

**Time and venue:**

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

**Membership:**

**Councillor Hugh Parker (Chair); Councillors Amanda Morris (Deputy-Chair) Nick Ansell, Andy Collins, Jane Lamb, Anita Mayes, Teri Sayers-Cooper and Candy Vaughan**

**Quorum: 2**

*Published: Friday, 7 July 2023*

## **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 12 June 2023 (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 Officer Update**

Where additional information has been received by Planning Officers subsequent to the publication of the agenda, a supplementary report will be added to this item and published on the Council's website the day before the meeting to update the main reports with any late information.

- 8 Land adjacent to 14 Tovey Close and 216 Willingdon Road, Ocklynge Chalk Pits. ID: 220907 (Pages 9 - 32)**

- 9      **The Oval, Channel View Road. ID: 220708 (Pages 33 - 48)**
- 10     **Upperton United Reformed Church, Upperton Road. ID: 230318 (Pages 49 - 56)**
- 11     **24 Hurst Road. ID: 230381 (Pages 57 - 70)**
- 12     **Date of next meeting**

To note the next meeting of the Planning Committee is scheduled to be held on Monday, 21 August 2023

## **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. If you would like to use the hearing loop please advise Democratic Services (see below for contact details) either in advance of the meeting or when you arrive so that they can set you up with the relevant equipment to link into the system.

This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

### **Filming/Recording:**

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

## **Speaking at Planning**

### **Registering your interest to speak on Planning Applications**

If you wish to address the Committee regarding a planning application, you need to register your interest by emailing [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk) **by 12 noon on Thursday 13 July**. 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.

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 Town 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).

## Democratic Services

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## Planning Committee

**Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 12 June 2023 at 6.00 pm.**

### **Present:**

Councillor Hugh Parker (Chair).

Councillors Amanda Morris (Deputy-Chair), Nick Ansell, Andy Collins, Penny di-Cara, Anita Mayes, Teri Sayers-Cooper and Ali Dehdashty.

### **Officers in attendance:**

Leigh Palmer (Head of Planning First), Neil Collins (Senior Specialist Advisor – Planning), Helen Monaghan (Lawyer, Planning), Emily Horne (Committee Officer) and Sarah Lawrence (Committee Team Manager).

### **1 Introductions**

A short period of silence was held in memory of Barry Taylor, former councillor, who suddenly passed away on Saturday, 10 June 2023.

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

### **2 Apologies for absence and notification of substitute members**

Apologies had been received from Councillor Jane Lamb and Councillor Candy Vaughan. Councillor di-Cara confirmed that she was acting as substitute for Councillor Lamb and Councillor Ansell confirmed he was acting as substitute for Councillor Vaughan.

### **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.**

No declarations of interest were made at the meeting.

### **4 Minutes of the meeting held on 17 April 2023**

The minutes of the meeting held on 17 April 2023 were submitted and approved as a correct record, and the Chair was authorised to sign them.

### **5 Urgent items of business.**

There were no urgent items.

## 6 Officer Update

An officer addendum was circulated to the Committee prior to the start of the meeting, updating the report on the agenda with any late information (a copy of which was published on the Council's website).

## 7 13 Gorringe Road. ID: 220961

Change of Use from Residential Care Home (C2 use) to 11 bedroom HMO (Sui Generis use) with associated bin and cycle storage area – **UPPERTON**.

The Development Management Lead presented the report and advised the Committee of two additional conditions to be added to the conditions listed in the officer's report. These were: 1) To restrict and control the use as an HMO's within the Sui Generis Use Class, and 2) To restrict number of occupants to 11. Reason: To ensure rooms are single occupancy and not double occupancy and a minimum stay of 3 months by all individuals living within the building.

The Committee was advised by way of an Addendum that there were no further updates.

Dr Yusaf Samiullah OBE spoke on behalf of local residents in objection to the application. Sarah Collins, Agent, spoke in favour of the application. Councillor Maxted, Ward Councillor, addressed the Committee in relation to the application.

The Committee sought clarification on various points: enforcement of conditions, implications of advertisement of the site on Airbnb, access to bins and noise, parking, egress from property, tenancy requirements and display of management team's contact details.

Officers confirmed the retrospective application would be assessed on its own merits and neither this nor any current unauthorised use of the site (such as for Airbnb) were material and not valid reasons for refusal. Proposed conditions for a maximum of 11 occupants and minimum stay 3 of months would address these concerns and could be enforceable if the application was approved. Refuse collections/noise would be controlled by a condition and fire safety and means of escape would fall under Building Control. East Sussex County Council (ESCC), Highways, had considered there would no significant increase in street parking above the current use class. Officers were not aware of an interview process for HMO residents. Contact details for the building management company would be made available in the building and on the internet.

Councillor Morris put forward a proposal against the officer's recommendation to refuse the application for the reason of over intensive use of the site. This was seconded by Councillor di Cara and put to a vote and carried.

