows would offer a fairly level view over the gardens. To the east, the land falls very gradually towards the rear of the properties on Dillingburgh Road. The combination of the changes in levels, and the separation between the rear facing elevations of the existing and proposed buildings, some 24-30 metres, would be sufficient to ensure that the scheme proposed would not appear unduly cramped in its context and there would be no harm to the established amenities of neighbouring properties.
- 8.5.3 As with the previous scheme in order to accommodate the number and scale of dwellings proposed, the buildings have also had to be configured in such a way that the flank elevation walls of a number of units, particularly those at plot 2, plot 5 and plot 8, are within close proximity of the rear boundaries of dwellings on Broomfield Street, Longland Road and Dillingburgh Road.
- 8.5.4 Whilst the outlook for occupiers would change, that is not, necessarily, the same as causing harm. The dwellings proposed are now all two storey and this fact combined with the separation from adjoining properties would be sufficient to ensure that they would not be seen as unduly overbearing on the rear amenity areas of adjoining properties. The alignment of the proposed development, which is on a roughly north/south axis, in combination with the separation from surrounding properties would also serve to minimise any potential for loss of daylight/overshadowing of the adjoining properties and their gardens.
- 8.5.5 In respect of plot 1 the revised scheme now ensures that rear building line of this dwelling does not extend beyond the rear elevation of 38 Broomfield Street at two storey level. The previous extent of built form here was a significant concern in the previous refusal and this has now effectively been removed from the scheme. The relationship of Plot 1 with the adjoining property of 38 Broomfield Street would effectively remain as existing and as such no concerns are raised in terms of overbearance or overshadowing. Notwithstanding, conditions restricting permitted development rights at the dwellings are included to preserve amenities of neighbouring properties.

- 8.5.6 It is therefore considered that the proposed development as now amended would not generate unacceptable adverse impact upon the amenities of neighbouring residents, in conflict with saved policies HO20 and NE28 of the Eastbourne Borough Plan and paras. 117 and 127 of the Revised National Planning Policy Framework.

8.6 Living Conditions for Future Occupants:

- 8.6.1 Para. 126 of the National Design Guide (2019), which is a companion to the Revised National Planning Policy Framework, states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.'
- 8.6.2 Nationally described space standard define the minimum levels of Gross Internal Area (GIA) that should be provided for new residential development, based on the amount of bedrooms provided and level of occupancy. Each of the dwellings meets the required floor space provision in accordance with the national standards.
- 8.6.3 All primary habitable rooms across the development are served by clear glazed openings. The level of access would be improved due to the dual aspect nature of all dwellings. Awkwardly shaped rooms and long corridors are avoided, thereby ensuring that the functionality and accessibility of the internal space within each property is maximised.
- 8.6.4 All dwellings have direct access to private amenity space whilst a private courtyard area is provided at the block of flats. Whilst garden sizes are smaller than those at neighbouring properties within immediate vicinity of the development they are consistent with higher density and more contemporary development within the wider surrounding area. Overall, it is considered that an acceptable balance is struck between the need for functional private amenity space and the need to develop brownfield sites at a suitable density to represent an efficient use of the land.

8.7 Impacts on highway network or access:

- 8.7.1 The site layout and access arrangements have been assessed by ESCC Highways. It is noted that the demolition of 36 Broomfield Street enables the widening of the access road to 4.5 metres, thereby meeting Highway standards for the width of a two way vehicular access. Vehicles entering and leaving the site will therefore be able to pass each other safely.
- 8.7.2 The access from Broomfield Street is the sole means of access to the site and, as such, would be used by any pedestrians making trips to plots 2 to 8 on foot. Whilst a designated footpath would be preferable, it is considered that this arrangement is acceptable in this instance

due to the good levels of visibility on the access road, which is straight and level and the availability of refuge spaces on most parts of the road save a relatively short section directly adjacent to the side elevation of unit 1.

- 8.7.3 Adequate turning space for motor cars as well as servicing vehicles is provided within the site, thereby enabling vehicles to enter and leave the site in forward gear. The only exception to this would be the parking bay serving plot 1 but it is considered that this is acceptable due to it applying to a single bay only and is a similar arrangement to other bays nearby.
- 8.7.4 The quantum of parking provided is considered acceptable to serve the development without resulting in unacceptable parking pressure on the surrounding highway network, provided 6 of the parking spaces remain unallocated. All parking spaces are of suitable dimensions, are close to dwellings and benefit from high levels of surveillance from properties within the development as well dwellings on neighbouring streets.
- 8.7.5 The Highway Authority raises no objection in terms of safety or in terms of access for emergency or refuse vehicles.
- 8.7.6 It is noted that the provision of a parking bay to serve plot 1 would require the formation of a new dropped kerb crossover. This would result in a reduction in on-street car parking capacity on Broomfield Street. However, this is considered to be acceptable as only one parking space would be removed and it is noted that the existing dwelling at 36 Broomfield Street has no off-street parking facilities. As such, the demolition of 36 Broomfield Street would result in a decrease in demand for on street parking that would mitigate the loss of parking capacity.
- 8.7.7 If members were minded to approve, a condition requiring a minimum of one electric vehicle charging point per dwelling to be provided and maintained in operational order would be attached. This is to encourage the uptake in the use of electric vehicles as a means to combat emissions.

8.8 Landscaping

- 8.8.1 While landscaping is a reserved matter, the amount and positioning of it would be dictated by the site layout (if approved) and, as such, the indicative drawings provided are considered to represent a realistic option for site landscaping. They also demonstrate that the development has the capacity to incorporate landscaping.
- 8.8.2 It is observed that the existing garage compound is hard surfaced in its entirety and, as such, its redevelopment would not result in the loss of any significant landscape features.

8.8.3 The rear garden space at 36 Broomfield Street is lawned and includes a small amount of ornamental planting but no trees or hedging that possesses any significant amenity value either as a specimen example or as a contributor to the character and amenity of the surrounding area. The proposed development would incorporate new lawns and the layout plan also shows grass verges and planting as being provided. It is therefore considered that whilst the proposal would result in the loss of a modest amount of greenery this would be mitigated and, more importantly, enhanced by landscape planting throughout the subsequent development as a whole.

8.8.4 It is recommended that a planning condition can be used to secure the use of suitable species in order to enhance the ecological value of new planting.

8.9 Drainage:

8.9.1 The garage compound is entirely hard surfaced and, therefore, generates a relatively high level of surface water. Although an area of permeable garden land would be lost at 36 Broomfield Street this would be mitigated by new landscaping provided throughout the development that would increase the overall permeability of the site.

8.9.2 The existing site benefits from a connection to the public surface water sewer that follows the course of Broomfield Street. The applicant has provided a CCTV survey of the connection and this has been reviewed by the Lead Local Food Authority who have stated that they would expect it to have the capacity to provide surface water drainage for the site given that it currently serves a largely impermeable area. This is subject to detailed drainage designs, including attenuation measures to control run-off to close to greenfield rates, being secured by a planning condition in the event that the application is approved.

8.9.3 As well as a detailed drainage scheme, a planning condition requiring a management and maintenance plan for the site drainage would also be applied to any approval in order to ensure the site drainage continues to function effectively throughout the lifetime of the development.

8.10 Ecology

8.10.1 Upon taking note of a number of representations from local residents the applicant was requested to undertake a preliminary bat roost assessment to determine the likely presence of bat roosts at the site. The report provided by The Mayhew Consultancy Ltd confirms that the *'garages at Brookfield Street are considered to be of 'Negligible' potential for roosting bats. This is due to:*

- no obvious signs of bats;

- very limited internal features for roosting bats;
- poor quality foraging habitat in the surrounding suburban gardens;
- poor habitat connectivity with the nearest areas of good quality habitat.

Consequently, no further surveys are required.'

