

Planning Committee

21 September 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:

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

Quorum: 2

Published: Monday, 13 September 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 24 August 2021 (Pages 5 - 8)**
- 5 **Urgent items of business.**

The Chair 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 Chair 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 **2 Mill Road. ID: 210339 (Pages 9 - 20)**
- 8 **Cavalry Crescent. ID: 210411 (Pages 21 - 34)**

- 9 38a Motcombe Road. ID: 200598 (Pages 35 - 52)
- 10 5-7 Enys Road. ID: 210333 (Pages 53 - 62)
- 11 59-63 Summerdown Road. ID: 200968 (Pages 63 - 88)
- 12 **Date of next meeting**

To note that the meeting of the Planning Committee is scheduled to be held on Tuesday, 19 October 2021.

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.

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Filming/Recording:

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

Speaking at Planning

Registering your interest to speak on Planning Applications

If you wish to address the Committee regarding a planning application, you need to register your interest by emailing committees@lewes-eastbourne.gov.uk **by 12 noon on Friday 17th September**. 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 at least 15 minutes before the start of the meeting and 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 the meeting table to address the Committee in the following order:

- Objector
- Supporter
- Ward Councillor(s)

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

Information for Councillors

Disclosure of interests:

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

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

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

Councillor right of address:

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

Democratic Services

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

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Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 24 August 2021 at 6.00 pm.

Present:

Councillor Jim Murray (Chair).

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

Officers in attendance:

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

19 Introductions

Members of the Committee and Officers present introduced themselves to all those who were present during the meeting.

20 Apologies for absence and notification of substitute members

There were none.

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

Councillor Maxted and Councillor Taylor declared a personal interest in item 26, Bedfordwell Depot, as they were members of the Bedfordwell Road Project Board.

22 Minutes of the meeting held on 29 June 2021

The minutes of the meeting held on 29 June 2021 were submitted and approved as a correct record, and the Chair was authorised to sign them.

23 Urgent items of business.

There were no urgent items. An officer addendum, however, was circulated to the Committee prior to the start of the meeting, updating the main reports on the agenda with any late information (a copy of which was published on the Council's website).

24 Bedfordwell Depot, Bedfordwell Road. ID: 210247 & 210248 (Listed

Building)

ID: 210247 - Mixed use development comprising construction of 80no. dwellings (59no. houses and 21no. flats) and conversion of existing Pump House and Annexe into 20no. flats and 1no. commercial unit (Use Class E) and associated access, circulation road, parking, drainage and landscaping.

ID: 210248 - Listed Building application for internal and external works to Grade II Listed Pump House and Annexe in relation to conversion into 20no. flats and 1no. commercial unit – **UPPERTON**.

The Committee was advised by way of an addendum report of two additional representations that had been received, an amendment to the recommendation and an additional and amended condition. The Head of Planning First proposed five additional conditions (Nos. 42, 43 and 44, and Nos. 4 and 5) to the planning and listed building applications.

The Head of Planning First informed the committee that the consultation response had been received from Natural England regarding the Habitats Regulations requirements. Recommendation (a) to delegate the Head of Planning to receive and evaluate the consultation response was therefore removed from the recommendation.

Mr Paul Humphreys (Bespoke & Eastbourne Eco Action (EEAN)), addressed the Committee in objection to the application. Karen Tipper (Agent) spoke in support of the application.

Members discussed the proposal in detail and raised concerns regarding the design, materials, width of the cycle route, junction and pedestrian crossing.

The Head of Planning First addressed the matters raised by the objectors and members and confirmed that negotiations with the applicant had been achieved to widen the site access and for a cycle route across the site and safe route into town. Furthermore, the cycle route could, in the future, be joined and extended northwards into Eastbourne Park. ESCC highways had fully endorsed the scheme. The S278 agreement to cover off-site highway works would include the design of the junction. Members concerns regarding the materials could be negotiated with the applicant and concerns regarding the junction and pedestrian crossing would be raised with ESCC Highways.

ID: 210247 - Councillor Vaughan proposed a motion to approve the application in line with the officers' recommendation for delegated authority to seek agreement from ESCC SuDS and S106 Agreement; the conditions set out in the Addendum, the additional conditions reported by the Head of Planning First and to negotiate the materials with the applicant. This was seconded by Councillor Taylor and was carried.

RESOLVED: (Unanimously) that the Head of Planning be delegated to seek agreement from ESCC SuDS on the final detailed matters related to access and maintenance of the SuDS for the site and on the provision that no

objections are received then planning permission be granted, subject to a S106 Agreement to secure affordable housing; a local labour agreement; car club; travel plan and S278 for off-site highway works, the conditions set out in the officers report and in the Addendum and the following additional conditions:-

Condition No. 42 - Details of pedestrian crossing to be submitted;
Condition No. 43 - The Listed Building has to be fully refurbished in accordance with approved details prior to the occupation of the 50th unit; and
Condition No. 44 - 100% of homes with in-curtilage parking should be provided with the facility for electric vehicle charging.

ID: 210248 - Councillor Diplock proposed a motion to approve the Listed Building application in line with the officers' recommendation for delegated authority to seek agreement from ESCC SuDS and S106 Agreement; the conditions set out in the Addendum and additional conditions reported at the meeting reported by the Head of Planning First and to negotiate the materials with the applicant. This was seconded by Councillor Miah and was carried.

RESOLVED: (Unanimously) that the Head of Planning be delegated to seek agreement from ESCC SuDS on the final detailed matters related to access and maintenance of the SuDS for the site and on the provision that no objections are received then Listed Building Consent be granted, subject to a S106 Agreement to secure affordable housing; a local labour agreement; car club; travel plan and S278 for off-site highway works, the conditions set out in the officers report and in the Addendum and the following additional conditions:-

Condition No.4 - Large Scale details of windows/doors/window aperture alterations in Pump House (prior to the commencement of pump house works);
Condition No.5 - Construction methodology for all structural works to the listed building.

25 Former site of Wood's Cottages and adjoining land. ID: 210485

Erection of 49 dwellings together with parking, access, and landscaping – **LANGNEY.**

The Specialist Advisor (Planning) presented the report.

The Committee was advised by way of an Addendum of an additional representation that had been received and updates to: revised plans/conditions, drainage, community infrastructure levy (CIL), attenuation pond, relocation of fish and the policy headings.

Mr Laurence Hulkes (Agent), addressed the Committee in support of the application. The objector, Jackie Field, was not present to speak at the meeting.

The Committee discussed the proposal including issues around the pond; gates and electric charging points. Members welcomed the development and

the 106 legal agreement to secure £105K to go towards supporting affordable housing provision.

Councillor Taylor proposed a motion to approve the application in line with the officers' recommendation, S106 Agreement, the conditions set out in the officers report, and the amended conditions set out in the Addendum. This was seconded by Councillor Lamb and was carried.

RESOLVED: (unanimously) that planning permission be granted subject to a Section 106 Agreement to secure Affordable Housing (if found to be viable), Travel Plan Monitoring Fee, Traffic Regulation Order and Local Labour Agreement, the conditions set out in the officers report, and the amended conditions set out in the Addendum.

26 Date of next meeting

Resolved:

That the next meeting of the Planning Committee is scheduled to commence at 6:00pm on Tuesday, 21 September 2021, be noted.

The meeting ended at 7.32 pm

Councillor Jim Murray (Chair)

Agenda Item 7

Report to: Planning Committee
Date: 21st September 2021
Application No: 210339
Location: 2 Mill Road, Eastbourne, BN21 2JR
Proposal: Demolition of the existing building and redevelopment of the site to provide 14 flats with associated off street car parking
Applicant: Mr B Kitchener
Ward: Upperton

Recommendation: Delegate to Head of Planning to conclude consultation with ESCC Highways regarding revised parking space dimensions and following agreement, to approve with conditions subject to s106 legal agreement to secure local labour agreement, affordable housing provision, travel plan, TRO contribution and car club contribution.

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

Map Location:



1. Executive Summary

- 1.1 This application is brought before the Planning Committee as it is a major application, in line with the Council's adopted Scheme of Delegation.
- 1.2 The proposal involves the demolition of the existing two storey building and redevelopment of the site to provide 14 flats with associated off street car parking. The proposal would comprise the erection of a 4-storey building with the upper floor contained within the roof.
- 1.3 The proposed development would represent the optimisation of the use of a previously developed site. It would ensure that the amenities of neighbouring residents are protected.
- 1.4 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, delivering 14 high quality residential units.
- 1.5 Affordable housing would be secured in accordance with the S106 legal agreement in the form of a commuted sum, which is considered to be acceptable given the constraints of on-site affordable housing delivery.
- 1.6 The application is considered to comply with national and local policies and is therefore recommended for approval subject to conditions. However, delegated authority is sought to conclude the highways and Suds' issues identified in this report.

2. Relevant Planning Policies

2.1 National Planning Policy Framework 2021

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
- C11 Upperton Neighbourhood Policy

D1 Sustainable Development

D5 Housing

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 is located on a corner plot on the Mill Road and Ashburnham Road junction. The existing building is situated within a 0.31-acre plot with gardens to the front, rear and eastern side and a substantial tree screen at the highway boundaries. The site is located within a predominantly residential area.

3.2 Surrounding development is predominantly residential. The established character of the area comprises large predominantly detached buildings that vary in height from 2 to 4 storeys, including both pitched and flat roofs. Buildings are accommodated on substantial plots and are set back from the road in a uniform building line, with lengthy rear gardens.

3.3 The current building is a care facility owned by Eastbourne and District Mencap Ltd (EDM) previously operated in conjunction with No 4. EDM have confirmed that the property is no longer required and that they will continue to provide services from other properties within their ownership. The application building is currently unoccupied awaiting the outcome of this application.

3.4 Due to the surrounding topography, properties to the north of the site are at a lower level than the application property.

3.5 The site is located within the settlement boundary. The site is located within an Archaeological Notification Area and other than this there are no specific planning constraints or designations regarding the site or the immediate surrounding area.

4. Relevant Planning History

4.1 No relevant planning history.

5. Proposed Development

5.1 Full planning permission is sought for the demolition of the existing two storey property and redevelopment of the site to provide 14 flats with associated off street car parking. The proposal would comprise the erection of 4 storey building with the upper two floors contained within the roof.

5.2 The scheme comprises 5 x one-bedroom, 4 x two-bedroom, 4 x three-bedroom (two of which would be wheelchair accessible units) and 1 x four-bedroom units.

5.3 The scheme would incorporate a basement parking area, which would accommodate 14 car parking spaces, including two larger spaces for use by occupants of the wheelchair accessible ground floor units.

5.4 Access to the parking area would be in the same location as the existing and a separate pedestrian access would be from Mill Road, where the existing is located.

6. Consultations

6.1 External

6.2 ESCC Highways

6.3 Objection received regarding two issues: substandard parking space dimensions; and concerns with the access to the site.

6.4 ESCC SuDS

6.5 SuDS have raised concerns due to a lack of information to demonstrate that the proposed on-site infiltration would be possible and that discharge rates to the public sewer would require agreement with Southern Water

6.6 At the time of writing, response is awaited following re-consultation with ESCC SuDS regarding additional information submitted in response to the initial comments

6.7 Internal

6.8 Specialist Advisor (Waste)

6.9 No comments received.

6.10 Specialist Advisor (Environmental Health)

6.11 No comments received.

7. Neighbour Representations

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

- 15 letters of objection.

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

- Loss of the existing building
- Issues from parking
- Issues created by additional traffic and congestion
- Replacement building would be too big
- Would not be in keeping with the character of the area
- Loss of privacy and overlooking
- Overbearing
- Safety implications from increased vehicles
- Excessive density of development – overdevelopment
- Loss of Daylight and Sunlight
- Loss of residential amenity

8. Appraisal

8.1 Principle of Development

8.2 Para. 74 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.

8.3 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.

8.4 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.

8.5 Eastbourne can currently only demonstrate a 1.8 year supply of housing land. The application, if members were minded to approve, would result in a net gain of 14 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.

8.6 The proposed development would result in a net gain of 14 residential units. 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, as well as para. 124 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...

- 8.7 The shortfall in the supply of housing land is a material consideration that weighs heavily in favour of allowing the proposed development. In terms of Local Planning Policies the site is located within the development boundary of Eastbourne where the principle of sustainable residential development is supportable.
- 8.8 Policy HO2 within the Eastbourne Borough plan identifies the area of Upperton as being predominantly residential, thus the proposal is consistent with this policy.
- 8.9 The Core Strategy also states that Upperton is one of Eastbourne's most sustainable neighbourhoods. Additionally, Policy B1 of the Spatial Development Strategy within the Core Strategy explains that higher residential densities will be supported within these sustainable neighbourhoods. The current proposal would add to housing numbers in an area where development is favoured and consequently supported.
- 8.10 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
- 8.11 Loss of Community Facilities / Existing Building
- 8.12 It is considered that the existing building makes a positive contribution to the area in terms of its appearance. The building is of good quality architectural design and materials. However, there is no designation of the site or the building to prevent its loss without the formal grant of planning permission. The site is not located within a Conservation Area and the building is not statutorily listed. Furthermore, the building is not considered to be of significance to warrant inclusion on the statutory list. Prior approval would be required for demolition of the building, but the LPA would be limited in its considerations of such an application to the methodology for demolition. Taking the above into account, loss of the building cannot be prevented by the LPA and would not form a reasonable refusal of the application.
- 8.13 The site currently provides care services for adults under the age of 65 with learning disabilities through Eastbourne and District Mencap Ltd (EDM). EDM have confirmed in a letter submitted with the application that the facility is no longer required and is therefore being sold.
- 8.14 Community facilities, including healthcare, are subject to a level of protection under both local planning policy (Borough Plan Policy LCF21 and Core Strategy Policy D7) and the National Planning Policy Framework (at para. 92). However, taking into account that Class E includes other commercial uses that are not considered to provide community facilities, their protection pursuant to the above policy is considered to be defunct in the context of the Government's legislative changes. Therefore, loss of the former community facilities is considered to be justified by the adoption of the Use Class Order 2020 and of the Class E use of the site.

- 8.15 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.
- 8.16 Design
- 8.17 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. 130 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.
- 8.18 Para 130(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 some elements would contrast with some of the more traditional properties in the vicinity, would provide for a contemporary design providing a greater level of interest at this point along Mill Road. The design would emphasize the evolution of development within the landscape.
- 8.19 In assessing the impact of the development upon the existing site, it is important to note that the LPA could not control retention of the building given the lack of designation and that the building would not qualify for statutory listing.
- 8.20 The proposed building would possess a contemporary visual appearance but would generally be sympathetic to the traditional form of neighbouring buildings, being two storey buildings with pitched roofs or larger flatted developments. This design approach is considered to be acceptable and would deliver a high quality development that is sympathetic to the surrounding built form.
- 8.21 It is noted that the building would be heavily screened from the majority of surrounding views by trees that would be retained on the road frontages.
- 8.22 A number of buildings in the vicinity have been redeveloped with larger, flatted developments and, as a result, the character of the area comprises buildings that are more significant in scale than the building currently occupying the site.
- 8.23 The density of the site is acceptable for this location and flat layouts have been shown to identify how 14 No flats can be accommodated on the site. Bin storage facilities and cycle stores are indicated on the ground floor plans.
- 8.24 The modern design of the proposal, which would incorporate materials similar to those used on existing neighbouring buildings, would integrate well within the street scene and to harmonise with the buildings surrounding.

- 8.25 Impact of proposed development on amenity of adjoining occupiers and surrounding area:
- 8.26 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 relate to matters outside of residential amenity and planning matters raised have been discussed within the relevant sections of this officer report.
- 8.27 The proposed redevelopment will occupy an area that currently appears as a two storey dwelling when viewed from neighbouring properties. Its redevelopment with a 4 storey property 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.
- 8.28 It is not considered that the proposed development would result in any unacceptable loss of light or cause issues of overshadowing to the residential neighbours surrounding the site. The proposal would provide a suitable relationship with neighbouring properties, both in terms of the use and the relationship of the built form.
- 8.29 The proposed building would result in an altered outlook towards neighbouring occupiers, but the separation distances and orientation of buildings would prevent any loss of privacy or direct overlooking to neighbouring habitable rooms. The site frontages onto Mill Road and Ashburnham Road would provide a public facing relationship with neighbouring properties with significant screening, commensurate with the existing relationship of properties in the area.
- 8.30 It is therefore considered that the proposed development 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. 119 and 130 of the Revised National Planning Policy Framework.
- 8.31 Living Conditions for Future Occupants
- 8.32 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.'*
- 8.33 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. All units within the proposed development would exceed the required internal floor space requirements.
- 8.34 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.