**RESOLVED: (by 7 votes to 0 against, and 1 abstention)** that the application

be refused subject to the following reason: The level of occupancy is considered to be an over intensive use of the property and likely to result in a material loss of residential amenity, contrary to policy B2 of the Eastbourne Core Strategy 2013, saved policy HO20 of the Eastbourne Borough Plan 2003 and National Planning Policy Framework (para. 174).

**8 Lion Works, Sidley Road. ID: 220339**

Demolition of the existing building and erection of 5no. 2 x bedroom dwellings – **DEVONSHIRE.**

The Development Management Lead presented the report.

The Committee was advised by way of an Addendum that there were no further updates.

Mr Keith Morris spoke on behalf of local residents in objection to the application. Patrick Griffin, Agent, spoke in favour of the application. Councillor Ewbank, Ward Councillor, addressed the Committee on behalf of residents and her fellow ward Councillors Holt and Bannister in relation to the application.

The Committee raised concerns regarding vehicular access, noise disturbance, storage, sewage/drainage/flooding and lack of outside space. Members also felt that the site provided a good development opportunity, offering much needed housing on a brown field site with access to public transport.

Officers confirmed that there was no emergency vehicular access to the site and parking was the responsibility of East Sussex County Council, Highways. Impacts of construction, vehicles, demolition and access would be controlled by a management plan condition. Sewage was for the statutory undertakers to agree and some attenuation measures, i.e. the provision of a green roof, were covered by a landscaping condition. Flood risk was dealt with by the Environment Agency and was considered to be acceptable and the floor space met the required standards. The Council had a duty to use land to deliver housing.

Councillor Morris put forward a proposal to approve the application in line with the officer's recommendation and the additional conditions set out in the officer's presentation. This was seconded by Councillor Dehdashty and was carried.

**RESOLVED: (Unanimously)** planning permission be granted subject to the conditions set out in the officer's report and presentation.

**9 24 Hurst Road. ID: 230202**

Variation of a condition 2 (Approved Plans) following grant of planning permission 26/10/2022(ref 220566) to include additional bedrooms to form 3no four-bedroom dwellings - **UPPERTON**

The application had been withdrawn by the applicant and was not considered by the Committee.

**10 Date of next meeting**

It was noted that the next meeting of the Planning Committee was scheduled to commence at 6:00pm on Monday, 17 July 2023.

The meeting ended at 7.42 pm

Councillor Hugh Parker (Chair)



# Agenda Item 8

**Report to:** Planning Applications Committee

**Date:** 17 July 2023

**Application No:** 220907

**Location:** Land adjacent to 14 Tovey Close and 216 Willingdon Road, Ocklynge Chalk Pits, Eastbourne

**Proposal:** Demolition of existing cottages and construction of 22 dwellings - 18X dwellinghouses and 4X apartments

**Applicant:** Maxika Homes Ea

**Ward:** Ratton

**Recommendation:**

1. Delegate to the Head of Planning to:
  - Liaise with ESCC Highways with regard to any proposed heads of terms for S106 and any additional conditions; and:
  - Liaise with ESCC (LLFA-SuDS) and the Council's Specialist Advisor (Arboriculture), Specialist Advisor (Ecology), and Specialist Advisor (Air Quality).
2. On conclusion of the above consultations, subject to resolution of any matters outstanding to approve with conditions, subject to S106 Agreement to secure:
  - a) Local Labour Agreement;
  - b) Affordable housing (The independent surveyor has recommended that should the Council be minded to grant planning permission consideration should be made for the implementation of a viability review mechanism;
  - c) Transport contributions; and
  - d) Any additional heads of terms requested by consultees.

**Contact Officer:** **Name:** Emma Wachiuri  
**E-mail:** [emma.wachiuri@lewes-eastbourne.gov.uk](mailto:emma.wachiuri@lewes-eastbourne.gov.uk)

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**IMPORTANT NOTE: This scheme is CIL Liable.**

**Site Location Plan:**



**Location Plan - 1:1250@A1/1:2500@A3**

## **1. Executive Summary**

- 1.1 The application is being presented to the Planning Committee in line with the Scheme of Delegation as it proposes major development.
- 1.2 The application seeks planning permission for the demolition of existing cottages and construction of 22 dwellings - 18X dwellinghouses and 4X apartments.
- 1.3 The proposal would deliver sustainable development and much needed housing on previously developed land (a former chalk pit).
- 1.4 This full application follows the grant of Outline planning permission (with all matters reserved) by the Planning Committee in February 2022 for 18 dwellings.
- 1.5 At the time of writing, some consultations remain outstanding, including following the submission of further information to address initial comments from statutory consultees. Further responses are expected from ESCC as Local Highway Authority and Lead Local Flood Authority, and the Council's Specialist Advisor (Air Quality), Specialist Advisor (Arboriculture), and Specialist Advisor (Ecology).
- 1.6 Responses received prior the meeting will be reported to Members. In the absence of responses, Officers are seeking delegated authority from Members to conclude the consultations and, upon resolution of any matters outstanding, to approve the application in line with the recommendations.
- 1.7 The applicant has submitted a Financial Viability Assessment (FVA), which suggests that the scheme would be unable to provide the full complement of affordable housing as it would render the development unviable. The viability of the development has been independently assessed by the Council's financial viability consultants, who has confirmed agreement with the submitted FVA, but recommended that should the Council be minded to grant planning permission consideration should be made for the implementation of a viability review mechanism secured by S106 legal agreement.