8.10.2 As such a Protected Species Mitigation License with regard to bats would not be required from Natural England before site clearance or other works which would impact on the dwelling, may commence.

8.11 Other Matters

8.11.1 Construction Management.

8.11.2 A Construction and Environmental Management Plan would be required by condition to ensure that construction related traffic would be suitably managed in relation to the site, including delivery times, parking, types of vehicles, construction traffic movement and environmental pollution from construction.

9. Human Rights Implications

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

10. Recommendation

10.1 Grant planning permission subject to the conditions listed below:

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

- Landscaping
- Construction and environmental management
- Drainage

b) The development shall be implemented strictly in accordance with the approved reserved matters.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing prior to commencement of development or tree works.

d) The development shall be commenced no later than five years from the date of this permission or two years following the final approval of the reserved matters, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

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

- 25849 21C
- 25849 18B
- 25849 04L
- 25849 17E
- 25849 22C
- 25849 23C
- 25849 24D
- 25849 25C
- 25849 26C
- 25849 27D
- 25849 28D
- 25849 29C
- 25849 30C
- 25849 31B
- 25849 32B

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

10.4 **Landscaping** - An application for Reserved Matters shall be accompanied by a Landscaping Plan, which shall provide details of the treatment of all parts of the site not covered by buildings. Details shall include:

- a) a scaled plan showing all hard and soft landscaping, including vegetation to be retained and planting of trees and plants;
- b) details of all hard surfaces, including facing material specifications;
- c) all boundary treatments, including facing material specifications;
- d) a schedule detailing sizes, species and numbers of all proposed trees/plants;
- e) sufficient specification to ensure successful establishment and survival of new planting; and
- f) visibility splays adjacent to the vehicular access on Broomfield Road;

The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.

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

- 10.5 **Materials** – Written details of all facing materials used in the external surfaces of the development, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement and shall thereafter be implemented in accordance with the details approved and maintained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

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

- 10.6 **PD Removal (alterations to approved dwellings)** - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement or extension, window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority to the dwellings hereby approved.

Reason: To safeguard the amenities of the occupiers of nearby properties.

- 10.7 **PD Removal (Other alterations within the curtilage)** - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no outbuildings, raised platforms or hardsurfacing shall be erected within the curtilage of the dwelling houses hereby approved other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area.

- 10.8 **Construction Environmental Management Plan** - An application for Reserved Matters shall be accompanied by a Construction and Environmental Management Plan. The Plan shall provide details as appropriate and shall include, 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;
- other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders, road closures, hoarding licences, traffic management);
- details of any temporary structures on or around the site;
- hours of construction;
- details of all mitigating measures to ensure protection of neighbouring occupants from environmental pollution;
- assurance that no burning of material will take place on site; and
- A survey of the condition of the surrounding public highway network prior to commencement of development.

Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. Any damage caused to the highway as a direct consequence of the construction traffic shall be rectified at the applicant's expense.

Reason: in the interest of the amenity of the area and highway safety.

10.9 Surface Water Drainage Scheme - An application for Reserved Matters shall be accompanied by a Surface Water Drainage Scheme. The surface water drainage scheme shall include the following:

- a. Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to 10 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.
- b. The details of the outfall of the proposed drainage system and how it connects into the sewer shall be submitted as part of a detailed design including cross sections and invert levels.
- c. The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
- d. The detailed design of the surface water drainage features shall be informed by findings of groundwater monitoring between autumn and spring at the location of the proposed tank. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided.

Prior to submission of the scheme, the applicant shall first make contact with ESCC SuDS Team and Southern Water to ensure their agreement with the scheme.

The implementation of the surface water drainage scheme shall thereafter be carried out in accordance with the approved details prior to the occupation of the dwelling hereby approved, by or supervised by an accredited person. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM).

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

- 10.10 **Drainage Maintenance and Management** - An application for Reserved Matters shall be accompanied by a Maintenance and Management Plan for the entire drainage system to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:

- a. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains;
- b. Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.

Maintenance of the drainage system shall be in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

- 10.11 **Refuse** - The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: In the interest of visual amenity and serviceability in accordance with saved policy UHT1 of the Eastbourne Borough Plan and para. 110 of the Revised national Planning Policy Framework.

- 10.12 **Highways** - Prior to occupation of the development hereby permitted, the new accesses shall be in the positions shown on the submitted plan 25849.05E and laid out and constructed in accordance with the diagrams below and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

- 10.13 **Vehicular Turning space** - The development shall not be occupied until turning spaces for vehicles has been provided and constructed in accordance with the approved plan, 25849 04L and the turning spaces shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

- 10.14 **Parking provision** - The development shall not be occupied until parking areas have been provided in accordance with the approved plan, 25849 04L, details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

- 10.15 **Cycle Provision** - The development shall not be occupied until cycle parking has been provided in accordance with the Highway Authority's specifications and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development

- 10.16 **Provision of electric charging points** - Details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the facilities shall be provided prior to first occupation and retained in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide electric charging points in accordance with current sustainable transport policies.

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.

This page is intentionally left blank

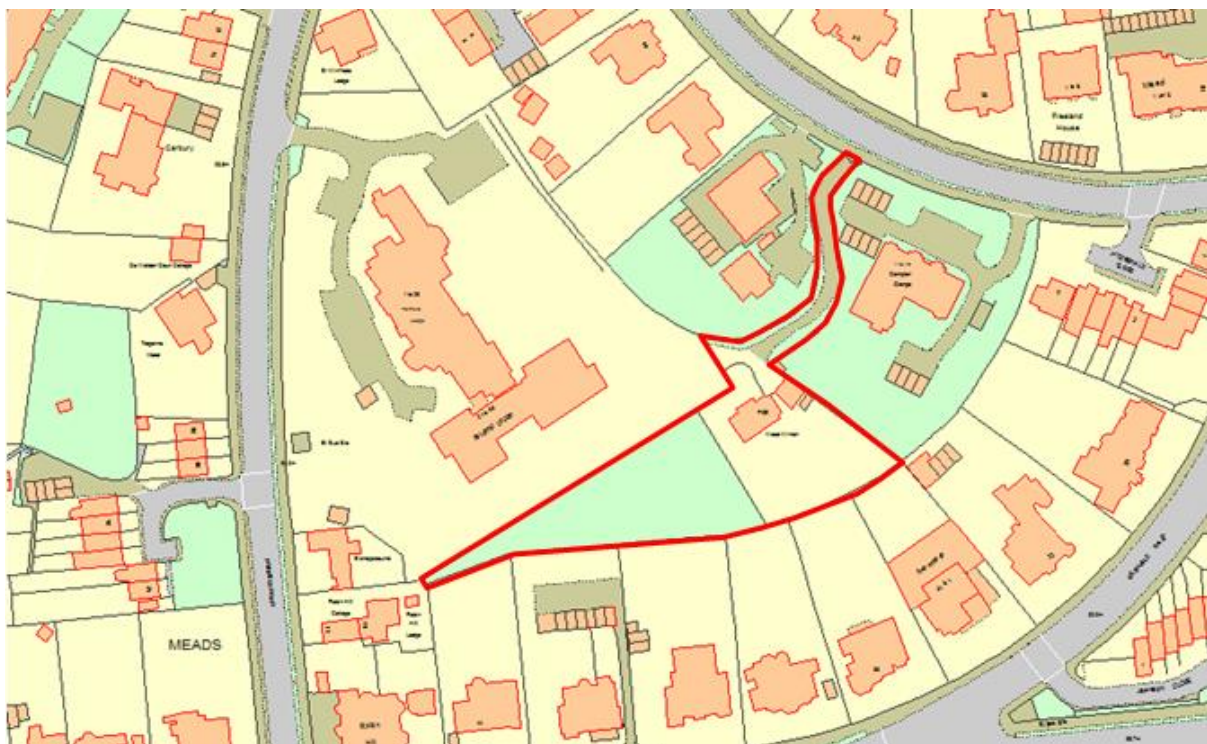
Report to: Planning Committee
Date: 25th May 2021
Application No: 210147
Location: Wood Winton, 63a Silverdale Road, Eastbourne
Proposal: Section 73A retrospective application for the Installation of 1x door and 1x first storey window on side facing elevations

Applicant : Mr Sal Dato
Ward: Meads
Deadlines: **Decision Due Date:** 15th April 2021
Neighbour Con. Expiry: 20th March 2021

Recommendation: Approve subject to conditions.