- 8.35 Two of the units would be designed for use by wheelchair users and located on the ground floor. A lift would provide access from the car area to all floors.
- 8.36 All dwellings have direct access to private amenity space in the form of balconies whilst a communal garden would be available to residents. Overall, it is considered that outdoor amenity space is of a good quality for future residents of the building.
- 8.37 Impacts on highway network or access
- 8.38 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.
- 8.39 It is proposed to provide 14 car parking spaces for the development within a basement parking area. The site would be accessed via the existing access point onto Ashburnham Road.
- 8.40 The application includes the provision of cycle storage facilities in a secure area with lockable facilities. Cycle parking spaces would be provided at a 2:1 ratio and would also accommodate larger cycles and carts, cargo bikes, etc. Visitor cycle spaces would also be provided at ground floor level on the Mill Road frontage, adjacent to the pedestrian entrance to the site.
- 8.41 ESCC as Local Highway Authority (LHA) has objected on the following grounds: that the parking spaces would not comprise dimensions to ESCC adopted standards; and that the access would not meet the safety standards of the LHA. Since the objection, the applicant has responded with a revised parking layout, including spaces that meet adopted standards in terms of their dimensions, together with swept path diagrams which demonstrate that cars would be able to turn safely within the site and egress in a forward gear.
- 8.42 The quantum of parking provided is considered acceptable to serve the development without resulting in unacceptable additional parking pressure on the surrounding highway network. The existing site provides off-street parking for just two vehicles in a garage located at the access onto Ashburnham Road, which require vehicles to reverse onto the public highway. All other parking related to the establish care facility use, including for significant staff numbers and visitors has to date been accommodated on street. As such, it is not considered that there would be any significant additional on-street parking stress resulting from the development.
- 8.43 All car parking spaces would be provided with access to electric vehicle charging facilities. A condition is recommended to secure a minimum of one electric vehicle charging point per dwelling to be provided prior to first occupation. This is to encourage the uptake in the use of electric vehicles as a means to combat emissions.

- 8.44 Further to the above measures, the applicant has committed to contributing to a car club vehicle in the vicinity of the site. This would be secured by S106 legal agreement.
- 8.45 Landscaping
- 8.46 The proposed scheme would retain a significant portion of the trees on site, with the exception of some Category C trees that are of declining health. A Landscape Plan has been submitted with the application, which details improvements to the planting around the proposed building and demonstrates that the variety and biodiversity of species would be improved at the site, including green walls in the garden area, a kitchen garden providing fruiting and herbal planting and low maintenance and shade tolerant native planting on the highway borders of the site around the retained trees.
- 8.47 Hard surfaces would be high quality and would be porous where possible in line with the anticipated surface water infiltration at the site.
- 8.48 It is considered that whilst the proposal would result in the loss of a modest amount of trees and verdant features, this would be mitigated and, more importantly, enhanced by landscape planting throughout the subsequent development as a whole.
- 8.49 It is recommended that conditions can be used to secure delivery of the proposed landscaping scheme and the protection of retained trees.
- 8.50 Drainage
- 8.51 ESCC SuDS has raised concerns with regard to the proposed infiltration at the site due to a lack of hydrological calculation information and that proposed overspill into the public sewer has not been agreed with Southern Water. Further details have been submitted to respond to these concerns, which is currently with SuDS for consideration. It is anticipated that this will overcome previous concerns, but in the event that response is not received from SuDS prior to the Committee meeting, it is considered that the imposition of a condition would be sufficient to ensure that a SuDS scheme is approved by ESCC and implemented at the site, including if additional measures are required than infiltration or discharge to the public sewer.
- 8.52 As well as a detailed drainage scheme, a planning condition requiring a management and maintenance plan for any site drainage features would also be applied to any approval in order to ensure the site drainage continues to function effectively throughout the lifetime of the development.
- 8.53 Ecology
- 8.54 The application is supported by a Preliminary Ecological Appraisal (PEA) and Nocturnal Bat Roost Survey. The PEA confirms no presence of protected species found on site but that further bat surveys were required. Bat Surveys have been undertaken and no bat roost have been found.
- 8.55 There would not be any perceived impact upon off-site habitats. The main ecological factor to consider at the site is the low risk of birds using the buildings as breeding habitat and bats using the site for foraging. The PEA recommends that bird boxes are provided at the site to promote Swift and House Sparrow, which are the species most likely to be found at the site.

- 8.56 Other Matters
- 8.57 Construction Management.
- 8.58 A Demolition, 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 methodology for demolition, the delivery times, parking, types of vehicles and construction traffic movement required for demolition/construction, together with mitigation of the environmental impacts, such as dust suppression and wheel washing, etc.

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 Delegate to Head of Planning to conclude consultation with ESCC Highways regarding revised parking space dimensions and access arrangements and following agreement, to approve subject to s106 legal agreement to secure local labour agreement, affordable housing provision, travel plan, TRO contribution and car club contribution and the following conditions:
- 10.2 Standard Time Limit.
- 10.3 Approved Plans.
- 10.4 External Materials in compliance with submitted details.
- 10.5 No occupation until car parking provided and thereafter maintained.
- 10.6 Minimum of 1 x electric vehicle charging point per unit.
- 10.7 No demolition/development until Demolition, Construction and Environmental Management Plan provided.
- 10.8 Protection of retained trees.
- 10.9 No occupation prior to access being constructed in accordance with approved details.
- 10.10 No occupation until secure and covered bin and bike stores provided.
- 10.11 Hard landscaping to be provided prior to occupation. Soft landscaping in first planting season.
- 10.12 No occupation until sustainability measures installed in accordance with details to be provided.
- 10.13 No commencement of development until drainage scheme and maintenance plan approved.

- 10.14 Waste minimisation statement (including procedure for dealing with contaminants).
- 10.15 Permitted Development Rights removed.
- 10.16 Details of provision of bird boxes.

11. Appeal

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

12. Background Papers

- 12.1 None.

Agenda Item 8

Report to: Planning Committee
Date: 21st September 2021
Application No: 210339
Location: Land at 57 - 63 Cavalry Crescent and 25 - 31 North Avenue, Eastbourne

Proposal: Demolition of 8no houses (Cavalry Crescent and North Avenue) and erection of 6no houses and 14no apartments with associated landscaping, parking and sustainability measures

Applicant: Mr B Kitchener
Ward: Upperton
Deadlines: **Decision Due Date:** 16th June 2021
Neighbour Con. Expiry: 10th June 2021

Recommendation: Delegate to Head of Planning to conclude consultation with ESCC Highways regarding revised parking space dimensions and following agreement, to approve with conditions subject to s106 legal agreement to secure local labour agreement, affordable housing provision, travel plan, TRO contribution and car club contribution.

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 before the Planning Committee as it is a major application, in line with the Council's adopted Scheme of Delegation.
- 1.2 The application seeks planning permission for the demolition of the 8 existing dwellings on the site and redevelopment of the site to provide 18 residential units comprising 6 houses and 14 apartments, together with associated parking and landscaping.
- 1.3 Officers consider that the scheme would offer sustainable residential development of a brownfield site, including 100% affordable housing.
- 1.4 The proposal would meet adopted national and local planning policy and guidance and is therefore recommended for approval subject to conditions and a S106 legal agreement to secure local labour agreement, car club, S278 for public transport improvements, travel plan, TRO contributions (£5000) and affordable housing provision.

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
- 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
- C4: Old Town 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
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 is located in the Old Town Neighbourhood and comprises a corner plot with street frontages onto Cavalry Crescent and North Avenue. The site is owned by Eastbourne Borough Council and currently comprises eight semi-detached houses.
- 3.2 Two of the dwellings on Cavalry Crescent are vacant and require considerable upgrading to meet current residential standards. As a result, Eastbourne Borough Council have considered options to redevelop the site, which would provide much needed additional accommodation, designed to a much higher standard, with sustainability as a key design factor.
- 3.3 The site sits within a residential area which is close to local amenities and close to transport links to the town centre and Eastbourne Train Station.
- 3.4 The topography of the site falls from west to east. As such, existing properties fronting North Avenue are higher than those on Cavalry Crescent.
- 3.5 The site falls within the Environment Agency's Flood Risk Area 1 (Low Risk).

4. **Relevant Planning History**

4.1 No relevant planning history.

5. **Proposed Development**

5.1 The application seeks planning permission for demolition of the existing dwellings on the site and the redevelopment to provide a total of 18 residential units. This would comprise 6 houses and a separate block of 14 flats.

5.2 The houses would be formed of two terraces of three dwellings at the southeastern-most and northwestern-most edges of the site. They would comprise three floors of accommodation, the third of which would be set within the roof space, therefore comprising two storeys and a roof, incorporating front dormer-style designs.

5.3 Between the two terraces, a centrally placed apartment block would front the corner of Cavalry Crescent and North Avenue. The block would also be three storeys, which would comprise three floors of accommodation, with the third set within a mansard roof space. The apartments are served by two cores, the block of nine units being served by a lift and staircase, and the block of five being served by a staircase only.

5.4 Around the building will be landscaped gardens to the front of the buildings and private drives to the front of the houses. To the North West corner there will be food growing space for residents of the development, private gardens to the houses and drying, parking and recreation space for the apartments.

6. **Consultations**

6.1 External

6.2 ESCC Highways

6.2.1 ESCC Highways have highlighted that the car parking spaces do not meet adopted standards in terms of their dimensions. However, they have stated that they consider there is scope for amendment to meet the standards given the land available.

6.3 Southern Water

6.3.1 No comments.

6.4 ESCC SUDs

6.4.1 ESCC SuDS have raised concerns due to a lack of information to demonstrate that the proposed on-site infiltration would be possible and that soakaways may not be possible at the site.

6.5 Internal

6.5.1 Specialist Advisor (Regeneration) – The proposal would require a Local Labour Agreement in line with the requirements of adopted policy.

7. Neighbour Representations

7.1 25 letters of objection have been received regarding the application. Objections are lodged on the following grounds:

- Development overscale for the site
- Design and appearance
- Increased traffic generation
- Safety concerns through increased traffic
- Out of character with surrounding property
- Loss of privacy
- Parking provision
- Potential for housing vulnerable individuals

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 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.
- 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 Eastbourne can currently only demonstrate a 1.8 year supply of housing land. The development would result in a net gain of 12 units. 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.
- 8.1.5 Policy C4 (Old Town Neighbourhood Policy) of the Eastbourne Core Strategy 2013 states that the vision for the 'Old Town

Neighbourhood' is *'Old Town will maintain its position as the most sustainable neighbourhood in town, protecting and enhancing its important local services and facilities and improving opportunities for sustainable transport alternatives'*. This includes, *'the delivering of new housing through redevelopment and conversion of existing properties'*.

- 8.1.6 The Core Strategy states that Old Town is the most sustainable neighbourhood in the town (Policy B2). Policy B1, as referred to in the Spatial Development Strategy, explains that higher residential densities will be supported in these neighbourhoods. This site would be considered a brownfield site and the strategy states that 'in accordance with principles for sustainable development, it will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land'.
- 8.1.7 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 acceptable in principle.

8.2 Design and appearance

- 8.2.1 Layout, siting, scale, bulk and massing
- 8.2.2 As previously stated, Core Strategy Policy B1, Spatial Development Strategy and Distribution, explains that higher residential densities will be supported in the Old Town Neighbourhood. Together with paragraph 124 of the NPPF, higher density is key to making full and efficient use of land, particularly in the context of the shortfall in housing land supply in the Borough.
- 8.2.3 This is supported by the Government's recently adopted National Design Guide, which explains (at paragraph 65) that *'well designed new development makes efficient use of land with an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context'*.
- 8.2.4 The existing spatial arrangement of the area is generous, with dwellings placed on large plots with significant space around the buildings. The National Design Guide advises that compact forms of development contribute positively to well-being and placemaking.
- 8.2.5 Therefore, the proposal seeks to increase the existing density of the site in line with adopted policy for the efficient delivery of housing. As such, increases in scale, bulk and massing are important design considerations in the assessment of the proposed scheme.
- 8.2.6 The scheme would comprise three main elements; two terraces of three dwellings, which would sit at the northwest and southeast corners of the site adjacent to the neighbouring dwellings, and a more substantial building, centrally placed between the terraces, occupying the corner between the two roads.
- 8.2.7 The proposed houses would comprise a lesser scale than the apartment block and sit adjacent to neighbouring buildings. Whilst the buildings would comprise three storeys of accommodation including a front dormer style roof form, the change in materials

effectively reduces the perceived scale in the street scene and it is noted that the height of the houses would be similar to that of existing neighbouring dwellings.

- 8.2.8 The tapered nature of the building heights towards the edges of the site frontages would allow the more substantial built form of the development as a whole to integrate with the established character of the area, being sympathetic to the neighbouring context.
- 8.2.9 It is also noted that the variation in building heights would add to the interest in the street scene, which is a key design recommendation in the Government's recently adopted National Design Guide.
- 8.2.10 The apartment block would occupy the corner position of Cavalry Road and North Avenue. The wide junction at this point of the site allows for the accommodation of more articulated built form. As such, whilst the building would comprise three floors to match the houses, the third floor would be bolstered by brick faced front dormer windows set into bulkier mansard roofs.
- 8.2.11 The buildings would retain a building line that re-enforces the defined street frontages, whilst allowing for soft landscaped areas to border the street. To the rear, the building would allow for in-built parking and amenity space without encroaching upon neighbouring property.
- 8.2.12 The elevational treatment would include balconies and recessed elements to provide depth and relief on the frontage, adding visual interest to the facades.
- 8.2.13 Taking the above into account, the proposed building design would be high quality and would contribute to a making-of-place, would make full and efficient use of the land and contribute to building sustainable communities whilst being sympathetic to the surrounding context.
- 8.2.14 Materials
- 8.2.15 The proposed buildings would comprise high quality materials that would be sensitive to the palette of materials in the local area. The buildings would be faced in brick with feature panels and slate hung roofs. It is noted that buildings in the vicinity comprise predominantly buff coloured facing materials and the proposed materials would be sensitive to the existing character.
- 8.2.16 Landscaping and trees
- 8.2.17 The existing site comprises a significant degree of soft landscaping features around the existing dwellings, which comprise large plot to dwelling ratios. This includes trees that would be removed as part of the proposal.
- 8.2.18 Existing trees on the site are generally of low quality and their proposed removal is considered to be acceptable in line with the submitted Arboriculture Assessment, on the basis that the replanting of the site would be high quality and biodiverse.
- 8.2.19 The submitted plans demonstrate that a suitable level of soft landscaping features can be accommodated at the site to soften the

development in the street scenes of Cavalry Crescent and North Avenue. Buildings would be set back from the highway and would allow for a suitable degree of front planting features to maintain the verdancy of the site.

- 8.2.20 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.
- 8.2.21 Details are also required regarding planting either side of the accesses in the interest of maintaining adequate visibility for vehicles using the site.
- 8.2.22 Taking the above considerations into account, proposed landscaping is considered to be acceptable.

8.3 Amenity

8.3.1 Privacy

8.3.2 To the rear the application site are dwellings in Royal Sussex Crescent, the rear gardens of which back on to the site. There is a significant separation distance between the rear elevations of the proposed buildings and existing neighbouring dwellings to the rear. The houses would be of a similar scale to the existing and would also provide a similar rear outlook, thereby preserving the current relationship between the buildings and views from the proposed buildings to the nearest neighbouring dwellings.

8.3.3 Daylight

8.3.4 The separation distances between the proposed buildings 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.

8.3.5 The majority of proposed dwellings would be dual aspect, and all would receive suitable levels of light for future occupants of the development.

8.3.6 Outlook

8.3.7 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.

8.3.8 The proposed units would also comprise a good level of outlook for future occupants of the proposed development.

8.3.9 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 houses in the form of rear garden areas, with a communal space provided for residents of the flats. It is considered that future residents of the scheme would be provided with good quality usable outdoor amenity space for the intended number of occupants.

- 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 Old Town Neighbourhood and is within walking distance of several local amenities including shops, pharmacies, primary schools and post office. The nearest bus stops are located on Central Avenue within 250m from the site access providing a limited hourly service which runs Monday to Saturday daytime. Additional bus stops are available on Victoria Drive which provide a high frequency service (every 10 minutes during the day and a service up to every 15 minutes evenings/Sundays) providing connections to Eastbourne Station. Regular train services are available from Eastbourne Railway Station to Lewes, Brighton and Hastings which provide connections for onward journeys. The site is approximately 2.9km from the railway station but considering the proximity to local goods and services, this site offers travel choices other than that of the private car.
- 8.5.4 The site is considered to be in a sustainable location from a transport perspective and that the transport needs of the development could be adequately met by walking, cycling and public transport.
- 8.5.5 The development has been designed for compliance with Building Regulations Approved Document M, Access to and Use of Buildings Volume 1: Dwellings Category 1 Visitable Dwellings. In addition, four ground floor apartments and one house have been designed to the Category 3 Wheelchair User Dwellings.
- 8.5.6 Site Access
- 8.5.7 The scheme would include a new access off North Avenue serving the rear parking court. The access is 5m in width which is suitable to accommodate two-way flows. Additional private accesses are also proposed serving units 1,2,3 via North Avenue and 15,16,17 via Cavalry Crescent.
- 8.5.8 The stretch of road serving the site is subject to a 30mph speed limit, in accordance with Manual for Streets any access should be provided with visibility splays of 2.4m x 43m. At present parking either side of the proposed access serving the rear parking court off North Avenue could considerably reduce the visibility sightlines as such it was raised as a concern within the Stage 1 Road Safety Audit. The recommendation was to implement parking restrictions

either side of the access to ensure adequate visibility is maintained. To implement parking restrictions a Traffic Regulation Order (TRO) is required. A contribution of £5000 would be secured by S106 agreement in agreement with ESCC Highways. Planting within the visibility splays either side of the individual access points will also need to be maintained below 600mm to ensure suitable pedestrian/driver intervisibility and this would be secured by condition.