## **2. Relevant Planning Policies**

### **2.1 National Planning Policy Framework:**

- 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
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment.

### **2.2 Eastbourne Core Strategy 2006-2027:**

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C5: Ocklynge & Rodmill Neighbourhood Policy
- D5: Housing -High Value Neighbourhoods
- D8: Sustainable Travel
- D9: Natural Environment
- D10: Historic Environment -Archaeological Notification Area
- D10a: Design.

### **2.3 Saved polices of the Eastbourne Borough Plan 2001-2011:**

- NE4: Sustainable Drainage Systems
- NE18: Noise
- NE20: Sites of Nature Conservation Importance
- NE28: Environmental Amenity
- UHT1: Design of New Development
- UHT4: Visual Amenity
- UHT6: Tree Planting
- UHT5: Protecting Walls/Landscape Features

UHT7: Landscaping  
US3: Infrastructure Services for Foul Sewage and Surface Water Disposal  
US4: Flood Protection and Surface Water Disposal  
HO1: Residential Development within the Existing Built-up Area  
HO2: Predominantly Residential Areas  
HO6: Infill Development  
HO20: Residential Amenity  
TR2: Travel Demands  
TR4 Quality Bus Corridors  
TR5: Contributions to the Cycle Network  
TR8: Contributions to the Pedestrian Network  
TR6: Facilities for Cyclists  
TR11: Car Parking  
B11: Retention of Class B1, B2 and B8 Sites and Premises  
B14: Retention of Employment Commitments  
US4: Flood Protection and Surface Water  
LCF4: Outdoor Playing Space Contributions.

2.4 Supplementary Planning Documents and other relevant guidance:

Affordable Housing SPD  
Sustainable Building Design SPD  
Trees and Development SPG  
Local Employment and Training SPD  
EBC Sustainability in Development TAN  
EBC Biodiversity Net Gain TAN  
EBC Electric Vehicle Charging Points TAN.  
ESCC Guidance for Parking at New Residential Developments.

2.5 Other:

- National Design Guide
- Technical housing standards – nationally described space standard.

**3. Site Description**

- 3.1 The application site comprises a former chalk pit, which was originally excavated for chalk and has since been used occasionally by the current owners, East Sussex College.
- 3.2 The site is accessed at its north-western end via a private road Coppice Court linking the site to Willingdon Road, the nearest public highway. As would be expected for a former quarry, the site is concave as a result of the excavation. The site topography slopes gently from the access point

into a largely flat base, but is steeply sloped on the southern, eastern and northern sides.

- 3.3 The site is located within the Ratton Ward and the Ocklynge and Rodmill Neighbourhood, as defined by the Core Strategy 2013. It is not located within any designated conservation area, nor does it include any listed buildings or ancient monuments. However, the site is located within an Archaeological Notification Area.
- 3.4 The site falls within the Environment Agency's Flood Risk Area 1 (Low Risk).

However, a large area of the site is at high risk from surface water flooding.

3.5 Site Constraints:

Predominantly Residential Area.

Source Protection Zone.

TPO Trees:

046007

TPO95

09/07/2003 00:00:00

Ocklynge Chalk Pits, Willingdon Road.

Covenants:

Eastbourne Borough Council

Trustees of The Chatsworth Settlement.

Archaeological Notification Area:

Consult [county.archaeology@eastsussex.gov.uk](mailto:county.archaeology@eastsussex.gov.uk)

Archaeological Notification Area defining an Saxon cemetery, Iron Age activity and medieval windmill sites

Extensions, New detached building, Below ground impact to a listed or curtilage listed building, Hard landscaping, Cable and pipe trench, New roads.

Willingdon Levels Catchment Area:

28/05/2009 00:00:00.

**4. Proposed Development**

- 4.1 Demolition of existing cottages and construction of 22 dwellings - 18X dwellinghouses and 4X apartments.

4.2 The proposed units comprise of:

6no.3b5p terraced units  
8no.3b5p semi-detached units  
1no. 3b5p detached unit  
3no. 2b4p terraced units  
4no. 2b3p apartments.

The proposal seeks to use traditional materials such as brick, timber and clay tiles, utilising them in an innovative arrangement for a contemporary design.

4.3 The existing entrance from Willingdon Road will be retained and extended onto the site.

4.4 Parking and storage will be provided underneath the building at the ground level of the units in a 'car-port style' arrangement with visitors car parking spread out within the site.

Each unit would be provided with a refuse storage area and a private amenity space.

## **5. Relevant Planning History:**

5.1 200855:

Outline application with all matters reserved for siting of 18 residential units  
Outline (all reserved)  
Approved conditionally  
01/02/2022.

5.2 EB/2008/0543:

Development of former chalk pit to provide residential institution with ancillary training buildings (Class C2 Use) for people with learning disabilities, to include a bakery and tea room, and a foyer extension to the former Lime Kiln Cottages and conversion to provide ancillary administrative offices associated with the proposed development.  
Approved, 9th March 2009.