Contact Officer: **Name:** James Smith
Post title: Specialist Advisor - Planning
E-mail: james.smith@lewes-eastbourne.gov.uk
Telephone number: 01323 410000

Map Location:



1. **Executive Summary**

- 1.1 The application seeks amendments to the fenestrations on units 2-6. The footprint, scale, mass and orientation of the dwellings would remain as approved under application 190861.
- 1.2 It is not considered that the proposed windows and doors would generate a harmful impact upon the amenities of neighbouring properties provided a planning condition is attached to secure obscure glazing to first floor windows that have the potential to offer invasive views and that this condition is adhered to.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework 2019

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

2.2 Eastbourne Core Strategy Local Plan 2006-2027

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

2.3 Eastbourne Core Strategy Local Plan 2001-2011:

- NE28: Environmental Amenity
- UHT1: Design of New Development
- UHT4: Visual Amenity
- UHT15: Protection of Conservation Areas
- UHT16: Protection of Areas of High Townscape Value
- UHT18: Buildings of Local Interest
- HO1: Residential Development within the Existing Built-up Area
- HO2: Predominantly Residential Areas

HO6: Infill Development
H07: Redevelopment
HO20: Residential Amenity

3. Site Description

- 3.1 The site is broadly triangular in shape and occupies and formerly formed part of the grounds of Robin Hill Cottage although it was annexed some time ago and had become largely overgrown. A residential development of 6x detached dwellings, recently approved under outline application 181206 and reserved matters application 190861, is currently nearing completion.
- 3.2 The site is flanked by neighbouring residential development on all sides, including flats at Fairfield Lodge on lower lying land to the north and flats and dwellings on lining Granville Road and St Johns Road on higher ground to the south. Boundary trees and other vegetation have largely been cleared although a landscaping scheme including planting and fencing is required to be submitted as a condition of planning permission 190861.
- 3.3 Dwellings on St Johns Road that back on to the site are within the Meads Conservation Area whilst all other surrounding properties are within an Area of High Townscape Value. The site itself is not subject to any specific planning designations.

4. Relevant Planning History

- 4.1 180569 - Outline planning permission (all matters reserved) for the erection of seven houses (AMENDED DESCRIPTION FOLLOWING REDUCTION OF UNITS) – Refused 15th January 2019.
- 4.2 181206 - Outline planning permission (all matters reserved) for the erection of six houses – Refused 27th March 2019 – Allowed on Appeal 27th August 2019.
- 4.3 190861 - Reserved matters for 6 dwellings approved by outline permission 181206 appeal reference APP/T1410/W/19/3229204 requesting consideration of access, appearance, landscaping, layout and scale – Approved Conditionally 24th June 2020.

5. Proposed Development

- 5.1 The application seeks regularise an inconsistency between the plans approved under application 190861 and the configuration of the fenestrations at units 2 to 6 in their built form, these being as follows:-
- 5.2 Each dwelling has had a ground floor side door added, this being to the western elevation on units 2 – 5 inclusive and on the southern elevation of unit 6.
- 5.3 A first floor window serving an en-suite bathroom has been added to the eastern elevation of units 3-5 inclusive and the southern elevation of unit 6.
- 5.4 A first floor secondary bedroom window has been added to the eastern elevation of units 3-5 inclusive.

6. **Consultations**

6.1 No consultation requests issued or required.

7. **Neighbour Representations**

7.1 1 letter of objection has been submitted on behalf of residents of Kesselville Court:

- Additions are unnecessary;
- The side facing door at unit 6 serves a kitchen and will expose users of gardens at Kesselville Court to noise and odour pollution;
- The south facing first floor window at unit 6 will directly overlook gardens at Kesselville Court;
- The submitted floor and elevation plans for unit 6 are incorrect.

OFFICER COMMENT: The error on the originally submitted plans has been noted and amended plans showing the correct arrangement to unit 6 have now been provided.

7.2 1 letter of support received:

8. **Appraisal**

8.1 Principle of Development

8.1.1 The overall principle of the development has been established following the approval of applications 181206 and 190861.

8.1.2 The permission for the development included a condition withdrawing rights for any alterations or extensions to be made to the dwellings that would otherwise be allowed under householder permitted development rights. As such, the alterations that have been made to the dwellings require planning permission in their own right. Section 73A of the Town & Country Planning Act 1990 (as amended) states that 'on an application made to a local planning authority, the planning permission which may be granted includes planning permission for development carried out before the date of the application.'

8.1.3 As such, the application will be assessed in the context of the impact of the new windows and openings upon environmental, residential and visual amenity, using the content of saved policies NE28, HO20 and UHT1 of the Eastbourne Borough Plan as the main reference.

8.2 Impact upon Character of Surrounding Area

8.2.1 It is considered that the additional windows and doors have not altered the overall character of the development and represent a minor cosmetic change in the appearance of each dwelling. It is therefore considered that there has not been any adverse impact upon the appearance of the development or the character of the wider surrounding area.

8.3 Loss upon Residential Amenity

- 8.3.1 The side facing first floor windows installed in units 3-5 would face towards the flank elevation of the neighbouring property to the east, which in each case contains only windows serving the hallway and landing and none which serve any primary habitable area. Any views towards neighbouring dwellings/flats to the south of site would be obstructed by the other properties within the development. It is therefore considered that their presence will not allow for invasive views towards neighbouring properties.
- 8.3.2 The first floor en-suite window at unit 6 faces south, looking directly towards garden areas serving the occupants of flats at Kesselville Court. This window would allow for intrusive views towards those properties and, therefore, a condition requiring this window to be obscure glazed and fixed shut other than where 1.7 metres above finished floor level at all times will be attached to any approval given. This would safeguard the privacy of neighbouring residents.
- 8.3.3 It is not considered that the external doors added to the side elevation allow for intrusive views although the door at unit 6 is overlooked by the gardens at Kesselville Court and, as such, a condition will be used to require it is obscurely glazed in the interest of preserving the privacy of future occupants. Unlike the those serving units 2-5, the door at unit 6 would serve a kitchen. Objections relating to the potential for noise and air pollution have been noted but. Given the kitchen is also served by front facing windows, the distance maintained between neighbouring property and the fact that the kitchen would be subject to domestic use only it is not considered that the presence of the door would result in unacceptable impact upon environmental or residential amenities.
- 8.3.4 It is considered that the additional windows allow for better access to natural light and ventilation within each dwelling whilst the side door allows access to the rear garden without using the large glazed doors on the rear elevation. It is therefore considered that they have enhanced living conditions for future occupants of the development.

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 conditions listed below. A time limit condition will not be applied as the works have already been completed.

- 10.2 **Approved Plans** - The development, hereby permitted, shall be carried out in accordance with the following approved plans:-
- 95113/BP – Block Plan;
 - 95113/101/ Rev A - Minor Alterations To Houses 3, 4 & 5 Floor Plans;
 - 95113/102 Rev A - Minor Alterations To Houses 3, 4 & 5;
 - 95113/103 - Minor Alterations to Houses 6 Ground Floor Plan & Elevations.

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

- 10.3 **Obscure Glazing (Windows)** - The first floor en-suite windows installed in the southern elevation of unit 6 and the eastern elevations of units 2-5 shall at all times be obscure glazed and fixed shut other than parts which are a minimum of 1.7 metres above the finished floor level of the room that they serve.