8.5.9 Parking

8.5.10 The East Sussex Residential Parking Demand Calculator has been designed to calculate the number of parking spaces required at a new residential development on a site-specific basis. The calculator predicts levels of car ownership using information relating to the site location (ward), unit type, size and the number of allocated spaces.

8.5.11 The Parking Demand Calculator indicates that the parking provision required for a development of this type in this location is 15 spaces, if 1 space allocated per 3 bed house, 2 spaces per 4 bed house and unallocated parking for the flats. The 18 on-site parking spaces proposed are therefore adequate in number.

8.5.12 However, not all proposed spaces original met the required dimensions of 2.5m x 5m. Seven disability spaces were original proposed at the site as part of the parking scheme. These spaces also fell short of the required dimensions (3.6m x 5.5m).

8.5.13 ESCC has requested revision and recommends that 2 of the 5 disability spaces maintain the additional size but only 3 are specifically dedicated as disability spaces to allow greater flexibility within the site.

8.5.14 Revised parking dimensions have since been received and approval of the revised layout is being sought from ESCC Highways. Members will be updated at the time of the meeting with regard to this issue.

8.5.15 Cycle storage facilities

8.5.16 The Council's policy TR2 (Travel Demands) seeks a balance between public transport, cycling and walking to meet the transport demands of proposed development.

8.5.17 Cycle storage would be provided with 2 cycle spaces provided per unit 2 and 3 bed house with 28 communal spaces for the flats, this number exceeds the requirement and is considered adequate.

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

8.5.19 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).

8.5.20 Affordable Housing

8.5.21 Any application submitted which results in a net increase of 10 or more residential units requires provision of affordable housing as per

Eastbourne Borough Council's Affordable Housing SPD (2017). As such, this proposal for 19 dwellings will require the provision of affordable housing in line with adopted policy.

- 8.5.22 Eastbourne is divided into two Market Value Areas, as defined by the Eastbourne Affordable Housing SPD 2017, which reflect dwelling prices across Eastbourne. The Town Centre Neighbourhood is identified as being a 'Low Value Market Area'. Developments within Low Value Areas require 30% provision of affordable housing on all sites.
- 8.5.23 However, EBC as applicant proposes that the scheme would comprise 100% affordable housing. This includes the five accessible units that will help meet the need for Disabled Ready Units required by Eastbourne Borough Council.

8.6 Other matters

8.6.1 Sustainability and Energy

8.6.2 The proposals adopt a 'fabric first' approach, giving priority to the quality in the performance of the building envelope for reduction in energy requirements. The development has been designed as an electric only scheme to eliminate the use of Gas and help reduce CO2 emissions.

8.6.3 In addition to this, renewable technologies have been designed into the scheme. A communal Air Source Heat pump would be contained in an acoustically designed enclosure at the rear of the site to serve the apartment block and individual Air Source Heat pumps to the houses. The use of Photovoltaic Panels on the roof will also generate renewable energy.

8.6.4 The use of sustainable technology and a fabric first approach will result in greatly reduced CO2 emissions (compared to current building regulation standards) and reduced running costs for future residents.

8.6.5 The flat roofs of the apartment building would also comprise green roofs.

8.6.6 Drainage

8.6.7 A drainage scheme has been submitted with the application, which includes surface water disposal via infiltration, including soakaways.

8.6.8 ESCC SuDS has raised concerns with regard to the proposed infiltration at the site due to a lack of hydrological calculation information. It is considered that the imposition of a condition would be sufficient to ensure that a SuDS scheme can be approved by ESCC and implemented at the site, including if additional measures are required other than infiltration and agreed with Southern Water if discharged to the public sewer.

8.6.9 In addition to the required details, a planning condition would secure a management and maintenance plan for any site drainage features to ensure the site drainage continues to function effectively throughout the lifetime of the development.

8.6.10 Refuse/Recycling storage facilities

8.6.11 The application proposes refuse/recycling storage within a dedicated enclosure. The proposed facilities would be large enough for the intended occupancy and suitably sited for occupants' use. The plans indicate that refuse collection points will be provided fronting the individual units with communal storage for the flats. Kerbside collection will take place on via North Avenue and Cavalry Crescent as such there is no requirement for onsite turning for a refuse vehicle.

8.6.12 A condition has been attached to ensure that facilities are provided prior to first occupation of the building.

8.6.13 Demolition, Construction and Environmental Management

8.6.14 A Demolition, Construction and Environmental Management Plan would be required by condition of permission, 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.

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 Delegate to Head of Planning to conclude consultation with ESCC Highways regarding revised parking space dimensions and following agreement, to approve subject to s106 legal agreement to secure local labour agreement, affordable housing provision, travel plan, TRO contribution and car club contribution and the following conditions:

10.2 Standard Time Limit.

10.3 Approved Plans.

10.4 External Materials in compliance with submitted details.

10.5 No occupation prior completion of the vehicular access and turning areas.

10.6 No occupation until car parking provided and maintained.

10.7 Minimum of 1 x electric vehicle charging point per unit.

10.8 No demolition/development until Demolition, Construction and Environmental Management Plan provided.

10.9 Hard landscaping to be provided prior to occupation. Soft landscaping in first planting season.

- 10.10 Refuse and recycling storage facilities in accordance with approved details prior to first occupation.
- 10.11 Cycle storage facilities in accordance with approved details prior to first occupation.
- 10.12 No occupation until sustainability measures installed in accordance with details to be provided.
- 10.13 No commencement of development until SuDS scheme and maintenance plan approved.
- 10.14 SuDS Verification Statement demonstrating completion of works prior to first occupation.
- 10.15 Waste minimisation statement (including procedure for dealing with contaminants).
- 10.16 Permitted Development Rights removed.
- 10.17 Renewables provision prior to first occupation.
- 10.18 Visibility splays at access – prior to first use.

11. **Appeal**

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

12. **Background Papers**

- 12.1 None.

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Agenda Item 9

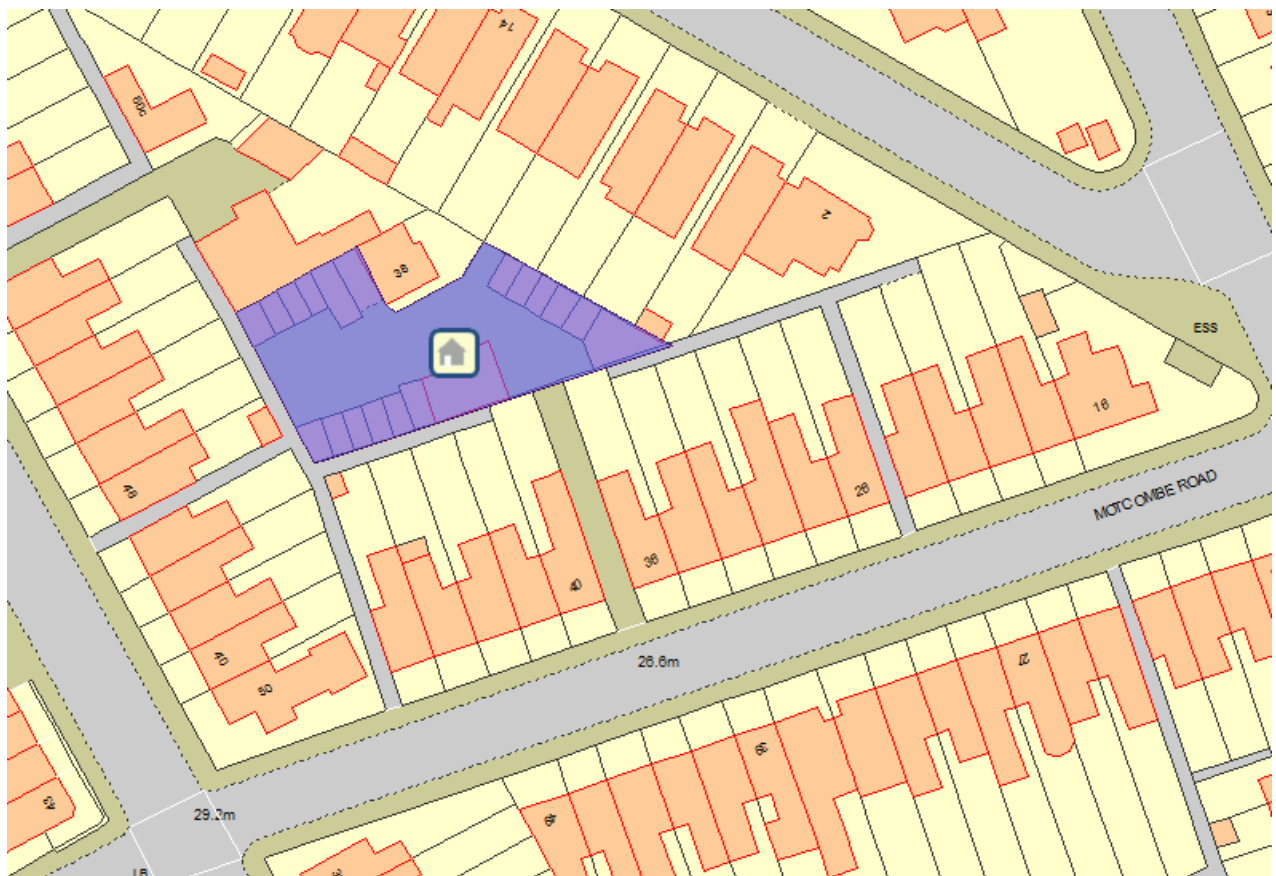
Report to: Planning Committee
Date: 21st September 2021
Application No: 200598
Location: 38a Motcombe Road, Eastbourne
Proposal: Demolition of garages and commercial unit and erection of three dwellings and two Flats, site improvements including new access gate

Applicant: Mr A Knight
Ward: Old Town

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 415026

Map Location:



1. Executive Summary

- 1.1 It is considered that the proposed development represents an appropriate and sustainable use of an underused parcel of land that is embedded in a residential setting within the settlement boundary.
- 1.2 It is considered that the proposed development would integrate well with its surroundings and provide a secure and health living environment for future occupants as well as neighbouring residents.
- 1.3 The site parking and access arrangements are considered to be acceptable in terms of highway safety impact and the needs of future occupants.
- 1.4 It is therefore considered that there are no adverse impacts that would significantly outweigh the benefits of delivery a net gain of 5 residential units on the site.

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
- 14. Meeting the challenge of climate change, flooding, and coastal change

2.2 Eastbourne Core Strategy Local Plan 2006-2027

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C4: Old Town Neighbourhood
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D10a: Design

2.3 Eastbourne Borough Plan 2001-2011:

- NE4: Sustainable Drainage Systems
- NE17: Contaminated Land
- NE18: Noise
- NE28: Environmental Amenity

UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT7: Landscaping
HO2: Predominantly Residential Areas
HO8: Redevelopment of Garage Courts
HO20: Residential Amenity
TR2: Travel Demands
TR7: Provision for Pedestrians
TR11: Car Parking
US4: Flood Protection and Surface Water Disposal

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

3. Site Description

- 3.1 The application site occupies a space to the rear of residential properties on Motcombe Road (to the south), Charleston Road (to the north and east) and Green Street (to the west). The site was historically used as a builders yard with ancillary workshop space but has been established as a garage compound since the late 1950's. A total of 18 x flat roof lock up garages are provided in blocks flanking the northern, eastern and southern boundaries. The garages are not directly associated with any of the neighbouring dwellings and are available to hire for storage purposes. All of the garages appear to be in a structurally sound condition.
- 3.2 There is also a two-storey former workshop building on the southern boundary that has been converted for office/storage use and a two-storey building towards the northern boundary that was originally in use as a single dwelling but has since been subdivided into 2 flats. The site is entirely hard surfaced in concrete.
- 3.3 The site has designated access from Motcombe Road in the form of a straight, relatively narrow driveway that passes between numbers 40 and 36 Motcombe Road. The side elevation walls of these properties directly flank the access track. The driveway opens up into the site where a metal gate has been installed to provide security.
- 3.4 A network of unsurfaced alleyways which provide pedestrian access to the rear gardens of the terraced dwellings nearby on Motcombe Road and Green Street. The southern and western site boundaries are flanked by these alleys.
- 3.5 Surrounding development is relatively dense and predominantly residential in nature. This is generally in the form of terraces of two-storey dwellings that line Motcombe Road and Green Street with larger semi-detached dwellings on Charleston Road. There is a small parade of shops on Green Street, approximately 100 metres walking distance from the site. To the north of the site is a similar compound area which is accessed from Green Street and is

occupied by small commercial buildings/workshops as well as a residential dwelling.

- 3.6 The site falls within Source Protection Zone 3 (total catchment area). The site is not subject to any other specific planning designations or constraints.

4. Relevant Planning History

- 4.1 EB/1948/0103 – Erection of builders' workshop – Approved 12th November 1948
- 4.2 EB/1958/0518 – Conversion of workshop into four lock-up garages – Approved 8th December 1958
- 4.3 EB/1959/0070 – 16 additional lock-up garages – Approved 19th February 1959
- 4.4 EB/1987/0469 – Conversion of single private dwelling into two one-bedroom flats – Approved 27th October 1987
- 4.5 190401 - Proposed erection of 3no three-bedroom dwellings (Outline Application - All matters reserved) – Withdrawn 9th September 2019

5. Proposed Development

- 5.1 The proposed development involves the demolition of the existing garage blocks and two-storey office/storage building and the erection of 1 x 1½-storey semi-detached two bedroom dwelling (House 1), 2 x two-storey semi-detached two bedroom dwellings (Houses 2 and 3) dwellings and a 2½ storey building containing a ground floor one bedroom flat and a two-bedroom duplex unit over the first and second floor (second floor would be formed within roof space).
- 5.2 Houses 2 and 3 would be positioned towards the north-western corner of the site. The combined footprint of the dwellings, which are equally sized units that would be connected to each other, measures approx. 10.8 metres in width by 8.65 metres in depth. The building would have a hipped roof with eaves height at approx. 5 metres above ground level and ridge height at approx. 7 metres. Each dwelling would have an L-shaped patio area to the side/rear and a hard-surfaced car parking space to the side. A shed would also be provided to the rear of each dwelling.
- 5.3 House 1 would be connected to the building containing the flats, flanking the southern boundary of the site. The combined footprint of the two structures would be approx. 19 metres in width by 6.1 metres in depth. The first-floor level accommodation within house 1 would be contained within the roof space, with the roof front roof slope incorporating a pitched roof dormer, a roof light and a two-storey gable roof projection. The rear roof slope would incorporate a roof light. The eaves height of the main gable roof would be at approx. 3.2 metres above ground level with the ridge height at approx. 6.2 metres. A patio area would be provided to the side of the dwelling as well as a hard-surfaced parking bay.
- 5.4 The building containing the flats would have a gable roof containing 3 x dormers within the front slope and a single dormer with obscure glazed

window to the rear slope. The eaves of the roof would be at approx. 5.8 metres above ground level with the ridge line at approx. 8.75 metres. A screened external staircase would be provided to the front elevation in order to allow access to the upper floor duplex unit.

- 5.5 The existing vehicular access would be utilised and would be extended across the centre of the site, providing access to car parking bays and turning space. In addition to the single parking bays provided for each dwelling, a row of 6 parking bays would be provided along the eastern site boundary increasing overall parking capacity within the site to 9 spaces. One of the parking bays would be equipped with apparatus for electric vehicle charging. Cycle parking facilities and bin storage would be provided adjacent to the parking bays.
- 5.6 A pedestrian gate is shown on the western site boundary. This would provide access to the alleyway that passes the site although it should be noted that the applicant does not have any control over the use of this alleyway.

6. Consultations

6.1 Planning Policy

- 6.1.1 No substantive comments to make.

6.2 ESCC Highways (INITIAL RESPONSE)

- 6.2.1 The Design and Access Statement features a contradiction in that the application states that the site should be developed because the 'underused garages [which] are now too small for modern cars and were being used or rented only as storage units for which there is a low demand' yet the proposals will result in 'less vehicular traffic with the proposal than could have been directed under the current arrangement of garages and open yard'. If the existing usage does not generate a lot of traffic (even if it could), the new proposals would generate more traffic than existing.
- 6.2.2 However, I have undertaken a high-level assessment using TRICS to estimate the vehicle trip generation for the proposals, which shows that the new proposal would generate around 3 additional vehicle movements during the peak periods. This is unlikely to have a significant impact on the local highway network in terms of traffic and therefore is acceptable.
- 6.2.3 The visibility for vehicles exiting the development site onto Motcombe Road is hindered by existing residential walls. The applicant has not shown a visibility splay for the site access. While it is understood that the access is currently used the proposals would constitute an intensification of the access and therefore the applicant should show that a visibility splay in line with Manual for Streets can be achieved.
- 6.2.4 Given the concerns regarding visibility potentially being obstructed by existing residential walls, it should also be shown that pedestrian vehicle visibility of 2m x 2m can be achieved.