## **6. Consultations**

6.1 ESCC Archaeology:

The information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions. Recommend for approval in principle subject to the imposition of conditions.

6.2 Specialist Advisor (Arboriculture):

Awaiting comments.

6.3 Sussex Police:

No major concerns with the proposals at the location. However, additional measures to mitigate against any identified local crime trends and site-

specific requirements should always be considered. No objection subject to the observations, concerns and recommendations being given due considerations:

- Lack of visitor parking may result in illegal and rogue parking at the site which could result in the obstruction of refuse and emergency vehicles and resident disharmony across the site;
- Communal parking should be in areas that are overlooked by active room for surveillance; and
- Boundary between public space and private areas should be clearly indicated;
- Dwelling frontages should be open to view, so walls, hedges and fences will need to be kept low, with vulnerable areas such as exposed side and rear gardens need more robust defensive barriers;
- Open fencing is required to allow greater surveillance such as the proposed rear garden pathways;
- It is preferable that pathways are not placed to the back of properties and if necessary for access these must be gated, gates must be same height as boundary fence, well illuminated, lockable and operable by key from both sides of the gate, not easy to climb or remove from hinges and serve minimum number of houses (4 or less);
- All pathways between blocks of housing leading to rear gardens should be gated and all controlled and should not be double gated as shown;
- Pathways gates should be of a hit and miss construction to provide a higher level of surveillance;
- Blocks of multiple dwellings should have access control implemented into the design and layout to ensure control of entry is for authorised persons only;
- Mail delivery for blocks of multiple dwellings require facility to be provided that enable mail to be delivered to safe and secure areas. Postal arrangements for flats is recommended through the wall or external secure post boxes to reduce unnecessary access;
- Secure cycle store for the apartments missing;
- For as much natural surveillance across the development as possible, ground planting should be no higher than 1m with tree canopies no lower than 2m;
- Lighting is an effective security measure, dwelling exterior lighting switched by dusk till dawn as opposed to PIR is recommended and more effective at controlling night environment.

6.4 Waste Services:

No response received.

6.5 Southern Water:

Southern Water require a formal application for a connection to the public foul sewer to be made by the applicant or developer.

6.6 East Sussex Highways:



Initial response dated 05/01/2023  
Objection due to insufficient information.

Adequate information has not been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of access, off-street parking, on site turning facilities and would therefore give rise to increased hazards to highway users and would be contrary to para 111 of the National Planning Policy Framework.

Should the applicant submit additional information including a Stage 1 Road Safety Audit, details of trip generation, amended red site boundary and parking dimensions, tracking drawings demonstrating a 12m long refuse vehicle can enter the site, manoeuvre and egress in a forward gear I would wish to be re-consulted.

An updated Transport Statement and site plan have been received and ESCC Highways have been re-consulted and we are expecting comments.

6.7 Specialist Advisor (Environmental Health):

Air Quality team has raised an objection due to insufficient information.

6.8 Environment Agency:

No objection subject to conditions.

6.9 SuDS

Initial response dated 23/12/2022:  
Objection due to insufficient information.

An objection was raised at outline stage ref 200855 as a large area of the site is at high risk from surface water flooding. Given the limited area within the site that is shown not to be at risk of surface water flooding, it was not clear at that outline stage whether a residential development could be accommodated at the site.

The applicant has undertaken surface water modelling to demonstrate that the proposed development will not increase flood risk elsewhere. The hydraulic modelling for the proposed scenarios does not include proposed ground levels and we therefore request that further modelling is carried out to include these as they will have a fundamental impact on the risk of flooding at the site.

Proposed ground levels should be designed in such a way to prevent ponding of surface water flooding around the proposed residential units. Residential units should be located outside of the surface water flood extents with a sequential approach to the layout of the site taken, with more vulnerable uses located in the areas with the lowest risk of flooding.

6.10 East Sussex Fire and Rescue Service:

No response received.

6.11 Specialist Advisor (Regeneration):

The planning application qualifies for a local labour agreement as it meets the thresholds for a residential development as detailed on page 11 of the Employment and Training Supplementary Planning Document adopted November 2016.

A S106 Agreement including local labour obligations and monitoring fee was signed on 20 December 2021 for this site under application 200855.

Should planning permission be granted for the site, it be subject to a local labour agreement secured by a S106.

6.12 Specialist Advisor (Planning Policy):

No comment received.

**7. Other Representations**

7.1 Notification:

Notification of this application has been undertaken in the form of:

- a. Letters have been sent to all registered properties adjoining the application site;
- b. A site notice has been displayed in the vicinity of the application site;
- c. An advert has been published in the local newspaper.

7.2 Neighbour Representations:

4 **Objections** have been received raising the following summarised concerns:

- Misleading privacy statement- the roof design can be visible and will be out of character with the surrounding dwellings;
- Security/access to the rear of the flats. This access point is very close to the rear of adjacent properties;
- Parking issues;
- No tree consultation response received.