Reason: In order to safeguard the amenities of neighbouring residents in accordance with saved policy HO20 of the Eastbourne Borough Plan.

- 10.4 **Obscure Glazing (Doors)** - Any glazing installed in the south facing external door at unit 6 shall be obscure glazed other than where a minimum of 1.7 metres above the finished floor level of the room that it serves.

Reason: In order to safeguard the amenities of occupants of the development in accordance with saved policy HO20 of the Eastbourne Borough Plan.

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**

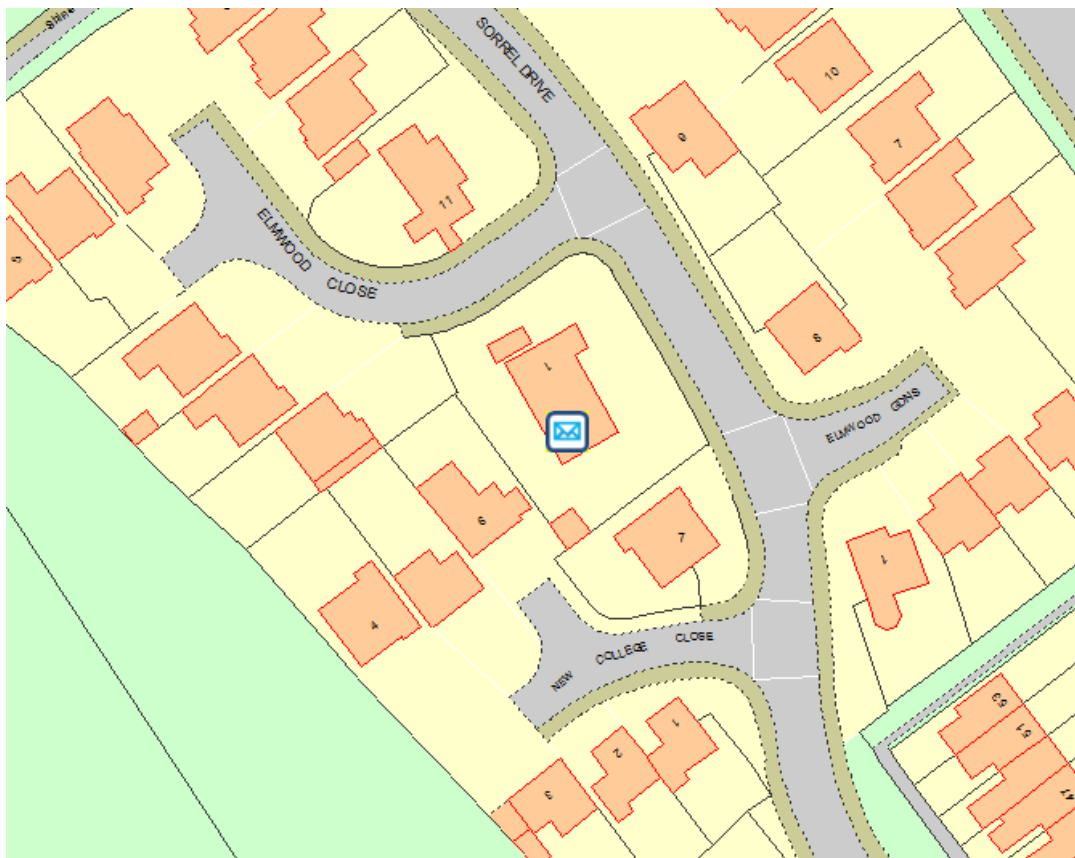
- 12.1 None.

Report to: Planning Committee
Date: 26th May 2021
Application No: 200855
Location: 1 Elmwood Close, Eastbourne, East Sussex, BN23 8HR
Proposal: Demolition of existing dwelling and erection of 3no three bedroom dwellings with new vehicular access

Applicant : Mr D Ashford
Ward: Langney
Deadlines: **Decision Due Date:** 10 May 2021
Neighbour Con. Expiry: 8th April 2021
Recommendation: Approve with conditions

Contact Officer: **Name:** Neil Collins
Post title: Senior Specialist Advisor - Planning
E-mail: customer.first@eastbourne.gov.uk
Telephone number: 01323 410000

Map Location:



1. **Executive Summary**

- 1.1 This application is brought to the Planning Committee at the discretion of the Committee Chair and Head of Planning due to the number of objections received.
- 1.2 The application seeks planning permission for the erection of three detached single family dwellings following demolition of the existing single dwelling on the site.
- 1.3 The site has been the subject of a previous outline application for two pairs of semi-detached dwellings, seeking consideration of access and scale. This was refused on grounds of the scale of the dwellings, the site arrangement and safety concerns with the access arrangements. An appeal to the Planning Inspectorate was later dismissed.
- 1.4 This application has been submitted following officer advice and seeks to overcome the reasons for refusal by virtue of a reduced scale and site take up and through improvements to the vehicular access arrangements.
- 1.5 Officers consider that the revised scheme overcomes the previous reasons for refusal and, in balancing the planning considerations, weighs in favour of the provision of good quality sustainable housing on an underused site. The proposal would therefore be considered sustainable development in the context of NPPF policy and would make a positive contribution to housing delivery in the Borough.
- 1.6 The application is recommended for approval subject to conditions.

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
- C8: Langney 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

Trees and Development SPG

Eastbourne Townscape Guide SPG

3. **Site Description**

- 3.1 The application site comprises a roughly rectangular shaped plot located on the corner of Elmwood Close and Sorrel Drive, which form the north west and north east boundaries of the site, respectively.

- 3.2 The site currently accommodates a single bungalow dwelling, which is centrally placed on the plot. Together with another bungalow on the opposite side of Elmwood Close, the existing building on the application site is noticeably different to the other dwellings in the vicinity. Dwellings in the vicinity of the site are predominantly two storey with pitched roofs.
- 3.3 To the south of the site is New College Close, with numbers 6 and 7 sharing the south western and south eastern boundaries, respectively.
- 3.4 The site is located within a Predominantly Residential Area and the Shinewater & North Langney Neighbourhood.
- 3.5 The site falls within the Environment Agency's Flood Risk Area 1 (Low Risk).

4. **Relevant Planning History**

4.1 190500

- 4.2 Outline application for residential development of land requesting consideration of access and scale.

Refused, 22nd August 2019.

Appeal, dismissed 22nd October 2020.

5. **Proposed Development**

- 5.1 The application seeks planning permission for demolition of the existing dwelling on the site and the construction of three detached single-family dwellings on the site, together with landscaping and off-street parking for 5 vehicles.

6. **Consultations**

6.1 External

6.2 ESCC Highways

- 6.2.1 No comments to make

6.3 Southern Water

- 6.3.1 No comments

6.4 ESCC SUDs

- 6.4.1 No comments

6.5 Internal

- 6.5.1 Specialist Advisor (Arboriculture) – landscaping condition recommended to obtain details of the planting, including species, numbers and specifications.
- 6.5.2 Specialist Advisor (Quality Environment) – Construction and Environmental Management mitigation measures to be approved.

7. Neighbour Representations

7.1 7 letters of objection and 1 letter of support have been received regarding the application. Objections are lodged on the following grounds:

- Development overscale for the site
- Design and appearance
- Safety concerns regarding access
- Out of character with surrounding property
- Loss of privacy
- Parking provision

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 be considered a windfall site, as it has not previously been identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). The application will result in a net gain of 18 residential units.
- 8.1.5 Policy C8 (Langney Neighbourhood Policy) of the Eastbourne Core Strategy 2013 states that the Langney neighbourhood will be promoted through the redevelopment of underused sites and, as

such, it is considered that this planning proposal would meet this policy objective.