- 6.2.5 The access route into the development site does not meet the minimum width for access for fire engines which is 3.7m. Additionally, dead-end access routes longer than 20m require turning facilities, as fire tenders should not reverse for longer than 20m.
- 6.2.6 If a fire tender has to stop on the main road, the maximum acceptable distance would be 45m from the furthest residential property. This distance is exceeded in the development site proposals.
- 6.2.7 Based on the above it cannot be determined if adequate access for emergency vehicle is provided as part of the proposals. The applicant should provide additional information.
- 6.2.8 The 'Guidance for Parking at New Residential Development' by ESCC states the minimum dimensions of parking spaces at 5 x 2.5m for standard but require an additional 0.5m for spaces adjacent to a wall or fence. Based on the dimensions on the plan (10712/sk2) there are 9 car parking spaces of sufficient width.
- 6.2.9 The ESCC car parking calculation tool indicates that a development of this size should provide 9 residents car parking spaces and 1 visitor car parking space, totalling 10 spaces. As stated above, the proposed development is proposing to provide 9 car parking spaces of sufficient width, which is less than the ESCC standards.
- 6.2.10 As stated within ESCC 'Local Design Guide for Residential Development', developers must provide a full swept path analysis to prove design layouts can accommodate servicing vehicles. Given the access difficulties shown on the plans provided by the applicant, additional information should be provided to show that the development can be accessed and egressed in forward gear using the most commonly used service vehicle sizes, including a moving van.
- 6.2.11 The planning application does not state how the refuse will be collected from the development site. However, from the plans it is clear a refuse vehicle would not be able to access the site in forward gear and undertake a three-point turn to egress the site in forward gear as well.
- 6.2.12 It is not appropriate for refuse vehicles to enter the site because the 'Refuse & Recycling Storage at New Residential Developments' guidance for Eastbourne states that 'the layout of the access road should not require the collection vehicle to reverse more than 25m'. The access route from Motcombe Road is 35m which would require refuse vehicles to reverse in excess of 25m.
- 6.2.13 The same guidance also states that 'bin stores should be located within 25m of the Collection Point where the collection vehicle will stop'. If refuse vehicles were to stop on Motcombe Road, the bins would need to be collected from a distance of over 25m. Therefore, the proposed refuse collection arrangements are considered not to be in accordance with ESCC guidance and therefore not acceptable.

- 6.2.14 Given the town centre location of the site, and the potential for construction vehicles to impact the flow of traffic and pedestrian safety in the surrounding highway network, a Construction Traffic Management Plan should be secured via condition, with details to be agreed.
- 6.2.15 **The applicant provided a Technical Note in response to the comments above. This document was circulated to ESCC Highways, East Sussex Fire and Rescue and the Eastbourne Borough Waste and Refuse Team.**
- 6.2.16 **The Highway Officer reviewed the technical note and provided the following comments. Details provided in the technical note are expanded on in section 8.6 of this report.**
- 6.2.17 'Regarding fire safety, the argument that the pump appliance could drive 20 into the site means that it stops in the alleyway, which doesn't seem like a logical place to stop just to meet the standards. With that being said, Manual for Streets does expand, stating that where 'an authority or developer wishes to reduce the running carriageway width to below 3.7m, they should consult the local Fire Safety Officer.' With this in mind, I would defer to any comments from the local Fire Safety Officer on this matter.'
- 6.2.18 'Similarly, regarding refuse collection, I would defer to you waste collection team for their comments, as they would ultimately service the proposed development.'
- 6.2.19 I'm happy that the applicant has addressed my other comments satisfactorily.

6.3 East Sussex Fire & Rescue

- 6.3.1 Unfortunately I am unable to comment on the proposed access to the site, 38a Motcombe Rd Eastbourne as this will be considered by local Authority Building Control who enforce the access requirements for fire appliances under Building Regulations and the East Sussex Act. The Building Control do consult with the Fire Authority when they are satisfied Building Regs are met or if there are issues which may require agreement on relaxation of requirements. This will certainly be the case if the access road is less than 3.7 m and there are no turning facilities for a fire appliance if the footprint of the premises exceeds a distance of 45m.
- 6.3.2 Standing Advice was referred to, which includes the following comments.
- 6.3.3 Where it is either not possible or reasonably practical to achieve vehicle access requirements for a pumping appliance to within 45 metres of all points within a dwelling-house, a relaxation may be acceptable if a domestic sprinkler system conforming to BS 9251 (or equivalent) or a water mist system conforming to BS 8458 (or equivalent) is installed.
- 6.3.4 The fitting of a sprinkler system will enable fire appliance access to be extended to a maximum of 90 metres from all points within the

dwelling-house. The 90 metre distance will be achieved by the use of four lengths of 25 metre hose. The extra 10 metres provides some safety margin to allow for the hose to be run around objects or obstructions between the appliance and the fire.

7. Neighbour Representations

7.1 A total of 18 letters of objection have been submitted by members of the public. A summary of material matters raised is provided below:-

- A total of 18 letters of objection have been submitted by members of the public. A summary of material matters raised is provided below:-
- Applicant has not discussed with community or requested party wall agreement;
- No safe access for pushchairs and wheelchairs;
- Use of alleyways for rear access is unsuitable as they are unlit and unsurfaced;
- Use of alleyways will present a security risk to neighbouring dwellings;
- Increase in traffic;
- Unsuitable access;
- Poor visibility at site access;
- Insufficient parking;
- No evidence that the garage use is redundant;
- Overdevelopment/too dense;
- Out of keeping with appearance of surrounding buildings;
- Dormer windows are out of character with surrounding area;
- Overlooking;
- Loss of light;
- Increase in noise and light pollution;
- No turning circle provided;
- Loss of parking provided by existing garages;
- No meaningful garden space provided for occupants;
- Climate crisis not taken into account;
- Bin store positioned adjacent to neighbouring property will result in unpleasant odours;
- Nowhere for bins to be stored on collection day;
- Increased pressure on existing infrastructure/services;
- Would not provide affordable housing;
- Leaseholders of garages have not been notified;

- Loss of charming existing building;
- Fails to comply with local and national planning policies;
- Potential access issues were noted when the site was considered in the SHELAA;
- Parking bays should incorporate green infrastructure;
- Obscure glazing would not be sufficient to prevent overlooking as windows open;

8. Appraisal

8.1 Principle of Development

- 8.1.1 Para. 74 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 proposed development would boost housing land supply, contributing a net gain of 5 x residential units.
- 8.1.3 Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. This approach effectively adopts a ‘tilted balance’ in favour of development.
- 8.1.4 The site is identified in the 2019 Strategic Housing and Employment Land Availability Assessment (SHELAA) as site OL08. It is noted as being suitable for housing development of up to 6 units, albeit with potential issues around access. At the time of the assessment the availability of the site was unknown, and the site was therefore recorded as ‘potentially developable’. Para. 69 of the NPPF notes the contribution small and medium sized sites can make towards housing requirement, particularly as they are often built out quickly.
- 8.1.5 Para. 120 of the NPPF instructs Local Planning Authorities to ‘promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively’ Car parks/lock ups and service yards are

specifically identified as areas that may be suitable for redevelopment for residential use.

- 8.1.6 The above is echoed in policy C4 of the Eastbourne Core Strategy, which relates specifically to the Old Town neighbourhood which commits to 'delivering some housing through infill and redevelopment of commercial premises' as well as saved policy HO8 of the Eastbourne Borough Plan.
- 8.1.7 The presumption of approval will therefore need to be balanced against potential impacts relating to the safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 119), ensuring development is of suitable design and sympathetic to the character of the surrounding area (para. 130) and ensuring development does not compromise highway safety (para. 110) as identified within the NPPF as well as any development plan policies that are consistent with considerations set out within the NPPF.

8.2 Loss of Garages/Commercial Unit

- 8.2.1 The proposed development would involve the removal of the existing garages and office/storage unit within the site. It is noted that the garages are not directly associated with neighbouring dwellings and their use is wholly under the control of the applicant. The garages are in a structurally sound and usable condition and the site is secure. Whilst this would support ongoing use, the value of a relatively small amount of garages, which are located within a predominantly residential area, has to be balanced with the clear benefit of providing much needed housing on a brownfield site within an established community.
- 8.2.2 Likewise, the office/storage building is relatively small and it is considered that there is sufficient capacity provided by better equipped commercial stock within town and district centres to absorb any demand created by the loss of this unit, particularly following the recent changes to the use class order which introduce greater flexibility in the use of commercial buildings.
- 8.2.3 The NPPF is clear that in situations where there is a significant shortfall in supply of housing land, planning decisions should weigh in favour of new housing provision other than in situations where the benefit would be outweighed by a harmful adverse impact. Given the observations above, it is not considered that the loss of a small amount of garage and office space would justify refusing permission for much needed housing. It should also be noted that the office/storage building could be converted to residential use at any time under prior approval legislation.

8.3 Impact upon amenities of neighbouring residents

- 8.3.1 Houses 2 and 3 would be positioned towards the north-western corner of the site, with the rear of the dwellings facing towards the two-storey flat roof commercial building at 60a Green Street, As such, rear facing windows would not directly overlook any residential

property. The flank (western) elevation of house 2 would face towards the rear of numbers 50 and 52 Green Street with the side elevation wall being approx. 15 metres from the rear elevation of the two-storey outriggers at these properties and approx. 5.5 metres from the rear boundaries of their respective plots. It is considered that a sufficient distance would be maintained between the flank elevation and neighbouring property to prevent an overbearing or overly dominant relationship arising. It is noted that the roof line of the proposed dwellings pitches away from the site boundary, helping to reduce visual impact. It is also noted that the building at 60a Green Street is of similar height to the proposed dwellings and is positioned closer to the site boundary. It is therefore considered that the relationship between the proposed dwellings and neighbouring properties would be consistent with established spatial characteristics. It is also considered that no invasive views towards neighbouring properties would be introduced as views from ground floor windows would be interrupted by site boundary treatment whilst the only side facing upper floor window would serve a balcony and could reasonably be obscurely glazed without compromising living conditions within the dwelling. A planning condition will be used to secure the use of obscure glazing for this window.

- 8.3.2 In relation to the existing flats at 38 Motcombe Road, which are positioned to the east of houses 2 and 3, the proposed dwellings are of similar height to the building housing the flats, a suitable degree of separation is maintained between buildings and no windows or amenity areas would be directly overlooked. As such, it is not considered that the proposed dwellings would result in unacceptable degradation to the amenities of the occupants of the flats.
- 8.3.3 House 1 and the building containing the 1 bed flat and 2 bed duplex unit would be positioned directly adjacent to the southern boundary of the site, which backs on to an alleyway and the rear gardens of number 40 to 48 Motcombe Road. The proposed flats would be accommodated within a building that would occupy a the same footprint as the existing office/storage building and would be of similar height, with the ridge height being approx. 0.15 metres higher and the eaves height being approx. 0.7 metres lower. It is therefore considered that, from an overbearing and overshadowing perspective, the proposed building would have a similar relationship towards neighbouring residential properties as the existing structure. A single dormer window would be incorporated within the rear roof slope. This window would serve a bathroom and would be obscurely glazed. It is therefore considered that it would not allow for invasive views towards neighbouring residential properties.
- 8.3.4 House 1 would occupy the footprint of an existing block of flat roof garages. Whilst the house building, at approx. 6.2 metres to ridge line, would be of greater height than the existing garages, which is approx. 2.6 metres, the eaves height would be relatively low, at 3.2 metres, with the roof then pitching away from neighbouring properties. It is therefore considered that, whilst the impact of the

proposed building towards neighbouring residents would increase over that of the existing garages, it would not be to the extent that would result in it appearing oppressive or overly dominant and would not result in an unacceptable increase in overshadowing, particularly as it would be positioned to the north of properties on Motcombe Road. The flank elevation of the dwelling would be relatively narrow. It would face towards the rear of 46 Green Street but would be stepped in from the site boundary, allowing for approx. 10 metres separation between the proposed house and the rear boundary of 46 Green Street and approx. 19.6 metres between the dwelling occupying the plot. It is considered that the modest width of the flank elevation combined with the degree of separation maintained between neighbouring properties would be sufficient to prevent it from appearing overbearing, from causing undue levels of overshadowing and to prevent intrusive views from the upper floor bedroom window that would be installed in the flank elevation of house number 1.

- 8.3.5 Six car parking bays would be provided adjacent to the eastern boundary of the site in an area currently occupied by a block of garages. These parking spaces would directly abut the rear boundaries of residential gardens at numbers 6 to 10 Charleston Road meaning there is a particular sensitivity in regards to emissions of air, light and noise generated by vehicles. It is considered that emissions can be adequately controlled through the use of sympathetic screening and a planning condition will be utilised to ensure suitable screening is provided. For similar reasons, it is important that the bin storage area is secure and covered in order to control odour and to discourage vermin.
- 8.3.6 Due to the relatively narrow site access and the amount of works associated with the development (including a significant amount of demolition) a condition will be used to secure a Construction Management Plan (CMP) prior to the commencement of development/demolition. The plan will need to include, but not be limited to, details of pollution control measures, hours of working, access and parking for construction vehicles and contractors, secure storage facilities for materials and a timetable of works.
- 8.3.7 It is considered that the proposed residential use is entirely compatible with the surrounding area, which is predominantly residential use, and that the density of development is consistent with the relatively high density of surrounding residential development and can be achieved without an unacceptable compromise to existing residential amenities as demonstrated in the paragraphs above.

8.4 Design

- 8.4.1 The site is of a recessive nature due to it being surrounded by dwellings fronting neighbouring roads. However, it is not considered that the proposed development would represent a secluded form of backland development as the number of units provided would ensure

all dwellings would enjoy a good level of natural surveillance and would engage with their neighbours, fostering a sense of community and acting as a deterrent to crime and anti-social behaviour.

- 8.4.2 The design of the buildings does not directly mimic any neighbouring properties, but this would not be expected as the scale and self-contained nature of the site justify the development having an identity of its own. Notwithstanding this, general characteristics such as the use of red brick and the use of pitched roofing with strong gable elements are incorporated in order to assist visual integration within the wider surrounding area. The use of architectural features such as dormers and gable ended projections helps break up the mass of the proposed buildings and prevent them appearing monotonous or visually unsympathetic.
- 8.4.3 The height and mass of the proposed buildings would be comparable to that of surrounding residential development. It is therefore considered that the development would integrate well with the general prevailing characteristics of the surrounding area and would not appear unduly prominent or overbearing.
- 8.4.4 The density of the development would equate to approx. 67.5 dwellings per hectare. It is considered that, whilst less intensive than the proposed development, surrounding development is of relatively high density resulting in a relatively intimate built environment, with buildings generally being positioned close together. Although the site currently appears relatively open due to the low profile of the garages it does not offer any sense of openness that can be appreciated within the street scene due to being entirely enclosed by residential development. It is therefore considered that the proposed development is therefore consistent with the spatial characteristics of the surrounding built environment. The density of the proposed development also sits comfortably within the suggested density of development in Old Town which is 13-122 dwellings per hectare as set out in policy B1 of the Eastbourne Core Strategy.

8.5 Living Conditions for Future Occupants

- 8.5.1 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.'
- 8.5.2 All habitable rooms are served by clear glazed openings allowing for a good level of natural sunlight permeation and natural ventilation. All dwellings and flats would be dual aspect, ensuring increased exposure to natural light throughout the day as well as more effective ventilation. The layout of each unit is clear and uncluttered with hallway lengths kept to a minimum and awkwardly sized and shaped rooms being avoided, thereby enhancing functionality, accessibility, and adaptability.

- 8.5.3 The Department for Communities and Local Government has produced the Technical housing standards - nationally described space standard. This document sets out minimum recommended Gross Internal Area (GIA) for new residential units, based upon number of bedrooms provided, number of storeys and number of occupants. The proposed 2 bed semi-detached dwellings would each have a GIA of 79.04 m², thereby exceeding the minimum 70 m² set out in the space standards. The proposed 2 bed detached dwelling would have a GIA of approx. 87 m² which, again, exceeds the 70 m² threshold. The proposed 2 bed flat would have a GIA of approx. 53.13 m², exceeding the 50 m² minimum. The proposed 2 bed flat is in a duplex configuration and so minimum GIA will be based on a two-storey 2 bed property. The GIA of 88.68 m² would exceed the 70 m² minimum. Therefore, all units comply with, and exceed, the minimum standards set out in the technical housing standards.
- 8.5.4 Each dwelling would have access to a private outdoor space in the form of a patio which is considered of a sufficient size to support the day to day amenity needs of a 2-bedroom household. The proposed flats would not have access to any designated amenity space but, given the small household size they would support and the availability of nearby public amenity space in the form of Motcombe Gardens, Old Town Recreation Ground and the South Downs National Park, it is considered that the lack of designate outdoor space is sufficient in this instance. It is also noted that the two-bedroom duplex flat is comfortably larger than required by technical housing standards, thereby allowing for a degree of indoor amenity function.
- 8.5.5 Access to all units would be gained from the building frontage and would be subject to a good level of natural surveillance from other properties within the development as well as surrounding properties. The car parking areas would also benefit from a good level of natural surveillance. It is therefore considered that occupants arriving and leaving their properties would not be placed in a secluded or isolated environment where they may feel at risk of crime and anti-social behaviour. All ground floor windows have defensible space provided in the form of landscaping and/or boundary treatment.