7.3 Other Representations:

- What stipulations can Planning put in place to ensure prevention of future subsidence to an already weakened bank that may be made worse by disturbance for tree root pruning plot 1 and removal of trees to accommodate plot 2.?

*Officer comment: This is a civil matter between land-owners and is not material consideration in the determination of planning applications.*

**8. Appraisal**

8.1 Key Considerations:

8.2 Principle of Development

Para. 74 of the National Planning Policy Framework (NPPF) 2021 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.

The most recently published Authority Monitoring Report shows that Eastbourne can only demonstrate a 1.8 year supply of housing land. The application site is not identified in the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) or on a brownfield register. It therefore represents a windfall site that would boost housing land supply.

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 site would be considered a windfall site, as it has not previously been identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). The application will result in a net gain of 22 residential units.

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

### 8.3 Sustainability/Energy:

In line with Core Strategy Policy D1 and the Sustainable Building Design SPD, sustainability measures that include the use of green roof, solar voltaic and water heating panels on the roof for renewable energy provision would be provided on the roof of each building and these would be secured by way of condition.

Electric charging points for vehicles and cycles have not been indicated but these can be sought via a planning condition in line with the Borough's Electric Vehicle Charging Points Technical Advice Note and paragraph 112 of the NPPF.

Taking account of the site's location, electric vehicle charging would be sought as part of a detailed scheme in line with the Council's sustainability aspirations.

Building materials will be locally sourced and wherever possible reused or recycled materials will be sourced.

### 8.4 Design, Character and Impact Upon Landscape:

The site is within a pre-dominantly residential area characterised by large

detached and semi-detached dwellings. Due to the site levels, concave topography and the dense mature vegetation surrounding the site the proposal would have limited visibility in the street scene and vicinity.

The scale and design would be acceptable within the wider area. Given the limited public vantage points the use of more contemporary design is considered acceptable as would have no detrimental impacts on the character of the street scene and area in general.

The proposed building designs comprise high quality contemporary designs, comprising a palette of high quality facing materials, which would create a sense of place within the development.

#### 8.5 Affordable Housing provision:

Any development which involves the net gain of 10 or more new dwellings is required to incorporate provision of affordable housing as per para. 64 of the Revised NPPF and policy D5 of the Eastbourne Core Strategy.

The Policy D5 of the Eastbourne Core Strategy (2013) and the Affordable Housing SPD (2017) require on-site affordable housing provision unless such provision would render the development financially unviable. The following order of preferred provision forms the basis for assessment, taking into account the characteristics of the site:

- The Council's on-site preferred mix;
- An on-site alternative mix to be agreed upon by the Council and the relevant developer(s);
- A level of affordable housing on-site which is less than the specified threshold;
- Serviced plots onsite;
- Service plots offsite;
- Transfer of land;
- A commuted sum.

The site is located within a 'high value area', as stated within the Council's adopted Affordable Housing SPD 2017, which requires 40% affordable housing provision. Based upon the submitted scheme (22 units), this would amount to 8.8 units. The tenure mix should be 70% rented, 30% Shared Ownership.

The applicant has stated that they would be unable to provide the full complement of affordable housing as it would render the development unviable. They have submitted a Financial Viability Assessment (FVA) in evidence of this. This document has been independently assessed by a Chartered Surveyor who concluded that given the low level of profit generated by the proposed development even at 100% open market, they advise consideration is given to the transparency of the assumptions used by the applicant as per paragraph 8 of the NPPG. This therefore calls into question the deliverability of the proposal.

The independent surveyor has recommended that should the Council be minded to grant planning permission consideration should be made for the implementation of a viability review mechanism. This review should be reserved until there is evidence of the selling prices achieved in accordance with Para 9 of the NPPG. This review can be included in the S.106 agreement and carried out before occupation of 70% of the units.

Therefore, should members resolve to approve the application, this would be on the basis that the viability of the development is fully established and that, if further assessment indicate affordable housing can be provided, that the maximum amount possible is secured through the use of a Section 106 legal agreement.

#### 8.6 Amenity and living standards of future occupiers:

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.’

The Technical housing standards – nationally described space standard (2015) defines 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.

The proposed dwellings would meet the minimum internal space standard defined by the ‘Technical housing standards - nationally described space standards’, published in March 2015 resulting in acceptable level of accommodation for future occupants in accordance with saved policies HO9 and UHT1 of the Eastbourne Borough Plan 2007, Policy B2 of the Eastbourne Core Strategy 2013 and the NPPF

Para. 10 (i) of the space standards document requires the minimum floor to ceiling height to be at least 2.3 metres for at least 75% of the Gross Internal Area; the proposed height meets this requirement.

The principal floor of the proposed dwellings would be at first floor to maximise greater access to natural daylight. In addition, the use of design features such as corner windows and skylight would maximise natural lighting reaching the proposed units. All habitable rooms would be served by clear glazed and good sized windows. It is therefore considered that all habitable rooms will have access to good levels of natural light and ventilation. There would be no immediate obstructions to outlook from any of the proposed windows. The proposed dwelling would have a clear and uncluttered floor plan that avoids awkwardly shaped rooms and long corridors, thereby allowing for ease of navigation and ensuring rooms are functional and adaptable.