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

8.2 Design and appearance

8.2.1 Scale, bulk and massing

- 8.2.2 The previous proposal for four dwellings on the site was considered overly dominant in terms of scale, largely because the building heights were taller than that of the existing neighbouring properties, but also because of the site take-up and the resulting discordance with the established character and urban grain in the vicinity.

- 8.2.3 This proposal seeks to overcome these concerns through a reduced building height and scale and rearrangement of the buildings on their respective plots. In terms the proposed height, this would now be commensurate with neighbouring buildings, both in terms of the total height and the eaves height of the dwellings. The proposed height is considered to be acceptable and would accord with the general scale of development in the vicinity and would sit well within the street scene, reducing the dominance of the previous proposal.

- 8.2.4 The dwellings would also have pyramidal roof forms, which would be different to the dual pitches of neighbouring buildings, but would further reduce the scale, bulk and massing, particularly when viewed by neighbouring occupants to the rear of the site. The departure from the predominant dual pitches of neighbouring properties is therefore considered to be acceptable in the context of the site constraints.

8.2.5 Materials

- 8.2.6 The proposed dwellings would comprise materials that would be sensitive to the palette of materials in the local area. The dwellings would be faced in brick, with tiled roofs. It is noted that buildings in the vicinity comprise predominantly buff and red brick, but render is also present. Buildings on this side of Sorrel Drive comprise mainly red brick and, as such, the proposed red brick is considered to harmonise with the existing built form.

8.2.7 Landscaping

- 8.2.8 The existing site comprises a significant degree of soft landscaping features around the existing dwelling, which is centrally placed on the plot.

- 8.2.9 The submitted plans demonstrate that a suitable level of soft landscaping features can be accommodated within the scheme to soften the development in the street scene of Sorrel Drive and Elmwood Close. This would include planting to the corner of Elmwood Close and Sorrel Drive, which is the main point of appreciation of the site when viewed in the Sorrel Drive street scene.

- 8.2.10 Landscaping features, such as the species and numbers of planting would be required by condition of permission and to ensure their survival or replacement within a five-year period following consent.
- 8.2.11 Taking the above considerations into account, proposed landscaping is considered to be acceptable.

8.3 Amenity

8.3.1 Privacy

8.3.2 Directly behind the application site is number 6 New College Close, which is arranged perpendicular to the rear facing outlook of the proposed dwellings. As such, upper floor windows would not be directly facing and would result in privacy being maintained between the properties.

8.3.3 Number 2 Elmwood Close does have front windows facing the rear of the proposed dwellings, although the nearest proposed dwelling would retain an approximately 22m from number 2, which is sufficient to prevent undue loss of privacy.

8.3.4 Daylight

8.3.5 The separation distances between the proposed dwellings and neighbouring properties, together with the orientation of the site, would not result in any significant loss of light to existing neighbouring habitable room windows.

8.3.6 The proposed dwellings would be dual aspect and would received suitable levels of light for future occupants of the development.

8.3.7 Outlook

8.3.8 Outlook from neighbouring windows would be adequately preserved by way of the separation distances and would not have an overly dominant or oppressive impact upon neighbouring occupants.

8.3.9 The proposed units would also comprise a good level of outlook for future occupants, with adequate daylight levels within habitable rooms.

8.3.10 As such, the scheme is considered to be acceptable in respect of these elements, in accordance with Policy HO20 Residential Amenity

8.4 Outdoor Amenity Space

8.4.1 The proposal would provide private outdoor space for each of the dwellings in the form of rear garden areas. Plot 3 would have a reduced amount of rear garden space when compared to the other dwellings, due to the location of parking accessed from Elmwood Close. However, the space would remain useable for the intended number of occupants and it is not considered that this would amount to a reason for refusal of the application.

8.4.2 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.

8.5 Accessibility and impacts upon highway networks

8.5.1 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.

8.5.2 Accessibility

8.5.3 The site is located within the Town Centre Neighbourhood, which is considered one of the most sustainable neighbourhoods in the borough.

8.5.4 The site is well served in terms of public transport, amenities and public services with Eastbourne train station directly adjacent to the site and the amenities of the town centre just a short walk from the site. The site is also served by a number of bus routes in the vicinity.

8.5.5 The site is considered to be in a highly sustainable location from a transport perspective and that the transport needs of the development could be adequately met by walking and cycling alone.

8.5.6 The proposed building would be set down from street level and would include a ramp for disabled access from the street, together with a lift within the building, meaning that all units would be accessible.

8.5.7 Access and Parking

8.5.8 This proposal comprises 3 three-bed detached dwellings on the site. The submitted information proposes off-street parking associated with the proposed dwellings. This would be in the form of two spaces for two of the dwellings, with the third having a single parking space; a total of 5 spaces. Three of the proposed spaces would be accessed from Sorrel Drive and the remaining two spaces from Elmwood Close. Each of the parking spaces would meet the size required by ESCC parking standards.

8.5.9 According to the East Sussex County Council Car Ownership Parking Demand Calculator, there would be a need for 6 car parking spaces to meet the demand generated by the development. Therefore, there is a small shortfall in the proposed provision. However, at the time of the site visit the planning officer observed that there was sufficient on street parking to accommodate an additional vehicle and, together with the amount of soft landscaping that this would afford the development, is considered acceptable.

8.5.10 The previous application was refused on grounds of an excessive width of vehicle crossover at the front of the site, which was considered to prejudice the safety of pedestrians using the pavement in front of the crossover. This has been reduced and the width of

crossover is now considered to be acceptable from a safety perspective, whilst allowing for a suitable level of soft landscaping to soften the development in the street scene.

8.5.11 Cycle storage facilities

8.5.12 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 dedicated facilities located within the rear garden. This would provide the required quantum of cycle spaces for the proposal development. The rear garden location remains unchanged from the previous application and was not considered to be a convenient location for use by occupants together with the resulting reduction in amenity space provision. However, in balancing the planning considerations and the improvements to other areas of the scheme, this arrangement is considered to be acceptable.

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

8.5.14 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).

8.6 Other matters

8.6.1 Drainage

8.6.2 A drainage scheme has been submitted with the application, which details onsite surface water attenuation measures, to mitigate the impacts upon the public surface water sewer. This demonstrates that the system would result in manageable surface water run-off from the site. However, two conditions have been attached requiring confirmation that the applicant meets the agreement of Southern Water regarding the discharge rates into the public sewer and for submission of a maintenance and management plan to ensure that the efficacy of the system is maintained over the lifetime of the development. It is noted that an example maintenance plan is included within the drainage strategy, but this is not sufficient given the choice of equipment/products has not yet been made.

8.6.3 Refuse/Recycling storage facilities

8.6.4 The application proposes refuse/recycling storage within a dedicated enclosures. The proposed facilities would be large enough for the intended occupancy and suitably sited for occupants' use. A condition has been attached to ensure that they are provided prior to first occupation of the building.

8.6.5 Construction Management

8.6.6 A Construction and Environmental Management Plan has been submitted with the application and is considered to ensure that construction related traffic and environmental impacts of construction

would be suitably managed, including delivery times, parking, types of vehicles, construction traffic movement, wheel washing and dust suppression.

8.6.7 Community Infrastructure Levy

8.6.8 The development is CIL liable.

9. **Human Rights Implications**

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

10. **Recommendation**

- 10.1 Grant planning permission subject to the following conditions:

- 10.2 **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:

Location and Block Plan: 2993 31

Proposed Site Layout: 2993 34 Rev A

Proposed Elevations: 2993 39 Rev A

Proposed Ground Floor: 2993 36 Rev A

Proposed First Floor: 2993 37 Rev A

Proposed Elevations: 2993 38 Rev A

Construction and Environmental Management Plan, dated 11th March 2021

Site Management Plan: 2993 40 Rev C

Ground Reports, dated 15th February 2021

Outline Drainage Scheme: 20021-DR-D-0200-S4-P02

Outline Drainage and External Works Details: 20021-DR-D-0200-S4-P01

Flood Risk Assessment and Drainage Strategy, by BPS, dated February 2021: 20021-RP-D-2100-S4-P01

Drainage Strategy Appendices, by BPS: 20021-RP-D-2100-P01

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 details, 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 car parking spaces have been constructed and provided in accordance with the

approved plans. The spaces 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 6 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 **Landscaping** - Notwithstanding what is shown on the approved plans, prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of the treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.