8.6 Highways and Access

- 8.6.1 The site has existing access from Motcombe Road via a dropped kerb and vehicular route that runs between 36 and 40 Motcombe Road. ESCC Highways initially raised concerns over the suitability of this access due to its width (approx. 3.7 metres) and the level of visibility offered to motorists emerging from the site.
- 8.6.2 In response to this, the applicant submitted a Technical Note outlining how the access could function safely. With regards to the width, the Technical Note states that Manual for Streets allows for short sections of shared access road to be narrower over short

sections provided the street is appropriate for particular context and users.

- 8.6.3 In this instance, the access road is straight, allowing for good levels of visibility of oncoming traffic, and, upon entering the site, the width of the road increases, allowing for passing points to be provided for vehicles heading in opposite directions. There is suitable space within the site to allow for vehicles to turn, ensuring they can enter and leave the site in forward gear. The Technical Note also maintains that conflict between vehicles would be relatively uncommon due to the access serving only 6 dwellings.
- 8.6.4 Although the access road is relatively narrow it does open up where it reaches the site, and it is considered that this would allow safe movement of pedestrians within the developed area. The narrow section of road between the site and Motcombe Road is narrow and it is considered that this would allow motorists good visibility of pedestrians using the road for access. Importantly, there is alternative pedestrian only access to the site via the existing network of alley ways running to the rear of properties on Motcombe Road and Green Street.
- 8.6.5 In addressing concerns over visibility, the Technical Note draws attention to the existing use of the access, which currently serves garages, two flats and business uses. It also quotes para. 7.8.3 of Manual for Streets which states that “Vehicle exits at the back edge of footway mean that emerging drivers will have to take account of people on the footway. The absence of wide visibility splays at private driveways will encourage drivers to emerge more cautiously.’
- 8.6.6 The Technical Note goes on to confirm that, whilst pedestrian visibility splays of 2 metres x 2 metres as recommended by ESCC Highways cannot be provided, splays of 2 metres x 1.83 metres can be achieved. It is argued that these splays are suitable for the site access given its relatively low predicted frequency of usage, the site not being in an area of high pedestrian activity and the width of the footway which, at 2.4 metres, is regarded as above average.
- 8.6.7 The Technical Note confirms that visibility splays of 2.4 metres x 4.3 metres could be achieved over the public highway, in accordance with the suggested dimensions for splays at junction with a 30-mph road. However, these splays are incorporated areas which provide on street car parking and so would be obstructed by parked cars at times.
- 8.6.8 Para. 7.8.5 of Manual for Streets states that ‘parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice. Ideally, defined parking bays should be provided outside the visibility splay. However, in some circumstances, where speeds are low, some encroachment may be acceptable.’ This is echoed in ESCC Highways standing advice which maintains that ‘some on street parking within visibility splays is

acceptable provided it does not obstruct sightlines completely and spaces are not occupied all of the time.'

- 8.6.9 On being presented with the additional information contained within the Technical Note, the Highways Officer removed their objection to the use of the access, subject to confirmation that accessibility was suitable for emergency services and refuse teams.
- 8.6.10 The proposed development would incorporate 9 x off-street allocated car parking spaces. ESCC Highways consider this to be a sufficient quantum to serve the needs of future occupants. The parking spaces are of suitable dimensions and adequate space for turning and manoeuvring is provided. It is anticipated that the development would generate demand for a single visitor parking space. Whilst no visitor parking would be provided within the site, the applicant argues in their Technical Note that on-street parking would have the capacity to provide visitor parking and ESCC Highways have agreed with this position.
- 8.6.11 The proposed development would incorporate a storage and collection area for refuse and recycling. The adopted Good Practice Guidance for waste and refuse states that bin stores should be provided within 30 metres of the properties they serve and within 25 metres of the nearest point accessible to a refuse collection vehicle. The Council's waste service team have confirmed that occupants of the existing flats at 38 Motcombe Road currently place their bins out on Motcombe Road, approximately 53 metres away.
- 8.6.12 The proposed bin storage area would be within 30 metres of the majority of the proposed dwellings although house No. 3, which is in the north-western corner of the site, would be approx. 35 metres away. The distance from Motcombe Road would also be approx. 35 metres. As such, the location of the proposed store does not comply with best practice guidance. However, given the existing refuse arrangements, the relatively low amount of bins that would be stored, the fact that the recommended distances are not significantly exceeded and the lack of sufficient space for an alternative location, it is considered that the proposed arrangements are acceptable in this instance. The provision of a bin store would prevent excessive clutter on the pavement on Motcombe Road that may otherwise result if occupants have no alternative other than to leave bins on the street.
- 8.6.13 East Sussex Fire and Rescue Service have made no objection to the application, subject to full details of fire safety measures being assessed at the building regulations stage. The Technical Note maintains that a fire appliance can reverse partially up the site access route and that there is sufficient width (3.7 metres) to allow for fire crews to unload equipment within 45 metres of any property within the development. It is also noted that alternatives measures, in the form of sprinkler and misting systems, could potentially be used if East Sussex Fire and Rescue consider it necessary.

8.7 Flooding and Drainage

8.7.1 The site is not located in an area identified as being susceptible to tidal or fluvial flooding. The existing hard standing and access road is identified as being at medium risk of surface water flooding. It is noted that this is reduced from the high-risk classification attached to the highway on Motcombe Road and other surrounding roads. The site is currently hard surfaced in its entirety and it is noted that the proposed development includes modest permeable areas in the form of soft landscaping. It is therefore considered that surface water runoff from the site is unlikely to increase. A condition will be attached to any given approval to ensure that details of a suitable drainage system that would protect future occupants as well as neighbouring properties and the public highway, are provided.

8.7.2 As the site falls within a Source Protection Zone (zone 3) any drainage scheme would also need to demonstrate how contaminants would be prevented from entering groundwater.

8.8 Sustainability

8.8.1 A planning condition will be attached to any approval given to ensure that the occupants of each property have access to a designated electric vehicle charging point. Details of measures to reduce carbon and nitrogen oxide emissions will also be required.

8.8.2 The proposed works would involve the demolition of existing buildings on the site and a condition will be used to secure a waste minimisation statement in order to obtain details of how waste materials will be recycled or re-used where possible as well as how any hazardous details encountered will be removed safely from the site.

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:-

10.2 Standard Time Limit.

10.3 Approved Plans.

10.4 External Materials in compliance with plans.

10.5 No occupation until car parking provided and maintained.

10.6 Minimum of 1 x electric vehicle charging point per unit.

10.7 No demolition/development until Construction Management Plan provided.

- 10.8 No occupation until secure and covered bin and bike stores provided.
- 10.9 Hard landscaping to be provided prior to occupation. Soft landscaping in first planting season.
- 10.10 No occupation until sustainability measures installed in accordance with details to be provided.
- 10.11 No commencement of development until drainage scheme and maintenance plan approved.
- 10.12 Waste minimisation statement (including procedure for dealing with contaminants)
- 10.13 Permitted Development Rights removed (including windows)
- 10.14 All windows marked obscure glazed to be maintained as such and also fixed shut at all times.

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: 21st September 2021
Application No: 210333
Location: 5-7 Enys Road, Eastbourne, BN21 2DQ
Proposal: Conversion of Doctor's Surgery (Use Class E) to provide 9no residential flats (Use Class C3 - 3no 2bed 3 person, 4no 1bed 2persons and 2no 1bed 1person) with 9no off-street car parking spaces and external alterations.

Applicant: Park Avenue Homes Ltd
Ward: Upperton
Deadlines: **Decision Due Date:** 9th June 2021
Neighbour Con. Expiry: 2nd June 2021

Recommendation: Approve subject to 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 before the Planning Committee at the discretion of the Chair of Planning Committee due to the number of representations received in objection to the proposal.
- 1.2 The application seeks planning permission for the conversion of a vacant building formerly in use as a doctor's surgery, to create 9 self-contained residential flats, comprising 2no 1bed 1p, 4no 1bed 2p and 3no 2bed 3p units.
- 1.3 Officers consider that the scheme would offer sustainable residential development in a predominantly residential area. The scheme would deliver a net gain of 9 residential dwellings in a sustainable location and would represent a windfall contribution to housing delivery in the Borough.
- 1.4 The proposal would meet adopted national and local planning policy and the application is therefore recommended for approval subject to conditions. No legal agreement would be required to accompany this permission.

2. Relevant Planning Policies

2.1 National Planning Policy Framework2019

- 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
- 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
- C2: Upperton 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
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 is in the Upperton Neighbourhood and comprises a vacant and redundant former doctor's surgery, which inhabits two originally separate terraced single-family dwellings, now amalgamated to form a single building.
- 3.2 The building is four storeys in height, including two small basement areas. It forms part of a larger attractive stock brick faced terrace, which possesses double height front bay windows and a pitched roof with substantial chimney stacks in rhythmic formation.
- 3.3 Original windows in the building have been replaced with UPVc casements.
- 3.4 Enys Road slopes gently from northeast to southwest and, as such, buildings in the terrace are stepped accordingly. The ground floor of the building is raised from street level and there is an existing access ramp that occupies most of the area in front of the buildings, which provided step-free access related to its former surgery use.

- 3.5 There is an unmade road running along the back of the site, accessed from Selwyn Road, which currently allows access by vehicle to an existing parking area at the rear of the site, which provides 5 car parking spaces.
- 3.6 The site sits within a predominantly residential area as defined by the Core Strategy Proposal Map and is close to local the Town Centre and its amenities. Transport links, including several bus services and Eastbourne Train Station are easily accessed.
- 3.7 The site is located within the Upperton Gardens Conservation Area.
- 3.8 The site also falls within the Environment Agency's Flood Risk Area 1 (Low Risk).

4. Relevant Planning History

- 4.1 210026 - Change of use from doctor's surgery (D1) to 19 bed HMO (sui generis) – Withdrawn, 06/09/21.
- 4.2 No further relevant planning history.

5. Proposed Development

- 5.1 The application seeks planning permission for conversion of the building to form a total of nine flats set over the ground, first and second floors. The basement areas would be used for servicing and plant.
- 5.2 The proposed flats would comprise 3no 2bed 3 person, 4no 1bed 2persons and 2no 1bed 1person.
- 5.3 The front of the building would be relandscaped to remove the existing access ramp. The revised frontage would comprise stepped access on either side, with raised soft-landscaped planted areas and two recessed areas at street level for the storage of refuse and recycling facilities.
- 5.4 The rear of the side would be landscaped to provide an enlarged parking area for 9 vehicles: one per unit. Cycle storage would also be provided at the rear in secure covered storage facilities.
- 5.5 A small infill extension is proposed at first floor on the rear elevation and this would match the arrangement at numbers 3 and 7.
- 5.6 The proposal has been amended during the application to reduce the number of units from 10 to 9. In addition, the application originally proposed a small ground floor extension to the rear elevation to accommodate the original 10-unit layout, but this has since been omitted from the proposal following the revised layout to 9 units.
- 5.7 Therefore, only minor works to the surface to provide parking, outdoor amenity space and cycle storage are now proposed at ground floor level at the rear.

6. Consultations

- 6.1 External
- 6.2 ESCC Highways
 - 6.2.1 No response received.

6.3 Southern Water

6.3.1 SW has advised that there are assets crossing the site and that the formerly proposed rear extension (now omitted) may interfere with the existing drainage infrastructure.

6.4 Sussex Police Crime Prevention Design Advisor

6.4.1 Sussex Police provided two responses to consultation. The first was in support of the application, making no objections from a crime prevention perspective.

6.4.2 A later response was received, which changed this view. The Crime Prevention Design Advisor, whose remit is to reduce the opportunities for crime and the fear of crime, cites feedback from the Neighbourhood Policing Team (NPT) for the area. The NPT has drawn attention to *'problems at an address of similar proportions very close to the application's premises that generates constant incidents involving ASB, Crime & Disorder (C&D) violence, drug dealing and county lines activity'*.

6.4.3 Attention is also drawn to the rear access road, which is reported to provide significant issues regarding loitering, drug dealing and antisocial behaviour.

6.4.4 The NPT are concerned that the current levels of ASB & C&D will escalate and as such, Sussex Police have withdrawn their support of the application.

6.5 Internal

6.5.1 None.

7. **Neighbour Representations**

7.1 A significant number of objections have been received regarding the application. Objections are lodged on the following grounds:

- The development would increase crime in the area
- The accommodation is not sympathetic to the character of the area
- The proposal would result in disturbances
- Noise pollution
- Poor outdoor amenity space
- Parking issues
- Potential for housing vulnerable individuals.

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 presumption of approval will therefore need to consider 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.
 - 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 Eastbourne can currently only demonstrate a 1.8-year supply of housing land. The development would result in a net gain of 12 units. 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.
 - 8.1.5 Policy C2 (Upperton Neighbourhood Policy) of the Eastbourne Core Strategy 2013 states that the vision for the 'Upperton Neighbourhood' will be promoted by, '*Delivering new housing through redevelopment and conversion of existing properties*'.
 - 8.1.6 The Core Strategy states that Upperton is the third most sustainable neighbourhood (Policy B2). Policy B1 (Spatial Development Strategy and Distribution), explains that higher residential densities will be supported in these neighbourhoods.
 - 8.1.7 Taking account of the above policy position, the proposed conversion of the building to provide higher density residential development would entirely accord with the above policy objectives and weigh strongly in favour of the proposed conversion of the building.
- 8.2 Loss of Community Facilities
- 8.2.1 The former surgery that occupied the building has moved to other premises within the Borough and the building is now surplus to requirements.
 - 8.2.2 This established use fell within the former D1 use class (Non-Residential Institutions). However, recent changes to planning use classes, as outlined in the Use Classes Order 2020, have resulted in an amalgamation of former uses, including D1, now known as new Use Class E (Commercial).
 - 8.2.3 Community facilities, including healthcare, are subject to a level of protection under both local planning policy (Borough Plan Policy

LCF21 and Core Strategy Policy D7) and the National Planning Policy Framework (at para. 92). However, considering that Class E includes other commercial uses that are not considered to provide community facilities, their protection pursuant to the above policy is defunct in the context of the Government's legislative changes. Therefore, loss of the former community facilities is justified by the adoption of the Use Class Order 2020 and of the Class E use of the site.

8.2.4 Further to the above, it is not considered that the building is suited to ongoing use as a doctor's care facility given its physical arrangement and the required modern standards to meet modern surgery needs/standards.

8.2.5 Taking account of the above considerations, the loss of the medical facility is justified.

8.3 Amenity

8.3.1 Privacy

8.3.2 The proposal would not involve any alteration to the outlook provided by the building. As such, it is not considered that the privacy of neighbouring occupants would be affected by the development.

8.3.3 Daylight

8.3.4 Following omission of the formerly proposed extension to the rear, there would be no additional built form that would have any impact upon daylight serving adjacent dwellings.

8.3.5 Outlook

8.3.6 Outlook from neighbouring windows would be adequately preserved given that the relationship with the existing built form would remain unchanged.

8.3.7 Disturbance

8.3.8 There is potential for increased disturbance on neighbouring properties through additional vehicular activity at the rear of the site (resulting from an enlarged parking area). Given that this area is already in use for parking, the additional parking from 5 to 9 spaces would not have a significant impact upon vehicular activity and, in turn, disturbance to neighbouring properties.

8.3.9 If Members were so inclined, it is considered that a revised parking layout to reduce the number of spaces could overcome this issue.

8.3.10 Crime and social issues

8.3.11 It is noted that several the submitted representations refer to the potential for disturbance, crime and antisocial behaviour relating to the proposed accommodation. It is also noted from comments that this particularly refers to the expected demographic that would uptake residence at the site.

8.3.12 Consideration of the social background of future occupants is not a material consideration. However, the activity associated with intensification of the use of a building is.

- 8.3.13 In assessing the impacts upon neighbour amenity, officers consider how the activity associated with the level of occupancy would give rise to the potential for disturbance through normal use. Use that falls outside of this, such as that of a criminal nature, is not within the remit of the LPA is discharging its duties.
- 8.3.14 Variation in unit sizes may not have a significant impact upon the level of occupancy. Larger units can increase occupancy of a converted building given that they would each have the ability to comprise more bedspaces and would reduce the cumulative requirement for associated amenity/kitchen/bathroom space within the building as a whole.
- 8.3.15 To take a representative example, conversion of the building to two flats on each floor (three flats in each former terraced building) would provide sufficient floorspace for at least 4x 3 bed 5 person and 2x 2 bed 3 person flats; a total of 26 individuals according to the national floor-space standards. In contrast, this proposal would comprise accommodation for 19 in accordance with the adopted standards.
- 8.3.16 Sussex Police comments are noted. However, illicit operations, including that of the rear alleyway is not a material consideration in the determination of planning applications and is a matter for the Neighbourhood Policing Team operating in the area. The intended occupancy by a particular demographic of the community is not a material consideration in the determination of planning applications.

8.4 Living conditions for future occupants

- 8.4.1 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.'
- 8.4.2 The Nationally described space standard defines the minimum levels of Gross Internal Area (GIA) that should be provided for new residential development, based on the number of bedrooms provided and level of occupancy. All units within the proposed development would exceed the required internal floor space requirements.
- 8.4.3 All units would be well laid out on plan, with good room proportions. They would be well lit by existing window apertures and privacy and outlook would be provided to a good standard for future residential occupiers.
- 8.4.4 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 Upperton Neighbourhood and is a short distance from the Town Centre and its amenities. A range of public transport options are available to future residents, including buses for local travel and train services from Eastbourne Railway Station to Lewes, Brighton and Hastings which provide connections for onward journeys.