The communal access arrangements will need to comply with Secured by Design standards.

The site is located in a predominantly residential areas and thus the proposal is compatible with the surrounding uses.

8.7 Privacy:

The proposed layout shows buildings demonstrates that there would be no overlooking between the proposed units nor on the adjacent properties and thus the development would have no privacy issues for future occupants.

8.8 Private rear gardens:

Each dwellinghouse would have access to a good sized private amenity space.

8.9 Archaeology:

The site is located within an Archaeological Notification Area.

The County's Archaeologist has advised that the information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless, it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions which are recommended by the County's Archaeologist.

As such, the developer would be required by way of conditions to submit a programme of archaeological works in accordance with a written scheme of investigation.

8.10 Transport and Parking:

Relevant policy: Policy D8 (Sustainable Travel) of the Eastbourne Core Strategy 2013 and policies TR7 and UHT1 (Design of New Development) of the Eastbourne Borough Plan 2003 and para. 110 of the NPPF.

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.

8.11 Accessibility:

The site is located in a Predominantly Residential Area and is accessible by foot and car. There are frequent bus services available on Willingdon Road, bringing the amenities of Eastbourne Old Town and town centre within reach for future occupants.

8.12 Parking:

The submitted site layout plan demonstrates that both vehicle and cycle parking would be provided.

Allocated parking for the terraced and semi-detached houses are proposed to be located underneath the building, in a tandem arrangement (like a 'car

port' arrangement). In line with the requirements of ESCC Parking Standards, the provision would be as follows:

40 allocated vehicle spaces and 8 unallocated vehicle spaces, made up of:

- 1 allocated space per flat, located in front of the building
- 2 allocated spaces per house located underneath the buildings and
- 8 unallocated spaces, spread across the proposed development (spaces located on the western side of the site (nearest Coppice Court) and 5 spaces located on the eastern side of the site)
- 4 communal cycle spaces located within a secure, covered cycle store on the ground floor of the flats
- 2 cycle spaces per house, located within the parking area underneath the houses

The Highways Authority in their initial response raised an objection due to insufficient information to satisfy the Local Planning Authority that the proposal is acceptable in terms of access, off-street parking, on site turning facilities and would therefore give rise to increased hazards to highway users.

An updated Transport Statement and amended site plan have been submitted and ESCC Highways have been re-consulted and comments have not been received at the time of writing this report.

#### 8.13 Refuse and Recycling

Bin storage areas has been shown on the submitted plan to be accommodated within the properties boundary. Refuse collection would take place from the front of the site. It is considered that the bin storage area for the proposed development is in location where bins can easily be moved to the highway for collection.

#### 8.14 Impact upon the amenity of neighbouring occupants:

Relevant policy: Policy B2 (Creating Sustainable Development) of the Eastbourne Core Strategy 2013, policy HO20 (Residential Amenity) of the Eastbourne Borough Plan 2003 and para. 130 of the NPPF.

Due to the topography of the site and existing tree cover which would provide screening, the proposal would not have detrimental effects on the neighbouring occupiers.

#### 8.15 Flooding and Drainage:

Relevant policy: Policy B2 (Creating Sustainable Development) and D9 (Natural Environment) of the Eastbourne Core Strategy 2013, policy NE4 (Sustainable Drainage Systems) of the Eastbourne Borough Plan 2003 and para. 167 of the NPPF.

The site is located within the Environment Agency's Flood Risk Area 1 (Low Risk).

The Environment Agency have raised no objection subject to conditions.

However, a large area of the site is shown to be at high risk from surface water flooding on the Environment Agency's Risk of Flooding from Surface Water data set, with flood depths up to 0.90m predicted during the 1 in 30-

year rainfall event. This area of flooding is shown to affect proposed residential units. Therefore, a flood risk assessment would be required for submission at reserved matters stage together with the detailed building design, to ensure that future residents would be protected in the event of flooding of the site.

The ESCC SUDS team was consulted, and they have commented that a large area of the site is at high risk from surface water flooding. The applicant has undertaken surface water modelling to demonstrate that the proposed development will not increase flood risk elsewhere. The hydraulic modelling for the proposed scenarios does not include proposed ground levels and therefore request that further modelling is carried out to include these as they will have a fundamental impact on the risk of flooding at the site.

Proposed ground levels should be designed in such a way to prevent ponding of surface water flooding around the proposed residential units. Residential units should be located outside of the surface water flood extents with a sequential approach to the layout of the site taken, with more vulnerable uses located in the areas with the lowest risk of flooding.

Further drainage information has been provided and ESCC SUDS re-consulted at the time of writing this report.

#### 8.16 Ecology and Biodiversity:

According to the Council's Biodiversity Net Gain Technical Advice Note (September 2021), major development must demonstrate that there is a Biodiversity NET GAIN of a minimum 10%.