Details shall include:

- a) a scaled plan showing all hard and soft landscaping;
- b) details of all hard surfaces, including their porosity;
- c) all boundary treatments;
- d) a schedule detailing sizes, species and numbers of all proposed plants;
- e) sufficient specification to ensure successful establishment and survival of new planting.

Any new planting that dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be implemented in the next planting season 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.

- 10.9 **Construction Environmental Management** - The development, hereby approved, shall be constructed strictly in accordance with the approved Construction Environmental Management Plan, dated 11th March 2021.

Reason: in the interest of the amenity of neighbours and highway safety

- 10.10 **Drainage system** - Prior to first occupation of the development, hereby approved, the drainage system shall be completed in accordance with the

approved details. The works shall be carried out or supervised by an accredited person prior to first occupation of the development, hereby approved. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM).

Prior to submission of the details, the applicant shall first make contact with Southern Water to ensure their prior agreement to surface water discharge rates.

Reason: To reduce the risk of flooding, both on and off site

- 10.11 **Drainage management and maintenance** - Prior to first occupation of the development, hereby approved, a Maintenance and Management Plan for the entire drainage system to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:

- a. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
- b. Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.

Maintenance of the drainage system shall be in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

- 10.12 **Drainage (evidence of construction)** - Prior to occupation of the development, hereby approved, evidence (including photographs) shall be submitted showing that drainage system has been constructed in accordance with the approved drainage designs.

Reason: To reduce the risk of flooding, both on and off site

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.

Report to: Planning Committee
Date: 20th April 2021
Application No: 210045
Location: 54-56 Upperton Road, Eastbourne
Proposal: Reserved matters for 29 flats approved by outline permission 190626 requesting consideration of appearance, landscaping and layout.

Applicant: Mr G Dascalu
Ward: Upperton

Recommendation: That Reserved Matters BE APPROVED

Contact Officer: **Name:** Sam Finnis
Post title: Specialist Advisor - Planning
E-mail: customer.first@lewes-eastbourne.gov.uk
Telephone number: 01323 410000

Map Location:



1. Executive Summary

- 1.1 This application is being referred to this Committee as the scale of development proposed falls outside of the Council's adopted scheme of delegation.
- 1.2 Outline planning permission for a residential development of up to 29 flats requesting consideration of access and scale with all other matters reserved was approved under application reference EB/19/0626 on 9th July 2020.
- 1.3 This reserved matters application seeks detailed approval for appearance, landscaping and layout pursuant to the outline planning permission. It is considered that the design reflects general characteristics of surrounding development whilst generating a distinct sense of character for the development itself. The layout is also consistent with the general characteristics of surrounding residential development in regard of unit sizes, building footprint and separation between buildings.
- 1.4 The site layout allows for sufficient space for appropriate levels of landscaping that would enable the site to retain a level of greenspace that would integrate with the surrounding green environment. In addition, a sufficient level of parking provision and cycle storage is provided to serve the development.
- 1.5 The appearance, landscaping and layout are considered acceptable. Planning conditions secured at outline stage have secured appropriate parking, access, drainage conditions.
- 1.6 Affordable housing would be secured in accordance with the S106 legal agreement in the form of a commuted sum.
- 1.7 It is recommended that Reserved Matters approval is granted subject to additional conditions.

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:

- 2.2.1 B1: Spatial Development Strategy and Distribution

- 2.2.2 B2: Creating Sustainable Neighbourhoods
- 2.2.3 C5 Ocklynge & Rodmill Neighbourhood Policy
- 2.2.4 D1: Sustainable Development
- 2.2.5 D5: Housing
- 2.2.6 D8 Sustainable Travel – A2021 Quality Bus Corridor
- 2.2.7 D10a Design
- 2.3 Eastbourne Borough Plan 2001-2011:
 - 2.3.1 UHT1: Design of New Development
 - 2.3.2 UHT4: Visual Amenity
 - 2.3.3 UHT6: Tree Planting
 - 2.3.4 UHT7: Landscaping
 - 2.3.5 UHT8 Protection of Amenity Space
 - 2.3.6 HO1: Residential Development Within the Existing Built-up Area
 - 2.3.7 HO6: Infill Development
 - 2.3.8 H07: Redevelopment
 - 2.3.9 HO20: Residential Amenity
 - 2.3.10 TR1: Locations for Major Development Proposals
 - 2.3.11 TR2: Travel Demands
 - 2.3.12 TR4 Quality Bus Corridors
 - 2.3.13 TR5: Contributions to the Cycle Network
 - 2.3.14 TR8: Contributions to the Pedestrian Network
 - 2.3.15 TR11: Car Parking
 - 2.3.16 US4 Flood Protection and Surface Water
 - 2.3.17 US5 Tidal Risk

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 site is rectangular plot located on the north-eastern side of Upperton Road. It currently contains a pair of semi-detached two storey dwellings, each with a front and rear garden, sharing an existing access onto Upperton Road.
- 3.2 The surrounding area is characterised by a mix of dwellings and immediately adjacent to the site, blocks of flats. To the north-west of the site is Arlington House a purpose built 8 storey block of 29 flats. To the south-east is

Lullington House a purpose built 6 storey block of 25 flats. To the rear of the site is Selwyn Drive, a cul-de-sac of single residential properties, two storeys in height.

- 3.3 The site is not listed nor situated within a conservation area.

4. Relevant Planning History

- 4.1 050761 - Demolition of a pair of semi-detached dwellings and erection of seven-storey building accommodating 14 residential flats (outline application). Outline (some reserved) - Refused - 27/04/2005.
- 4.2 070797 - Demolition of a pair of semi-detached houses and erection of a four-storey block, with roof accommodation, comprising 10 flats together with ancillary parking at the front. Planning Permission Refused - 05/02/2008.
- 4.3 080155 - Demolition of the existing 2 semi-detached houses and erection of an apartment block of 12 flats with ancillary parking for 12 cars at the front Planning Permission Refused - Allowed on appeal - 20/05/2008.
- 4.4 120076 - Discharge of condition 2 (materials), 3 (refuse storage) and 5 (landscaping) of EB / 2008/0162 for the demolition of the existing 2 semi-detached houses and erection of an apartment block of 12 flats with ancillary parking for 12 cars at the front - Approval of Condition – Discharged 28/03/2012.
- 4.5 It has been confirmed that the permission for the demolition of the two dwellings and erection of a part 6, part 7 storey building of 12 residential flats (Ref: 080155 reported above) was commenced lawfully within the time period of the consent. Therefore, this permission is extant and could be fully implemented at any time.
- 4.6 190626 - Outline application for residential development of land for up to 29 flats requesting consideration of access and scale.
- 4.7 210033 – Application for approval of details reserved by conditions 3(Road Safety), 8(Construction Management Plan), 9(Travel Plan), 11(Sewerage Disposal), 12(Surface Water Drainage), 13(Drainage Management Plan), 14(Flood Risk) and 16(Tree Protection) pursuant to planning approval 190626 granted on 09/07/2020 – Conditions discharged – 06.05.2021.