8.5.4 The site is in a highly sustainable location from a transport perspective and that the transport needs of the development could be adequately met by walking, cycling and public transport.

8.5.5 Parking and trip generation

8.5.6 The East Sussex Residential Parking Demand Calculator has been designed to calculate the number of parking spaces required at a new residential development on a site-specific basis. The calculator predicts levels of car ownership using information relating to the site location (ward), unit type, size and the number of allocated spaces.

8.5.7 The Parking Demand Calculator indicates that the parking provision required for a development of this type in this location is 11 spaces. 9 spaces would be provided at the rear of the site.

8.5.8 The small shortfall in allocated parking spaces could be absorbed by the surrounding road network capacity.

8.5.9 The proposal use of the building would also be a reduction in the transport activity associated with the use as a doctor's surgery, which comprises a greater number of vehicle movements and parking than the proposed arrangement. The proposal would result in significantly less vehicle trips than the established use of the building.

8.5.10 Cycle storage facilities

8.5.11 The Council's policy TR2 (Travel Demands) seeks a balance between public transport, cycling and walking to meet the transport demands of proposed development.

8.5.12 Cycle storage would be provided at the rear of the site in accordance with adopted standards within communal sheltered facilities. This has been moved from the front of the site following Sussex Police advice on crime prevention.

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 Refuse/Recycling storage facilities

- 8.6.2 The application proposes two refuse/recycling storage areas at the front of the site at street level.
- 8.6.3 The proposed spaces would be large enough for the intended occupancy and suitably sited for occupants' use.
- 8.6.4 A condition has been attached to ensure that facilities are provided prior to first occupation of the building.

9. Human Rights Implications

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

10. Recommendation

- 10.1 Approve with conditions subject to the following conditions:
- 10.2 Standard Time Limit.
- 10.3 Approved Plans.
- 10.4 External Materials to match existing.
- 10.5 Details of front boundary treatment – materials.
- 10.6 No occupation prior completion of the vehicular access and turning areas.
- 10.7 No occupation until car parking provided and maintained.
- 10.8 Hard landscaping to be provided prior to occupation. Soft landscaping in first planting season.
- 10.9 Refuse and recycling storage facilities in accordance with approved details prior to first occupation.
- 10.10 Cycle storage facilities in accordance with approved details prior to first occupation.

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: 21st September 2021
Application No: 200968 & 200983
Location: 61-63 Summerdown Road (Pentlow), Eastbourne (200968)
59 Summerdown Road (Summerdown), Eastbourne (200983)

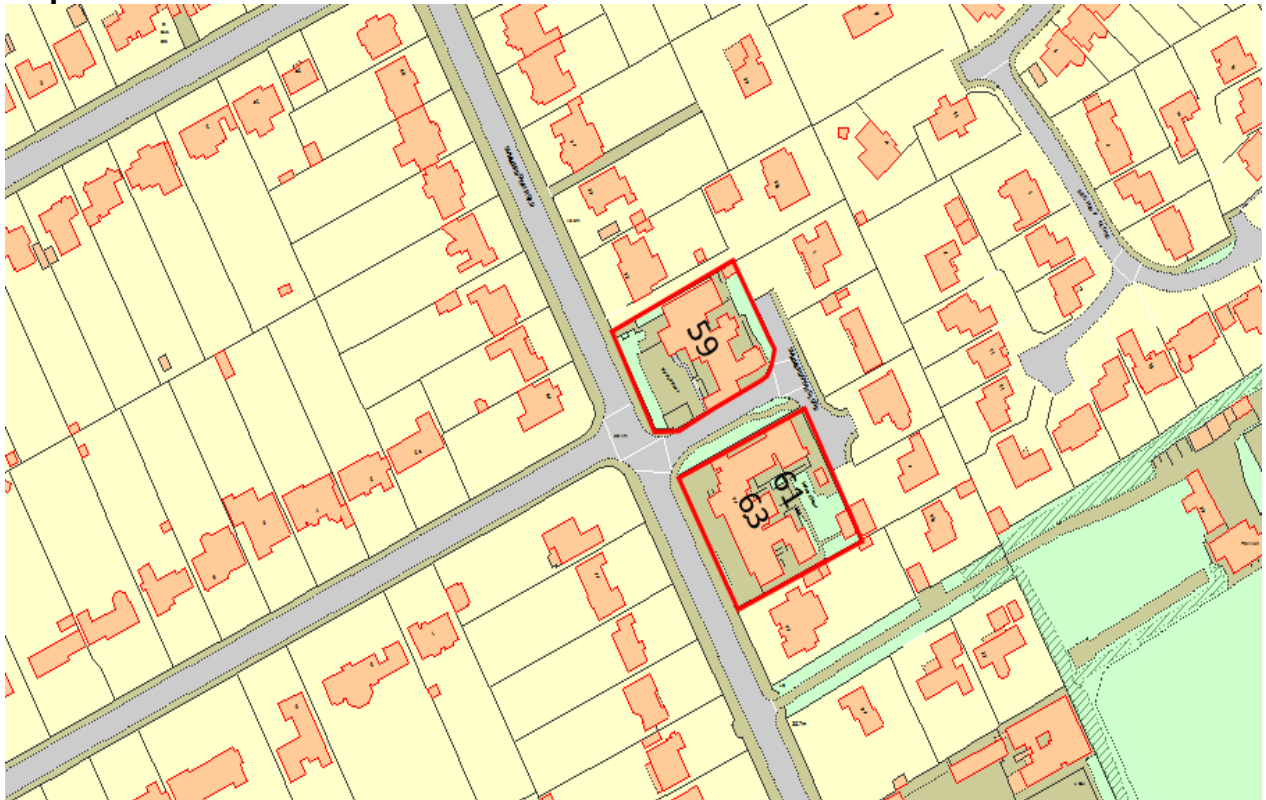
Proposal: **200968** - Demolition of existing Nursing Home and erection of 9no houses (2no x 3bed and 7no x 4bed) and 3no 1bed flats (12no residential units in total).
200983 - AMENDED DESCRIPTION - Demolition of existing Nursing Home and erection of 6no houses (1no x 3bed and 5no x 4bed) and 6no 2bed flats (12no residential units in total).

Applicant: Mr Brian Cooney
Ward: Old Town

Recommendation: **200968** – Refuse
200983 – Refuse

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

Map Location:



1. Executive Summary

- 1.1 This report relates to 2 separate applications (200968 and 200983) which have been amalgamated in this single report in the interest of clarity given that they relate to neighbouring sites.
- 1.2 Each application will be assessed on its own merits.
- 1.3 It is considered that the residential re-development of each site is acceptable in principle.
- 1.4 The proposed development would secure a policy compliant provision of affordable housing, allowing for offset because of Vacant Building Credit.
- 1.5 However, it is considered that, whilst the proposed development would provide a benefit in terms of the provision of new dwellings of a variety of sizes, this would be outweighed by the significant harm the development would have upon the prevailing character of the surrounding area and, therefore, it is recommended that the application is refused.

2. Relevant Planning Policies

2.1 National Planning Policy Framework 2021

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
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
- C10 Summerdown & Saffrons Neighbourhood Policy
- D1 Sustainable Development
- D2 Economy
- D5 Housing
- D7 Community, Sport and Health
- D10a Design.

2.3 Eastbourne Borough Plan 2001-2011

- NE4 Sustainable Drainage Systems
- NE7 Waste Minimisation Measures in Residential Areas
- NE18 Noise

NE28 Environmental Amenity
UHT1 Design of New Development
UHT2 Height of Buildings
UHT3 Setting of the AONB
UHT4 Visual Amenity
UHT7 Landscaping
HO2 Predominantly Residential Areas
HO7 Redevelopment
HO17 Supported and Special Needs Housing
HO20 Residential Amenity
TR6 Facilities for Cyclists
TR11 Car Parking.

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

EL1 Economy and Employment Land.

3. Site Description

- 3.1 The 61-63 Summerdown Road site is occupied by a former care home that was accommodated within two former detached residential dwellings that have been connected and extended to the rear. The main building is 2½-storeys in height, the top floor being accommodated within the roof slope, and various single-storey extensions have been added to the rear over time.
- 3.2 The original buildings both have hipped roofing with the eaves line broken in places by modestly sized gable ends, with the link between the two building having a shallow pitched crown roof, with a clear step down in ridge height. A hard-surfaced parking/turning/servicing area is provided directly to the front of the buildings, which are set back from the road. This area is served by separate entrance and exit points. An approximately 1.2-metre-high flint and brick wall runs along the site frontage whilst the rear of the site is enclosed by timber fencing. Site landscaping provides additional screening.
- 3.3 The 59 Summerdown Road is the neighbouring plot to the north, with the access to Summerdown Close running between them. The site is also occupied by a care home facility that is currently operating at reduced capacity. The original building occupying the site, a 2½-storey detached dwelling has had numerous single-storey extensions made to the side and rear over time. It is set back from the road and there is a relatively large hard surfaced parking area to the front, which is accessed via Summerdown Close. The site frontage is marked by a flint and brick wall with mature hedge planting behind it.
- 3.4 Due to the surrounding topography, the buildings on both sites are on ground that is lower lying than Summerdown Road and, in turn, occupy higher ground than properties on Summerdown Close, which are to the rear of both sites.

- 3.5 The stretch of Summerdown Road on which the sites are located is characterised by residential development, generally in the form of large, detached dwellings that are set back from the road. The design and age of these dwellings is varied although there are common characteristics in scale (2-2½ storey with a sizeable footprint), external materials (red brick, red tile hanging, painted render, timber detailing) and distinctive roof forms that often have high ridge lines and incorporate articulation in the form of gable projections and dormers.
- 3.6 The dwellings to the rear of the site on Summerdown Close are of more uniform appearance, being part of a single development constructed in the 1970's.
- 3.7 The presence of mature landscaping in the form of street trees and garden landscaping contributes towards a verdant character and appearance within the surrounding area. This landscaping includes a greensward that provides a buffer between the northern boundary of 61-63 Summerdown Road and the highway at Summerdown Close. The greensward includes several mature trees that are the subject of a Tree Preservation Order which was issued in 1973 in response to the development of Summerdown Close (TPO19). The order also includes 3 trees positioned to the rear of 61-63 Summerdown Road,
- 3.8 The edge of the South Downs National Park is approximately 275 metres to the south and west of the site, which is partially visible from public footpaths that cross Royal Eastbourne Golf Course.

4. Relevant Planning History

- 4.1 EB/1972/0380
Demolition of 59-63 Summerdown Road & erection 19 houses
Refused 8th June 1972
- 4.2 EB/1972/0451
Demolition of 59-63 Summerdown Road & erection 12 houses & construction service road
Refused 22nd June 1972
- 4.3 EB/1972/0464
Demolition of 59-63 Summerdown Road & erection 20 houses
Refused 6th July 1972
- 4.4 EB/1972/0506
Demolition of existing houses 59-63 Summerdown Road & erect 8 detached houses
Refused 3rd August 1972
- 4.5 EB/1973/0802
Single-storey link and change of use from 2 single private dwellings to nursing home and formation of parking area at front (61-63 Summerdown Road)
Approved Conditionally 15th November 1973

- 4.6 EB/1975/0093
Change of use from a single private dwelling to a nursing home for a total of 14 patients and 4 staff (59 Summerdown Road)
Approved 17th April 1975
- 4.7 EB/1986/0028
First floor addition above existing single-storey link
Refused 20th February 1986 **Appeal Allowed**
- 4.8 EB/1986/0552
3 storey extension at rear.
Refused 23rd December 1986
- 4.9 EB/1987/0118
Single-storey rear and side extension
Approved conditionally 29th April 1987
- 4.10 EB/1989/0097
Single storey extension at rear to provide dining and office space
Refused 6th April 1989 **Appeal allowed**
- 4.11 EB/1989/0217
Provision of porch and conservatory at front of nursing home
Approved Conditionally 25th May 1989
- 4.12 EB/1990/0127
Single storey extension at rear of nursing home
Approved Conditionally 24th April 1990
- 4.13 EB/1991/0229
Conservatory at rear
Approved 17th June 1991
- 4.14 980516
Erection of conservatory at rear to increase residents' amenity area.
Approved Conditionally 18th February 1998
- 4.15 090551
Erection of single-storey extension and raised decking area in association with removal of existing conservatory
Approved Conditionally 6th November 2009
- 4.16 190019
Outline application for new 64 bed nursing home (Amended description following removal of new building housing residential flats from proposal)
Refused 24th July 2019
- 4.17 190794
Demolition of existing Pentlow Nursing Home, partial demolition of adjacent Summerdown Nursing Home at 59 Summerdown Road. Construction of new 62no bed Nursing Home, including relocated entrance/exit on Summerdown

Road. Formation of new off-street parking within the 59 Summerdown Road site and reinstating planting, landscaping, and external works.
Refused 26th February 2020

4.18 210135

Demolition of existing 59no person (53no bed) Pentlow Nursing Home -part demolition of adjacent Summerdown Nursing Home, both located at 59-63 Summerdown Road, Eastbourne, BN20 8DQ. Construction of new 60no bed Nursing Home, including relocated entrance/exit on Summerdown Road. Formation of new off-street staff parking within the Summerdown site and reinstating planting, landscaping, and external works.
Withdrawn.

5. Proposed Development

5.1 200968 – 61-63 Summerdown Road

5.2 This application involves the demolition of the existing nursing home and all associated structures and its replacement two rows of 2 and 3-storey buildings accommodating a mix of single dwellings and flats. The buildings would be arranged in an L-shape, with one row facing west towards Summerdown Road and the other facing north onto Summerdown Close. The residential mix would be as follows: -

5.3 The southern facing row would comprise 1 x 2-storey 3 bed dwelling, 4 x 3-storey 4 bed dwellings, 1 x 3-storey building containing 3 x 2 bed flats (1 per floor). The western facing row would incorporate 1 x 2-storey 3 bed dwelling and 3 x 3-storey 4 bed dwellings. The overall development would therefore provide 12 new residential units. The south-eastern corner of the site would be used as a courtyard parking area, with a total of 21 x car parking bays provided.

5.4 The tallest part of the development, the 3-storey flatted element, would be positioned at the corner of Summerdown Road and Summerdown Close. Height of this element to the roof ridge line would be approx. 11.15 metres. This steps down to approx. 10.2 metres over the 3-storey dwellings whilst the 2-storey dwellings that bookend the two rows of buildings would have a ridge height of approx. 8.2 metres.

5.5 Vehicular access would be provided via a new dropped kerb crossover formed on Summerdown Close to the rear of the site. Pedestrian footways would be provided along both frontages and would be accessible from the existing footway network as well as from the proposed courtyard parking area.

5.6 The overall footprint of the development would be approx. 565 m² with the hard-surfaced courtyard parking accounting for another approx. 515 m².

5.7 200983 – 59 Summerdown Road

5.8 The layout of the proposed development would broadly mirror that at No. 61-63, with a row of 2 and 3-storey buildings facing west onto Summerdown Road and a row facing south onto Summerdown Close.

- 5.9 The composition of the development would be different to that of the neighbouring site. The southern facing row would comprise 2 x 3-storey buildings, each incorporating 3 x 2 bed flats and 2 x 3-storey 4 bed dwellings. The eastern facing row would comprise 3 x 3-storey 4 bed dwellings and 1 x 2-storey 3 bed dwelling. The overall development would therefore provide 12 new residential units.
- 5.10 As with the development at No. 61-63, the tallest parts of the development would be the flatted elements, one block of which would be positioned at the corner of Summerdown Road and Summerdown Close with the other being on the western end of the southern row, adjacent to No. 57 Summerdown Road. A courtyard parking area providing a total of 14 bays would be positioned in the north-eastern corner of the site.
- 5.11 Vehicular access to the site would be obtained by way of a new dropped kerb crossover formed to the rear of the site on Summerdown Close. A new public pedestrian footway would be formed along the southern boundary, providing a link from Summerdown Road to the vehicular access and properties on Summerdown Close. A private footway would also be provided along the western site frontage and this would include connectivity with the courtyard parking area.
- 5.12 The overall footprint of the development would be approx. 492 m² with the coverage of the hard-surfaced parking area being approx. 346 m².

6. Consultations

6.1 Specialist Advisor (Regeneration)

- 6.1.1 In 2019, planning application 190019 identified the Pentlow nursing home employed the equivalent of 62 full time staff. The nursing home is owned by the Canford Healthcare who provide a range of nursing and care services. The demolition of existing provision and development of private residential dwellings will result in the loss of a long-standing employer and nursing care provider for Eastbourne residents. Due to the Covid-19 pandemic Eastbourne has seen many businesses close and a rise in unemployment rates. The loss of a care provider and associated jobs will have a significant economic impact locally.
- 6.1.2 Regeneration acknowledges there will be employment opportunity during the construction of the residential development. However, this will be short term during the build only and will not balance against the loss of long-term employment. The loss of jobs including those in the supply chain together with a reduction in local care provision will have a significant economic impact in Eastbourne.
- 6.1.3 The Local Employment and Training Supplementary Planning Document, adopted November 2016, confirms this planning application qualifies for a local labour agreement as it meets the threshold for a residential development.