The application is supported by an Extended Phase 1 habitat survey, a reptile presence of likely absence survey, badger sett monitoring, and a full bat roost assessment undertaken between December 2021 and November 2022.

The report sets out the Ecological enhancement measures and mitigation measures to ensure no significant adverse residual effects would result.

The use of green roof to provide a habitat for flora is being proposed.

Ecologist has been consulted regarding the application. A response is anticipated and Members will be updated with regard to these matters when received.

#### 8.17 Loss of protected trees and landscaping:

Relevant policy: UHT5 (Protecting Walls/Landscape Features) of the Eastbourne Borough Plan 2003 and paras. 131 and 180 of the NPPF.

#### 8.18 Trees:

The proposal will have an impact upon existing trees, which form part of the woodland Tree Protection Order covering the site. The applicant has submitted an Arboriculture Assessment, which details a degree of tree removal.



The mature trees surrounding the site will be retained and protected during the build and the applicant in their planning statement confirms that the majority of trees to be removed are small and are of low quality.

The Council's tree officer was consulted. A response is anticipated and Members will be updated with regard to these matters when received.

8:19 Landscaping:

Indicative plans show the potential layout of hard and soft landscaping features for the site.

The site is considered to be sufficient in size to accommodate an appropriate proportion of good quality hard and soft landscaping as part of a comprehensive and detailed scheme.

Hard landscaping is to be permeable where suitable subject to further investigative works.

A landscaping scheme would be secured by way of condition and would be required to provide rich and diverse planting to achieve biodiversity net gains.

8.20 Construction Management:

A Construction and Environmental Management Plan would be required by reserved matters to ensure that construction related traffic would be suitably managed in relation to the site, including delivery times, parking, types of vehicles and construction traffic movement on and around the site. The Plan would demonstrate how the environmental impacts of construction upon neighbouring occupants would be mitigated. The plan would also include pollution mitigation measures.

8.21 Community Infrastructure Levy:

The development is CIL liable.

8.22 Human Rights Implications:

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.

8.23 Conclusions:

This application is recommended for approval subject to conditions and to a Section 106 Legal Agreement for Affordable Housing, Local Labour Agreement and Transport contributions.

**9. Recommendations**

9.1 Recommendation to approve the application subject to the following conditions:

## 10. Conditions

- 10.1 **Time Limit:** The development hereby permitted shall be begun before the expiration of three years from the date of permission.

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

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

- 0001 - OS Map & Location Plan
- 2000-P5-Proposed Site Plan (Amended)
- 2300 - Proposed Site Section
- 2102 - Proposed GA Plans 3b Terraced
- 2100 - Proposed GA Plans 3b Terraced
- 2101 - Proposed GA Plans 3b Terraced
- 2108 - Proposed GA Plans 3b Semi-Detached 2
- 2107 - Proposed GA Plans 3b Semi-Detached 2
- 2106 - Proposed GA Plans 3b Semi-Detached 2
- 2105 - Proposed GA Plans 3b Semi-Detached 1
- 2104 - Proposed GA Plans 3b Semi-Detached 1
- 2103 - Proposed GA Plans 3b Semi-Detached 1
- 2113 - Proposed GA Plans 3b Detached
- 2114 - Proposed GA Plans 3b Detached
- 2109 - Proposed GA Plans 2b Terraced
- 2110 - Proposed GA Plans 2b Terraced
- 2111 - Proposed GA Plans 2b Apartment
- 2112 - Proposed GA Plans 2b Apartment
- 2206 - Proposed GA Elevations Detached
- 2205 - Proposed GA Elevations Apartment
- 2200 - Proposed GA Elevations 3b Terraced
- 2203 - Proposed GA Elevations 3b Semi-Detached 2
- 2202 - Proposed GA Elevations 3b Semi-Detached 1
- 2204 - Proposed GA Elevations 2b Terraced.

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

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

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

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

Details shall include:

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

Any new tree(s) that die(s) are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which die, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details unless agreed otherwise with the Local Planning Authority.

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

- 10.5 **Archaeology 1:** No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

- 10.6 **Archaeology 2:** No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition [ARCH 1]

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

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

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

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

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

- 10.9 **DCEMP:** Prior to commencement of development, including any ground and demolition works, a Demolition Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved DCEMP shall be implemented and adhered to in full throughout the entire demolition/construction period. The DCEMP shall provide details as appropriate, which shall address but not be restricted to the following matters:

- sequence and schedule of demolition phases;
- the anticipated number, frequency and types of vehicles used during development;
- the method of access and egress and routing of vehicles during development;
- parking of vehicles by site operatives and visitors;
- loading and unloading of plant, materials and waste;
- method of removing material from the site, including special measures for hazardous material;
- times of any deliveries related to the development, which should avoid peak travel times;
- photographic survey of the condition of the surrounding highway;
- storage of plant and materials,
- erection and maintenance of any security hoarding;
- provision and operation of wheel washing facilities or any other works required to mitigate the impact of development upon the public highway (including the provision of temporary Traffic Regulation Orders);
- measures to manage the impact upon local air quality;
- air quality monitoring;
- confirmation of no burning of materials on site;
- operating hours;
- anticipated timescales for completion of the works;
- measures to manage flood risk during construction; and
- public notification, including site notices with public contact details during the works.