5. Proposed Development

- 5.1 This reserved matters application seeks detailed approval for appearance, landscaping and layout pursuant to the outline planning permission.
- 5.2 The appearance and layout arrangements for the proposed development are broadly similar to the indicative plans provided with the outline scheme. The proposal would incorporate white render on all elevations with Zinc mansard Roof and dormers. White PVCu windows are proposed along with glazed balconies with chrome balustrades.
- 5.3 The outline approval included a S106 agreement which included the requirement to agree the level of affordable housing or commutable sum. An additional statement has been submitted to address this.

- 5.4 Following discussions with ESCC Highways and Sussex Police an amended plan was received which now includes a larger cycle store at the rear of the ground floor along with recommended crime prevention measures.

6. Consultations

6.1 Specialist Advisor (Regeneration)

- 6.1.1 No comments received.

6.2 Specialist Advisor (Planning Policy)

- 6.2.1 The application is reserved matters following outline planning permission (Ref: 190626) for residential development of land for up to 29 flats (access and scale were considered at outline stage).
- 6.2.2 The S106 agreement of the outline application stipulated that the details of the affordable housing units to be provided on site and/or the amount of affordable housing contribution to be payable to the Council by the Owners shall be submitted as part of the first application for Reserved Matters approval.
- 6.2.3 The site is situated within a high-value neighbourhood as set out in Policy D5, therefore 40% affordable housing will be sought. The application results in a net gain of 27 units, therefore 10.8 affordable units should be provided.
- 6.2.4 The affordable housing supplementary planning document provides detailed guidance on the implementation of policy D5.
- 6.2.5 The priority of the Council is to increase the number of affordable homes within the borough, and ideally developers will build the correct number and mix of affordable dwellings as directed by policy D5. However, where this is not possible the Council will work to a five-tier system of general principles, as set out in paragraph 4.6 of the affordable housing SPD, the order of preference being;
- 6.2.6 i. The Council's on-site preferred mix;
- 6.2.7 ii. An on-site alternative mix to be agreed upon by the Council and the relevant developer(s);
- 6.2.8 iii. A level of affordable housing on-site which is less than the specified threshold;
- 6.2.9 iv. Serviced plots onsite;
- 6.2.10 v. Service plots offsite;
- 6.2.11 vi. Transfer of land;
- 6.2.12 vii. A commuted sum
- 6.2.13 The applicant has submitted an affordable housing statement. This states that the delivery of housing within flatted development is difficult to achieve given the management requirements of Registered Providers, meaning that communal parts cannot be shared, and on larger sites this can be worked around through the provision of separate buildings.

- 6.2.14 Paragraph 5.10 of the SPD sets out instances where it may not be considered appropriate to deliver affordable housing units on-site, and therefore the council may seek either a commuted sum, free serviced land or off-site provision. This includes.
- 6.2.15 Where the development is in the form of a flatted development, including new build and conversion or refurbishment of existing buildings, where it would not be possible on technical or architectural grounds to provide a separate entrance and access areas for the affordable housing separate from that fitted for housing provided at full market rates. This will be independently assessed and verified.
- 6.2.16 The Affordable Housing Statement states that the constraints of the site, the size, shape and relationship to surrounding development, limits the available design and site layout options, and means that the provision of separate buildings, or services plots for affordable housing, sitting alongside the market units is not possible.
- 6.2.17 The applicant company has submitted they do not have any other land within their control locally. Their statement broadly sets out that it is not practical to deliver on site affordable housing, and therefore a commuted sum in lieu should be considered.
- 6.2.18 Whilst most part of the statement is accepted, the site is relatively constrained for separate access and services; the statement is not backed up with any evidence of discussions with Registered Providers, nor any discussions with the Council's Housing Team. The document also does not show what design work was carried out prior to the submission of the application to show that on site affordable housing was not achievable. The SPD does set out that where it is not technically or architecturally possible to provide separate services this would be independently verified.
- 6.2.19 If it is agreed that in this instance it is not possible to deliver the affordable housing units on site, then the following commuted sum calculation is provided based on the information submitted.
- 6.2.20 The average floorspace of the 1 bedroom flats = 45.3m²
- 6.2.21 The average floorspace of the 2 bedroom flats = 61.1m²
- 6.2.22 This floorspace should be multiplied by the "Contribution per sq. m" figure found within the "Affordable Housing Commuted Sum Payment Table" in the "Affordable Housing SPD," which is £538 per m² for 1 bed flats and £536 per m² for 2 bed flats.
- 6.2.23 40% of the 17 one bed units would be 6.8 units, and of the 12 two bed units it would be 4.8 units – however as there is a Net Gain of only 27 units, one off each dwelling type will be removed from the calculation, which results in 5.8 and 3.8 units respectively.
- 6.2.24 One Bed: 45.3 x £538 = £24371.40 £24371.40 x 5.8 = £141,354.12
- 6.2.25 Two Bed: 61.1 x £536 = £32771.93 £38645 x 3.8 = £124,553.35

6.2.26 Total Contribution = £265,887.47

6.3 Southern Water

No objections to the application.

Note – Approval for the foul and surface water connection should be submitted under a Section 106 connection application.

6.4 Sussex Police – Crime Prevention

Initial comments received on 3rd March 2021 referred to previous correspondence provided within the outline submission. The current scheme did not include the provision of these recommendations. As such Sussex Police were unable to support the submission.

Following additional discussion, a further plan (no 3145 04D) was received which provided confirmation of the requested crime prevention measures in accordance with the previous comments referred to in the outline submission.

Further comments were received from Sussex Police on 7th April 2021 which confirms that the development would now satisfy previous concerns and that crime prevention measures were acceptable.

6.5 SUDS

No objection.

The information provided is satisfactory and enables the PCWLMB and LLFA to determine that the proposed development is capable of managing flood risk effectively. Although there will be a need for standard conditions which are outlined in this response.

Detailed Comments:

Although no information on surface water management has been submitted in support of this layout, the proposed layout is not significantly different to the one submitted at outline application stage.

Detailed information on surface water management, including confirmation of agreement to surface water discharge rates by Southern Water should be provided to discharge planning conditions related to surface water drainage. We were previously consulted on the discharge of conditions 11 through to 14 of planning permission 190626. Our letter dated 19th February 2021 lists the additional information required before we can recommend a discharge of the conditions.

6.6 ESCC Highways

Initial comments received on 9th March 2021 raised an objection due to insufficient information. Officer comments confirmed that the principle of the development was accepted but requested that additional information be submitted to confirm revised parking space measurements and a greater number of cycle spaces.

Following receipt of the additional details the officer provided further comment on 31st March 2021.

'A reduced number of parking spaces is not ideal, as this would result in overspill parking. However, as the overspill parking is three vehicles, this is unlikely to result in a severe impact, and I wouldn't object on this basis. That being said, in order to mitigate this and to encourage sustainable forms of transport, I would like to see the applicant prepare a Framework Travel Plan.

Regarding the cycle parking, I would prefer that LTN 1/20 standards are met, especially as car parking is lower than normal. I would also note the layout of the exiting parking spaces is not ideal, as there is insufficient room to manoeuvre cycles into and out of the stands and is therefore not convenient for users. A minimum of 1.8m should be provided to allow users to turn their bikes around. Although Sheffield Stands are preferred, I would accept the use of double tier stands to achieve the necessary quantum in the restricted space available. Sheffield Stands should still be provided for oversized cycles'.

An additional amended plan was subsequently produced showing 34 No cycle spaces, accurate stand types and an increased width of some parking spaces and was considered satisfactory.

Details of the proposed Travel Plan for the site were submitted under 210033 and have now been approved. ESCC Highways were consulted on the scheme and confirmed no objection raised.