- 6.1.4 Considering the above, Regeneration has reservations regarding this proposal. If the planning application receives approval it should be subject to a local labour agreement in accordance with local policy.
- 6.2 Specialist Advisor (Planning Policy)
- 6.2.1 The submission does not appear to provide any justification in relation to the loss of the existing care home. There have been several large Care Home developments across Eastbourne in recent years, the trend being for new purpose-built provision with smaller existing care homes, generally in older converted buildings, struggling with financial viability. The care home provides an economic and social benefit to the neighbourhood however given the lack of five year housing land supply and the presumption in favour of sustainable development there is no in principle objection to the redevelopment of the care home. Therefore, this development is supported by policy, providing the affordable housing is provided.
- 6.3 ESCC Highways
- 6.3.1 Application 200968 - I do not wish to restrict grant of consent subject to highway conditions.
- 6.3.2 Application 200983 - As submitted, there are several amendments required. I therefore object to this application.
- 6.4 Lead Local Flood Authority
- 6.4.1 We understand that the proposal is to discharge surface water into the public surface water sewer in Summerdown Avenue at 8.0 l/s for all rainfall events. This approach is acceptable in principle. However, in terms of sizing the required on-site attenuation, consideration has only been given to higher probability, more frequent events (i.e. rainfall intensity of 50mm/hr). The on-site attenuation should be sized for the 1 in 100 year, including 40% climate change, event. We request that the proposals and calculations are updated to allow for this.
- 6.4.2 It is unclear how much, if any, of the existing drainage infrastructure including connections is intended to be re-used. If a new connection is proposed, the applicant may also be required to apply for permission from Southern Water to establish a new connection into its system.
- 6.4.3 We note that a drainage layout has been provided indicating the locations of the proposed pipes and drainage features including the tank and the grasscrete. The LLFA requests that this is amended to include cover levels, invert levels and pipe sizes. If necessary, this could be delayed until the detailed design.
- 6.5 Design Review Panel
- 6.5.1 The Panel were concerned that the density of the housing schemes is high for this area in contrast to that of the surrounding buildings. From a quick assessment it appears that the two housing schemes would result in the creation of an additional 24 residential units

(many of 4 and 3 bed size) in a street that currently has a total of 55 existing residential units, representing an increase of approximately 43%.

- 6.5.2 The Panel felt that this high-density approach to the planning of the schemes had resulted in the houses being pushed far closer to the boundary with Summerdown Road than was the case with existing dwellings in the street. There is a strong impression that most of the remaining site areas are being used to accommodate the parking provision, and this is resulting in the removal of many of the mature trees.
- 6.5.3 This has resulted to the sites feeling cramped by comparison to the neighbouring sites and losing much of what provides their existing character.
- 6.5.4 Questions were raised about the extent of the parking proposed. 34 spaces are shown on the housing schemes and it is assumed that from the proposed unit sizes, there will be many houses with more than one car. Has any assessment been made of how this will impact on on-street parking on Summerdown Road? The panel was not shown how the parking provision had been arrived at. Given the Council's commitment to carbon neutrality by 2030, we would expect to see a serious effort in proposals of this scale to address sustainable transport issues, with for example cycle parking being clearly shown. This could not be seen on the plans although it was assumed that the designs are developed in some detail as they appear to show soakaways for example.
- 6.5.5 The Panel was concerned that the approach to the housing site layouts has resulted in the traffic movements generated by the proposed parking areas taking place in the quietest ends of the cul-de-sac behind the site, which they felt had an unreasonable impact on neighbouring properties.
- 6.5.6 It was felt that the care home proposal provided little useful amenity space considering the number of bed spaces, and again showed the mature trees on the site being removed. The Panel was concerned that all the proposals prioritise maximising the yield of the sites rather than responding to the site constraints and opportunities in a creative way to make an enjoyable and positive place.
- 6.5.7 General concern was expressed about the impact the proposals would have on traffic in Summerdown Road, which is already very heavily used at commuting and school run times. Given the impact of additional residential traffic on an already busy street, the panel would strongly urge the Council to seek S106 funds to improve the local infrastructure for pedestrians and cyclists if this proposal goes forward.
- 6.5.8 While the current buildings on 63 Summerdown Road are connected and in a single use, the forms of the two original separate houses are still evident and maintain the scale and rhythm of the other houses along the street. By comparison the Panel felt that the

current proposals present a high and monolithic mass of building to the street that feels out of place. The panel expressed concern about the height and vertical emphasis of both proposals.

- 6.5.9 While sympathetic to designs for the sites in a contemporary idiom, the Panel felt that the architectural language proposed (particularly for the housing schemes) was alien to the character of the surrounding buildings, neither responding sensitively to these nor proposing a convincing foil to set against them. The problem is exacerbated by the scale and positioning on site of the proposals, but it was also felt that the choices of brick and fenestration for the housing schemes had no sense of being either rooted in the local distinctiveness of the place or responding to it.
 - 6.5.10 The panel expressed concern about how close the buildings are to Summerdown Road compared with the existing structures, which are set well back and shielded by shrubs and trees. Both proposals show a reduction in tree cover and greenery – the panel questioned how this would fit with local targets for biodiversity? There was a suggestion that ecological considerations are given more attention in Lewes than Eastbourne and that shouldn't they be aligned, given that the Borough Councils themselves are?
- 6.6 South Downs National Park Authority
- 6.6.1 No comments to make.
- 6.7 The Eastbourne Society
- 6.7.1 Summerdown Road is a wide thoroughfare that offers an attractive leafy route into the town from East Dean Road, leading to Paradise Drive around the Royal Eastbourne Golf Course. Most properties are fine detached houses widely spaced from each other. Therefore, the siting of a large block of flats amongst these properties is not only considered inappropriate but will also cause disharmony to the balance of the street scene when viewed from the public realm.
 - 6.7.2 Design: The modernist style, bulk, and height, of the proposed development really does not harmonise with the residential character and design of the surrounding properties in Summerdown Road and would be far better suited to an inner town location.
 - 6.7.3 Vehicles: Combined with Planning Application 200983, up to a total of 44 vehicles would be coming and going from Summerdown Close, and I believe that this will cause noise and disruption to the residents of the close and add greatly to traffic congestion at this point where Old Camp Road (opposite) also joins Summerdown Road.

Heritage: With the possibility that the site may be redeveloped, the loss of the existing property will be disappointing. It was originally built as a fine detached house in keeping with the neighbouring properties. In recent years its unsightly adaptation for commercial use is wholly unattractive in the public realm, but despite this it would still be worthy of restoration back to its former glory.

7. Neighbour Representations

- 7.1 Application 200968 – Letters of objection received from 61 individuals, some of whom have written on more than one occasion.
- 7.2 Application 200983 – Letters of objection have been received from 89 individuals, some of whom have written on more than one occasion.
- 7.3 Material planning matters raised in relation to both schemes are summarised below. All letters are visible, in full, on the Council's website. Comments on the two schemes as many comments apply to both.
- Application should not have been validated due to insufficient detail.
 - Inconsistencies in street scene drawings in terms of representation of height of neighbouring properties.
 - Unsympathetic to the character of the surrounding area.
 - Loss of existing attractive and historically important buildings.
 - Loss of care home facilities.
 - Building line will be breached.
 - Overdevelopment of the site.
 - Height is out of keeping with surrounding development.
 - Not an appropriate location for flats.
 - Loss of privacy on neighbouring sites.
 - Unacceptable overbearing impact.
 - Unacceptable overshadowing impact.
 - Disruption to residents on Summerdown Close due to increase in traffic and location of access.
 - Lack of sufficient parking.
 - Insufficient space for vehicles to use access.
 - Additional traffic causing congestion and risk to pedestrians.
 - Loss of landscaping and ecology.
 - Disruption caused by construction works and traffic.
 - Increased light pollution.
 - Harmful impact upon setting of the South Downs National Park.
 - Concern local infrastructure will be overloaded.
 - Increase in surface water flooding.
 - Does not respond to climate crisis.
 - Buildings should be re-used not demolished.
 - Lack of affordable housing.
 - Does not respond to NPPF objective to build better build beautiful.

- Public consultation was rushed, and residents' concerns have not been responded to.

8. Appraisal

8.1 Principle of Development

- 8.1.1 The site is located within the built-up area boundary. Development is therefore acceptable in principle.
- 8.1.2 Para. 8 of the Revised National Planning Policy Framework (NPPF) defines sustainable development as comprising three overarching objectives, these being to respond positively to economic, environmental, and social needs. Para. 10 goes on to state that there should be a presumption in favour of sustainable development.
- 8.1.3 Para. 11 of the NPPF states that decision taking should be based on the approval of development proposals that, where a five year supply of housing land cannot be demonstrated, as is the case within Eastbourne Borough, permission should be granted for development unless there is a clear reason for refusing based on impact on areas or assets of particular importance (as defined in the NPPF) or if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, with relevant Local Plan policies also taken into account. Ultimately this approach results in a 'tilted balance' in favour of development.
- 8.1.4 Para. 120 of the NPPF maintains that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Development of under-utilised land and buildings should be promoted and supported, especially where this would help to meet identified needs for housing. Para. 125 of the Revised NPPF encourages the efficient and sustainable use of sites for housing development, stating 'where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 8.1.5 From a housing delivery perspective, para. 69 of the NPPF acknowledges the important contribution that small and medium sized sites, such as the application site, can make towards meeting the housing needs for an area, particularly as development on such sites is often built out relatively quickly.
- 8.1.6 The redevelopment for residential purposes is therefore considered to be acceptable in principle and will be assessed on the balance of its economic, social and environmental merits in full accordance with the principle of supporting sustainable development as set out in paras 8, 11 and 12 of the Revised National Planning Policy Framework as well as development plan policies relating to design,

carbon reduction, landscaping, pollution control and ecological enhancements.

8.2 Planning Obligations

- 8.2.1 As the development would result in a net increase of over 10 dwellings, there would be a requirement for provision of affordable housing as per Eastbourne Borough Council's Affordable Housing SPD (2017). The Summerdown and Saffrons neighbourhood is identified as a high value market neighbourhood and, as such, the ratio of affordable housing required would be 40% of the overall development, amounting to 4.8 units on each site. The tenure mix should be 70% rented, 30% Shared Ownership. This would be expected to be delivered as 4 units on each site with the remaining 0.8 provided as a commuted sum.
- 8.2.2 However, para. 026 of the Planning Practice Guidance for Planning Obligations states that, 'where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.'
- 8.2.3 As a result, affordable housing requirements would be based on the increase in floor space on both sites only. The applicant states that this increase equates to 372 m² additional floor space at the site of 59 Summerdown Road and 42 m². Affordable housing contributions would therefore be based on 40% of the increase in floor space. This would be 148.8 m² at 59 Summerdown Road, which is considered sufficient to secure a single dwelling or 2 flats, and 16.8 m² at 61-63 Summerdown Road which would not provide sufficient floor space for any dwelling and would therefore be obtained as a commuted sum.
- 8.2.4 A section 106 agreement would be used to secure these contributions if the application were to be approved. This would be subject to checks on the exact amount of floor space increase and the eligibility for vacant building credit.
- 8.2.5 The section 106 agreement would also be used to secure a local labour agreement for the construction and demolition works on each site.
- 8.2.6 Highway improvements identified in the road safety audit would be secured by way of a section 278 agreement where required.

8.3 Loss of Care Home Facility

- 8.3.1 Para. 93 c) of the NPPF states that planning decisions should 'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;'. This is echoed in policy D7 of the Eastbourne Core Strategy which states 'the loss of any community, sports or

health facilities will be resisted unless it can be demonstrated that the facility is no longer required to meet current needs, or where alternative and improved provision can be made elsewhere in Eastbourne in a location that is accessible to local people.'

- 8.3.2 In balance to the above, the development of under-utilised buildings is supported by para. 120 d) of the NPPF.
 - 8.3.3 In response to concerns over the loss of nursing home facilities, the applicant has stated that the homes are struggling to meet modern standards for nursing homes due to the age and size of the buildings, their convoluted layout and their lack of adaptability. A recent application to rationalise the two homes into a modern facility was refused by planning committee under application 190794. The applicant has stated that the care homes have been running at a loss and that they are not viable in their current form, nor are they suitable for further extensions to be made.
 - 8.3.4 A number of smaller and older nursing homes have recently closed in Eastbourne for similar reasons whilst a number of recent approvals for large, purpose built care homes have been granted, examples being 282 Kings Drive (planning ref: 181178) and 46-48 East Dean Road (planning ref: 160443).
 - 8.3.5 In light of the viability of ongoing use of the existing buildings, the failure to obtain planning permission for a new, and suitably sized, purpose built nursing home and the presence of new nursing home development nearby, it is considered that the loss of the nursing home use at the two sites is acceptable in this instance, particularly when balancing with the benefits provided by the delivery of new housing units.
- 8.4 Impact of the proposed development on amenity of adjoining occupiers and the surrounding area:
- 8.4.1 The two sites subject of the development are positioned to the front of existing residential development on Summerdown Close which is built on land that was formerly part of the rear gardens of number 59-63 Summerdown Road. The topography of the surrounding area results in the Summerdown Close properties being on lower lying ground than buildings fronting Summerdown Road.
 - 8.4.2 Bulk and relationship to neighbouring properties: It is considered that the design and layout of the proposed development incorporates measures to mitigate impact upon the amenities of the occupants of properties on Summerdown Close. The buildings which form the Summerdown frontage element of the development extend across most of the width of each of the two plots in an orientation that is parallel with that of the dwellings on Summerdown Close. The rear elevations of the Summerdown Road frontage properties at 61-63 Summerdown Road would be positioned approx. 40 metres to the west of the front garden areas of properties to the rear on Summerdown Close (approx. 50 metres from the dwellings themselves). For properties to the rear of No. 59 the distance is

approx. 35 metres and 46 metres respectively. Whilst the buildings flanking Summerdown Close would reach significantly closer to neighbouring properties on Summerdown Close (approx. 10 metres to front gardens and 20 metres to dwellings for 61-63 Summerdown Road and 12 metres to 25 metres respectively at 59 Summerdown Road) this relates to the two-storey flank elevation walls only, with 3-storey elements set further back within the site.

- 8.4.3 Although the proposed development is significantly bulkier than the existing buildings occupying both sites it is considered that the distance maintained between it and neighbouring properties on Summerdown Close would be sufficient to prevent it from appearing overbearing, particularly when seen in context with other large buildings that form frontage development on Summerdown Road. This form of relationship is not considered to be unusual for 'backland' development such as Summerdown Close. As such, it is not considered that the proposed development would appear unacceptably overbearing or oppressive when viewed from the properties in Summerdown Close and it is also considered sufficient distance would be retained to prevent undue levels of overshadowing of those properties.
- 8.4.4 Overlooking/loss of privacy: Ground and first floor windows would be installed in the eastern elevation of these buildings and it is considered there is potential for invasive views of neighbouring garden space and windows. As such, if the scheme were to be approved then a condition could be used to ensure these windows are obscure glazed with only high-level parts being capable of being opened in the event that planning permission was to be granted. It is considered that this would not compromise the amenities of future occupants of the development as the rooms served by these windows (an open plan living/kitchen/dining area and a bedroom) have their primary windows and openings to the front and rear.
- 8.4.5 Vehicular Access: The sole vehicular access for both sites would be via Summerdown Close. The applicant has drawn attention to existing vehicular movements in their transport statement but it is considered these movements would largely be confined to Summerdown Road and the junction with Summerdown Close at present, given the position of the existing site accesses.
- 8.4.6 Vehicle Movements: The proposed development would therefore generate existing vehicular movements along the rear section of Summerdown Close, where all associated housing is concentrated. ESCC Highways estimate the proposed development would generate approx. 54 trips per day for the 59 Summerdown Road site and approximately 63 trips per day for the 61-63 Summerdown Road site. Whilst this would represent a significant increase in activity on Summerdown Close due to low number of dwellings it currently serves, it is not considered that it would be to such a degree that it would compromise the character of the street in highway capacity terms, which is in close proximity to the far busier Summerdown

Road, or the amenities of neighbours given that the vehicular movements would be sporadic rather than a stream and would likely be at low speed given the layout of the road and the site accesses.

- 8.4.7 Residential impact to existing dwellings: Turning to neighbouring properties on Summerdown Road, the most directly affected would be numbers 57 (adjacent site to north of No. 59), 57a (an approx. 15-year-old property built in part of the original rear garden of No. 57), No. 65 (adjacent site to south of No. 61-63). The Summerdown Road frontage of the proposed development projects forward of the principal elevation of both No. 57 and No. 65. It is not considered that this projection is to a degree that would result in unacceptable overshadowing of the principal elevation of the neighbouring buildings given the degree of separation maintained (approx. 6.25 metres between the development and No. 59, 6 metres between development and No. 65) the relatively minimal length of the forward projection and the use of a staggered frontage to achieve it.
- 8.4.8 The flank elevation walls of the proposed Summerdown Road frontage development would be relatively narrow and would face directly towards the flank elevations of neighbouring properties, which are largely windowless, with the few windows that are present on these elevations not serving a function in providing natural light to a primary habitable rooms. Due to the forward projection of the proposed development there are, however, concerns that side facing windows could offer intrusive views towards windows on the principal elevations of No. 57 and No. 65 Summerdown Road. However, if planning permission was to be granted, a condition could be used to ensure that these windows are obscurely glazed and fixed shut other than at high level (1.7 metre or more above finished floor level of the room that they serve).
- 8.4.9 Overall, it is considered the more intensive residential use of the site could be accommodated without unacceptable adverse impact upon the amenities of neighbouring residents.

8.5 Design

- 8.5.1 Existing Buildings: Whilst the reuse of buildings is encouraged where appropriate due to the benefit in terms of waste production and energy usage, it is not considered that the existing buildings are suitable for residential conversion in their current form and such works would also not represent an optimum use of the two sites.
- 8.5.2 It is considered that the existing buildings occupying the site do not possess any particular architectural merit. The buildings have had various contrasting extensions made to them over time, resulting in are somewhat cluttered and disorganised appearance to the site. They have not been identified as being worthy of either listed status by Historic England or local listing by the council. Therefore, no objections are raised against the loss of these structures.
- 8.5.3 Design Code: Para. 128 of the NPPF states that 'to provide maximum clarity about design expectations at an early stage, all

local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design.’ This paragraph was only recently introduced on 20th July 2021 and Eastbourne Borough Council does not currently have any adopted design guides or codes.

- 8.5.4 Para. 129 states that ‘national documents (National Design Guide and National Model Design Code) should be used to guide decisions on applications in the absence of locally produced design guides or design codes.’ As such, these documents will be referred to in the assessment of the scheme.
- 8.5.5 The Government have provided clarification on the use of the word ‘beautiful’, which is somewhat subjective, in the NPPF. It is stated in the Government response to the National Planning Policy Framework and National Model Design Code: consultation proposals (2021) that it should be read ‘as a high-level statement of ambition rather than a policy test.’
- 8.5.6 The proposed development would be more intensive than residential development in the immediate surrounding area, which is typified by large, detached dwellings. Para. 125 of the NPPF states that ‘where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.’
- 8.5.7 Para. 100 of the National Model Design Code (part 2) observes that Large buildings may occupy an entire block, whereas the same area could be developed with a variety of smaller buildings. In many places it is the rhythm and variety of these smaller buildings that is intrinsic to the character of the area. While large buildings will be appropriate in places, an area made up entirely of large buildings can be dull.’
- 8.5.8 Para. 8 (b) of the NPPF, which defines the social objective forming one of the three ‘pillars’ of sustainable development states a need to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. Para. 165 of the National Model Design Code (part 2) echoes this, stating that ‘there are a wide variety of housing types and achieving the right mix is another component (along with tenure) of helping to create diverse, equitable and resilient communities where people are able to access the homes they want or need.’
- 8.5.9 Para. 7.6 of the most recently published (2016) Strategic Housing Market Assessment (SHMA) for Eastbourne Borough identifies

particularly high demand for 1 and 2 bed flats and 3 and 4 bed dwellings.

- 8.5.10 The density of the proposed development, which equates to approx. 60 dwellings per hectare at 61-63 Summerdown Road and 77 dwellings per hectare at 59 Summerdown Road is more intensive than existing development in the immediate surroundings (approx. 10-12 dwellings per hectare) although it is noted that there is higher density development to the north in the form of terraced dwellings.
- 8.5.11 It is therefore considered that the design principle of more intensive development comprising smaller buildings/plots and a mix of unit sizes is acceptable. This, however, is subject to an assessment of design attributes, based principally on the criteria set out in para. 130 which are as follows: -
- 8.5.12 Criterion A – Development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- 8.5.13 Criterion B – Developments are visually attractive because of good architecture, layout, and appropriate and effective landscaping.
- 8.5.14 Criterion C – Developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 8.5.15 Criterion D – Developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit.
- 8.5.16 Criterion E – Developments optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.
- 8.5.17 Criterion F – Developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 8.5.18 Design Code -Layout: Both applications involve the erection of groups of blocks of three-storey buildings in an L-shape configuration, flanking Summerdown Road and Summerdown Close. Small gaps are maintained between each block, allowing for pedestrian permeability to the communal car parking areas set back behind the frontage development. The building line on each frontage is staggered and, in the case of the buildings facing onto Summerdown Road, projects forward of the existing building line.
- 8.5.19 Design Code – Ridge Heights: The main ridge height of the proposed buildings is not significantly greater than the existing buildings occupying the site and, in some instances, matching.

Furthermore, based on planning records the ridge height of 65 Summerdown Road is approx. 8.9 metres (application 040227), 57 Summerdown Road is approx. 8.35 metres high (application 140403), 36 Summerdown Road is approx. 9.55 metres (application 050462), 38 is approx. 7.8 metres (application 200842), 40 is approx. 10.45 metres (application 210694), 42 is approx. 8.26 metres.

- 8.5.20 It is therefore considered that there is an established pattern of varying roof heights along this stretch of Summerdown Road and that the overall height of the development would not be incongruous within this setting, particularly when seen in the context of national policy objectives to allow for upward extensions of buildings as per recently adopted prior approval legislation and para. 120 e) of the NPPF and para. 113 of the National Model Design Code (part 2) which states that 'consistent building heights, or variation within a relatively narrow range, can help to make an area type feel coherent.'
- 8.5.21 However, although a toleration of some degree of fluctuation in height may be acceptable, this does not apply to the substantial increase in the bulk of the development in relation to the existing buildings and neighbouring properties. Although the ridge line of each block is broken up to a degree, it is maintained at a consistently high level across the majority of the width of the plot, with little relief provided due to relatively shallow height of the roof in proportion to the overall height of the dwelling and the use of gable ends on one side of each roof. It is considered that the nature of the roof form would result in a somewhat boxy appearance that would be at odds with the proportions of neighbouring properties. The largely even distribution of the mass of the proposed building across the full site envelope also conflicts with the prevailing character of neighbouring properties where elevation walls are either stepped in from side boundaries or the roof slopes gradually away from them, with the bulkiest parts of the building concentrated towards the centre of the plot. It is not considered that the limited articulation in the façade of the blocks and the ridge and eaves height would be sufficient to mitigate this unsympathetic characteristic.
- 8.5.22 Design Code – Relationship to Summerdown Close: Although it is acknowledged that the ridge height of the development falls towards the rear of the site, behind which are dwellings on Summerdown Close that occupy lower lying land, it is considered that, as the greater proportion of the buildings flanking Summerdown Close will be three-storey and positioned relatively close to the highway, the development would appear unduly dominant to the extent that it substantially and harmfully alters the setting of dwellings on Summerdown Close.
- 8.5.23 Design Code – Eaves Height: Although there is variation in the ridge height of properties on Summerdown Road there is far more consistency in eaves height, which are either above first floor

window heads or lower in some cases. Although there is some degree of articulation in the roof form of the proposed development, the eaves height is essentially maintained above second floor window head height. Note 42 of the National Model Design Code (part 2) recognises that 'the eaves or parapet height will usually be the apparent height of the building from the street and so determine the cross-section of the street.' It is considered that the raised height of the eaves would result in an elevation to roof ratio that is out of proportion to surrounding development and, therefore, would appear incongruous and disruptive within the street scene. This would be exacerbated by the prominent positioning of the development which not only occupies two corner locations but would also be set markedly forward of the general building line maintained on this part of Summerdown Road.

8.5.24 Design Code – Plot Coverage & Building Line: Finally, the grain of the proposed development with regards to plot coverage is unsympathetic towards the prevailing character of the surrounding area. In order to accommodate the number of dwellings proposed as well as a suitable quantum of car parking the layout involves the intrusion of the main façade of the development, on both sites, beyond the building line on Summerdown Road. Whilst this building line is not rigid, and thus some tolerance of forward projection may be acceptable, it is considered that the encroachment into this area of a three-storey building would appear unacceptably disruptive and would compromise the relatively open and spacious qualities of the street scene. The staggered nature of the frontage, minimal size and occasionally awkward shape of rear garden space and the excessive amount of parking to the rear of the site, which would involve the removal of existing trees and leave little space for compensatory landscaping reflective of the green nature of the rear of plots on Summerdown Road, is considered indicative of an overdevelopment of the site. The overall effect of this would be to introduce a cramped form of development onto a spacious street scene.

8.5.25 It is therefore considered that the proposed development would appear incongruous and overly dominant within the street scene and would significantly harm the prevailing character and appearance of the surrounding area.

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.' Para. 129 of the NPPF confirms that planning decisions should be guided by the national design code documents in the absence of local documents.

8.6.2 All habitable rooms installed within units on both schemes are served by clear glazed openings allowing for a good level of natural

sunlight permeation. All units, including the proposed flats, have two or more aspects and this would prolong access to natural light throughout the day as well as allow for effective natural ventilation. Any windows that would be required to be fixed shut and obscurely glazed as a result of a required planning condition provide a secondary function or serve rooms that do not require access to unfiltered natural light.

- 8.6.3 The Department for Communities and Local Government has produced the Technical housing standards - nationally described space standard. This document sets out minimum recommended Gross Internal Area (GIA) for new residential units, based upon number of bedrooms provided, number of storeys and number of occupants.
- 8.6.4 All houses and flats comply with these minimum standards in terms of overall GIA provided as well as individual room sizes. Awkwardly shaped rooms are avoided as are unnecessarily long or narrow corridors.
- 8.6.5 Amenity Space: All dwellings and ground floor flats would have access to private garden areas which, whilst small, are considered sufficient to meet the needs of occupants. Upper floor flats would have access to balcony areas that would provide an appropriate level of amenity space based on the expected household size of those flats. It is also noted that there are public recreational facilities nearby as well as public open space within the South Downs National Park.
- 8.6.6 Safe and secure environment: All entrances to dwellings and flats are in a prominent position that engages well with the wider street scene and would be subject to surveillance from within the development as well as from neighbouring development. The layout of the development also allows for defensible space to be provided around ground floor doors and windows. The parking areas serving both developments would be subject to high levels of surveillance. It is therefore considered that the proposed development would provide a safe and secure environment for future occupants as well as suitable living conditions.

8.7 Highways and Transport

- 8.7.1 The existing vehicular access for both sites, both of which are positioned near the junction between Summerdown Road and Summerdown Close, would be closed off as part of the proposed development. Courtyard car parking would be provided to the rear and would be accessed via new crossovers formed on Summerdown Close.
- 8.7.2 A phase 1 Road Safety Audit identified several potential highway risks requiring mitigation. The risks identified, as well as the mitigation measures suggested, are detailed below.
- 8.7.3 1. No dropped-kerb pedestrian crossing provided at the junction of Summerdown Close with Summerdown Road. In response to this,

the applicant has introduced tactile paving and dropped kerbing will be provided at the junction. ESCC Highways are satisfied with this subject to alterations to alignment that would be agreed by condition and through the section 278 process.

- 8.7.4 2. Narrow width of existing footway on Summerdown Close adjacent to the proposed northern site access. In response, a 1.8m footway will be provided from the junction of Summerdown Road to the northern site access. This footway would be within the application site rather than on highway land and so a section 278 agreement would be required for it to be incorporated into the highway. ESCC Highways accept this solution.
- 8.7.5 3. A tree adjacent to the access to the 59 Summerdown Road site would need to be removed and all other vegetation within visibility splays would need to be maintained at a maximum height of 600mm. This could be secured by condition if the application were to be approved.
- 8.7.6 ESCC Highways are satisfied with the dimensions and functionality of the new access points for both sites. They are also satisfied that the level of trips generated by the proposed development (54 per day at 59 Summerdown Road, 63 per day at 61-63 Summerdown Road, 122 cumulative) would not put unacceptable pressure on the surrounding highway network, particularly when offset against the amount of trips that would be generated if the approved care home use was re-established.
- 8.7.7 Refuse Vehicles: Refuse collection crews would be able to access bin stores from Summerdown Road and, as such, refuse vehicles would not have to access the site.
- 8.7.8 Parking Spaces: The parking spaces are of suitable dimensions and adequate space for turning would be provided to ensure vehicles can enter and leave the site in forward gear.
- 8.7.9 The quantum of parking at the 61-63 Summerdown Road, at 21 spaces, is a minor shortfall on the recommended 22 spaces based on unit sizes but this shortfall has been accepted by ESCC Highways. However, the shortfall is more pronounced on the site of No. 59, where only 14 spaces are provided to serve a development of a similar composition to the neighbouring site. The applicant has stated that there is space on the surrounding highway network to accommodate the additional parking demand generated by the development and has provided a parking survey to demonstrate this. Whilst this the result of a parking survey can be deemed sufficient to allow for an under-provision of parking, the methodology used for the survey is not in accordance with required practice and, as such, it has not been considered. As such, it is recommended that application 200983 is refused on the grounds of insufficient parking provision and the consequential impact this would have upon highway safety and the free flow of traffic due to the potential for dangerously parked cars.

- 8.7.10 It is therefore considered that parking and access arrangements are acceptable for application 200968 but not for 200983.

8.8 Flooding and Drainage

- 8.8.1 The site is located within Flood Zone 1 and, as such, is at very low risk of any tidal or fluvial related flooding. Environment Agency mapping also confirms that the risk of surface water flooding on the site is low.
- 8.8.2 Both sites are currently largely covered by buildings or hard surfacing and, as such, the proposed development is likely to marginally increase the permeability of the site by way of provision of garden space.
- 8.8.3 A public surface water sewer follows the course of Summerdown Road and the proposed scheme involves utilising this sewer to remove surface water from the site. A connection would be provided, with attenuation measures included to allow for run-off to be restricted to a maximum of 8 litres per second during all rainfall scenarios.
- 8.8.4 The Lead Local Flood Authority (LLFA) have provided an objection to the scheme, but this is based on a lack of information rather than any issue with the principle of using the sewer. The information required relates to types and positions of pipework and other drainage infrastructure and the LLFA comments note that this could be agreed at the detailed design stage. They also require confirmation that Southern Water would accept a connection based on the run-off rates provided.
- 8.8.5 It is therefore considered that, if the application were to be approved, the necessary details could be secured by way of a pre-commencement condition and, as such, it would not be reasonable to refuse the application on the grounds of concerns relating to surface water flood risk.

8.9 Landscaping

- 8.9.1 Although the existing sites are currently largely hard surfaced there is mature landscaping on and around site boundaries that contributes to the verdant nature of the rear of plots on Summerdown Road which helps define the prevailing character of the wider surrounding area. The status of this mature landscaping is evidenced by the placing of a Tree Preservation Order covering trees on the grass verge to the north of 61-63 Summerdown Road as well as to the rear of the same site. The proposed development would result in the rear of each site being largely hard surfaced for parking to be provided. A large proportion of the boundary landscaping would be removed or cut back. Whilst some landscaping would be provided in the parking areas as an effort to mitigate this, ESCC Highways are concerned it would inhibit access to vehicles and, as such, it is likely there would be pressure for this landscaping to be removed or substantially reduced at a later date.

8.9.2 It is therefore considered that, through the loss of existing landscaping and the failure to provide landscape mitigation and/or enhancement, it is considered that the proposed development would compromise the verdant character to the rear of frontage development on Summerdown Road, to the detriment of the prevailing character of the surrounding area.

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 considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.

10. Recommendation

10.1 It is recommended that the applications are refused for the following reasons.

10.2 Application 200968

10.3 The proposed development, as a consequence of its substantial bulk, distribution of mass, raised eaves height and breaching of the established building line would appear cramped, disruptive and contrived, overly dominant within the street scene and towards dwellings on Summerdown Road and detrimental to the existing sense of openness and spaciousness that represents the prevailing character of the surrounding area. The development is therefore considered to conflict with saved policies UHT1, UHT2 and UHT4 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 128 and para. 130.

10.4 The plot coverage of the proposed development as well as associated car parking areas would inhibit the introduction of a suitable level of soft landscaping required to assist integration with the green environment maintained towards the rear of plots on the eastern side of Summerdown Road. The development is therefore considered to conflict with policies UHT1, UHT4 and UHT7 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 130 of the National Planning Policy Framework.

10.5 Application 200983

10.6 The proposed development, as a consequence of its substantial bulk, distribution of mass, raised eaves height and breaching of the established building line would appear cramped, disruptive and contrived, overly dominant within the street scene and towards dwellings on Summerdown Road and detrimental to the existing sense of openness and spaciousness that represents the prevailing character of the surrounding area. The development is therefore considered to conflict with saved policies UHT1, UHT2 and UHT4 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 128 and para.130.

- 10.7 The plot coverage of the proposed development as well as associated car parking areas would inhibit the introduction of a suitable level of soft landscaping required to assist integration with the green environment maintained towards the rear of plots on the eastern side of Summerdown Road. The development is therefore considered to conflict with policies UHT1, UHT4 and UHT7 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 130 of the National Planning Policy Framework.
- 10.8 There is an insufficient quantum of off street car parking to serve the development and it has not been adequately demonstrated that the surplus parking required can be accommodated on the surrounding highway network. As such, there is an unacceptable risk of parking pressure that may result in obstruction to the movement of vehicles and pedestrians and, therefore, an unacceptable highway safety risk. The development is therefore in conflict with policy D8 of the Eastbourne Core Strategy and para. 110 and para. 111 of the National Planning Policy Framework.

11. Appeal

- 11.1 Should the applicant appeal the decision the appropriate course of action to be followed, considering the criteria set by the Planning Inspectorate, is written representations.

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