7. Neighbour Representations

7.1 Letters of objection were received covering the following points:

- Building forward of Arlington House will obstruct views from windows and balcony
- No. of flats already in the area.
- Overstretched community and infrastructure
- Impacts on onstreet car parking
- Size of car parking spaces
- Turning space not adequate resulting in vehicles reversing onto the main road
- Quality of accommodation provided, Size of flats and access to light.
- Overlooking and privacy impacts
- Overdevelopment
- Overshadowing and loss of light to Lullington House
- Location of bin stores
- Overlooking to Selmeston House
- Removal of trees
- Over population of area
- Overly dominant building, visually intrusive

8. Appraisal

8.1 Principle of Development

- 8.1.1 The principle, scale of development and access into the site has been established by virtue of the extant outline planning permission 190626.
- 8.1.2 Whilst the density of the development has been agreed, housing density can also be measures in terms of bedspaces per hectare, as stated in para. 005 of the MHCLG's Planning Practice Guidance for Effective Use of Land (2019). The amount of bedspaces provided within the development, which would be defined by its layout and scale, can therefore be taken into account in the context of seeking development that represents an optimal use of the site, as required by para. 123 of the Revised National Planning Policy Framework (2019).
- 8.1.3 The content of section 12 of the Revised NPPF, 'Achieving well-designed places', is of particular relevance in determining this reserved matters application. The guidance provided in para. 127 within this section requires development to be functional, visually attractive and effectively landscaped, to respect the surrounding built environment and landscape (whilst not discouraging innovation or change such as increased density), to possess a strong sense of space and to be safe, inclusive and accessible. It is also required that a high standard of amenity is provided both for existing residents as well as the future occupants of the development.
- 8.1.4 The proposed development will therefore be determined in the context of the NPPF, along with development plan policies that reflect the NPPF position and any other development plan policies relevant to the development.

8.2 Appearance

- 8.2.1 The footprint and height of the proposal have been previously considered within the Outline submission along with the number of units proposed for the site.
- 8.2.2 As identified within the indicative plans for the outline approval this block is simply designed with 5 equal floors of flats and a mansard roof design. The openings shown on the submitted plan would match those shown on the indicative plan supplied at outline stage.
- 8.2.3 However, the design of the block has been altered from the indicative plans which showed a mix of vertical cladding, grey facing brick and white render with light grey PVCu windows. The scheme now tabled would incorporate contemporary white render over the entirety of all elevations with a zinc mansard roof and dormers. White PVCu windows are now proposed along with glazed balconies with chrome balustrades.

- 8.2.4 The materials would contrast with the prevalent character of blocks of flats along Upperton Road which comprise brick elevations with render detailing on the floor levels and balconies only. The existing character is reminiscent of the type of development which was commonplace in the latter half of the 20th Century.
- 8.2.5 Para 127(c) of the NPPF considers that decisions should ensure that developments *(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change*. The proposed materials would provide for a development which, whilst contrasting with the predominant built environment, would provide for a contemporary design providing a greater level of interest at this point along Upperton Road. The design would emphasize the evolution of development within the landscape and is welcomed.

8.3 Layout

- 8.3.1 The density of the site is acceptable for this location and flat layouts have been shown to identify how 29 flats can be accommodated on the site. As with the outline approval all flats meet the recommendations of the Nationally described space standards.
- 8.3.2 In design terms the layout also proposes a green space in the vicinity of the footpath and parking area retaining a degree of openness and allowing space for planting to further mitigate the effect of the development and parking area in views from the footpath.
- 8.3.3 Bin storage facilities are indicated on the ground floor plan. The layout details that bin stores are within acceptable distances for waste operatives and residents to manoeuvre bins on waste collection days. The outline planning application did not include a planning condition in respect of bin stores and so an additional condition is proposed requiring the implementation of the bin store facilities prior to occupation of the development.
- 8.3.4 In conclusion on the physical requirements of the layout it is the view of officers that the proposed scheme responds to the constraints of the site and would be considered acceptable.
- 8.3.5 Layout in respect of 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 The outline submission (190626) included a Section 106 Legal Agreement which sought to confirm the details of affordable housing units within this reserved matters proposal. The applicants have submitted an Affordable Housing Statement which confirms that the constraints of the site, the size, shape and relationship to surrounding development, limits the available design and site layout options, and means that the provision of separate buildings,

or services plots for affordable housing, sitting alongside the market units is not possible.

8.3.8 The document concludes that a commuted sum is the only option and the justification provided is considered acceptable.

8.3.9 The Planning Policy Team have been consulted on this matter and confirm that a commuted sum is agreeable and that this would amount to £265,887.47.

8.4 Layout and impact of the proposed development on amenity of adjoining occupiers and the surrounding area:

8.4.1 The comments of the neighbouring properties have been carefully considered during the formulation of this recommendation to members for approval. It is acknowledged that representations also related to matters outside of residential amenity and planning matters raised have been discussed within the relevant sections of this officer report.

8.4.2 The layout plan is similar to that approved under the outline submission and demonstrates that the proposal can be sited to ensure that the amenities of neighbouring properties are maintained.

8.4.3 The site access will alter the appearance of this part of Upperton Road, but would not be harmful in appearance/nature and planting is proposed around the access to further mitigate the effects and enhance the access area.

8.4.4 In conclusion on layout it is the view of officers that the proposed scheme responds to the constraints of the site

8.5 Trees and Landscaping Proposals

8.5.1 It is noted that the reserved matters submission includes a proposed layout plan 3145 03D which includes the proposed landscaping details.

8.5.2 In terms of soft landscaping the plan is broadly similar to that shown within the outline submission and would include the provision of 4 no Wild Cherry trees along the front boundary and a Crab Appel tree to the rear of the site. In addition, grass is proposed along the side boundary and to the rear which would frame a communal amenity area.

8.5.3 The scheme proposes grey permeable block paviors to the parking and turning area with red permeable block paviors to the pedestrian path and the communal amenity/garden area. Following, consultation with ESCC highways the plans also now show the retaining wall proposed for the parking area located within the undercroft at the ground floor of the scheme.

8.5.4 The proposed landscaping achieves a satisfactory parking arrangement along with the provision of soft landscaping and tree planting which for this somewhat constrained site is considered acceptable.

- 8.5.5 In addition to the details shown on the submitted layout plan conditions were imposed on the outline submission and these have now been discharged. Details of the surface drainage measures were submitted under 210033 and have now been approved.

Due to the level of mature trees surrounding the boundaries of the site tree protection measures were included within condition 16 of the outline submission 190626. Details of the tree protection measures were also submitted under 210033 and have now been approved.

8.6 Accessibility and impacts upon highway network

- 8.6.1 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.
- 8.6.2 The Outline planning conditions require the submission and approval of details by the local planning authority to ensure that the provision of the access and associated highway infrastructure within the development is fit for purpose.
- 8.6.3 Details of the proposed Travel Plan for the site were submitted under 210033 and have now been approved. ESCC Highways were consulted on the scheme and confirmed no objection.

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 The application site already benefits from outline planning consent for the construction of up to 29 units. The layout, appearance and landscaping are considered acceptable. Planning conditions secured at outline stage can secure appropriate parking, access, drainage and landscaping detail.
- 10.2 It is recommended that Reserved Matters approval is granted subject to the additional conditions.
- 10.3 The development hereby permitted shall be carried out in accordance with the following approved drawings:
- 3145 03D
 - 3145 04D

- 3145 05E
- 3145 06E
- 3145 07D
- 3145 08G
- 3145 09D

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

- 10.4 Materials - The external materials and finishes of the dwellings hereby approved shall be in accordance with the schedule of materials provided on the approved plans.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and the character of the surrounding area in accordance with policy D10a of the Eastbourne Core Strategy (2013) and saved policy UHT1 of the Eastbourne Borough Plan.

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

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

- 10.6 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 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 space for the development.

- 10.7 Prior to first occupation of the development, hereby approved, the enclosed refuse and recycling storage facilities shall be provided in accordance with the approved details. Thereafter, the facilities shall be retained solely for the storage of refuse and recycling in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory refuse and recycling to the properties and to protect the amenity of the adjacent residential property.

- 10.8 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.

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.