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

- 10.10 **Contamination Remediation Strategy:** No development approved by this planning permission shall commence until remediation strategy to deal

with risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the foreign components:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - Potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at this site
1. A site investigation scheme, based on (1) to provide information for detailed assessment on the risk to all receptors that may be affected, including those off-site
2. the results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they had to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate the works set out in the in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National planning policy framework.

- 10.11 **Contamination Verification Report:** Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

- 10.12 **Other contamination:** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local

planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

- 10.13 **Piling Method Statement:** Piling using penetrative methods shall not be carried out other than in accordance with a Piling Method Statement, which shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework.

- 10.14 **Infiltration:** No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: In the interest of protecting controlled water sources from pollution as the site is located upon a principal aquifer.

- 10.15 **Drainage:** Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing, by the Local Planning Authority in agreement with Southern Water. Thereafter, the drainage scheme shall be implanted in accordance with the details approved.

Reason: In the interests of the localised flooding and the amenity of the area.

- 10.16 **Travel Plan:** No part of the development shall be occupied until a Travel Plan statement has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and the good practise documentation has published but the Department for Transport and/or as advice by the Highway Authority.

Reason: To encourage and promote sustainable transport.

- 10.17 **EV Charging:** Details of electric vehicle and cycle charging facilities, including their number, specification and location, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the facilities shall be implemented in accordance with the details approved

prior to first use of the development, hereby approved, and retained as such thereafter for the lifetime of the development.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

- 10.18 **Renewables:** Details of micro renewable equipment, including their number and specification, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the facilities shall be implemented in accordance with the details approved prior to first use of the development, hereby approved, and retained as such thereafter for the lifetime of the development.

Reason: To provide on-site sustainable energy production to reduce the energy demands of the development.

- 10.19 **Car parking spaces:** No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

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

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

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

## 11. **Appendices**

None.

## 12. **Background Papers**

None.

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# Agenda Item 9

**Report to:** Planning Applications Committee  
**Date:** 17 July 2023  
**Application No:** 220708  
**Location:** The Oval, Channel View Road, Eastbourne, BN22 7LN  
**Proposal:** Installation of a 3G synthetic turf pitch, carpark extension and landscaping works  
**Applicant:** Messrs Crockford and Thompson  
**Ward:** Devonshire

- Recommendation:**
1. Delegate to the Head of Planning to conclude matters of ecology and biodiversity;  
  
and
  2. On conclusion of the above consultation, subject to resolution of any matters outstanding to approve with conditions, including any recommendations resulting from the consultation process.

**Contact Officer:** **Name:** Neil Collins  
**Post title:** Development Management Lead  
**E-mail:** [neil.collins@lewes-eastbourne.gov.uk](mailto:neil.collins@lewes-eastbourne.gov.uk)  
**Telephone number:** 01323 410000

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## Site Location:



## **1. Executive Summary**

- 1.1 The application is presented to the Planning Committee due to the interest in the application.
- 1.2 The application forms part of a strategy to stabilise, develop and grow Eastbourne A.F.C alongside a programme of investment in both quality of playing facilities and operation. It aims to support a desire to improve facilities in the Borough and to support 'grass roots' football and to encourage healthy lifestyle choices for the community.
- 1.3 The use of the site as an outdoor sports pitch is historic and there are no implications on the planning use class generated by this proposal. Planning permission is sought for development, including the replacement of the existing grass football pitch with a '3G' synthetic turf pitch to meet FA standards, together with improvements to the existing car parking and landscaping works, including the creation of native planting for biodiversity net gain at the site.
- 1.4 The proposal addresses a shortfall in artificial pitches within the Borough, as identified by the Football Foundation in the Local Football Facility Plan (2019) and would deliver improvements to the sporting facilities in the Borough. Together with the conditions recommended by Sport England, the proposal would not only be of benefit to Eastbourne United A.F.C, but would allow for increased access for the community, including local schools, other local football clubs, women's and girl's groups and over 50's walking football.
- 1.5 The impact upon ecology, amenity and the transport network have also been carefully considered and is acceptable on policy grounds, subject to conclusion of final ecology and biodiversity matters.
- 1.6 Officers seek delegated authority from the Committee to conclude the above matters and then to approve, subject to conditions.

## **2. Relevant Planning Policies**

### **2.1 National Planning Policy Framework:**

2. Achieving sustainable development
4. Decision making
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment.

2.2 Eastbourne Core Strategy 2006-2027:

B1: Spatial Development Strategy and Distribution  
B2: Creating Sustainable Neighbourhoods  
C5: Ocklynge & Rodmill Neighbourhood Policy  
D1: Sustainable Development  
D7: Community, Sport and Health  
D8: Sustainable Travel – A2021 Quality Bus Corridor  
D9: Natural Environment  
D10: Historic Environment  
D10A: Design.

2.3 Saved polices of the Eastbourne Borough Plan 2001-2011:

NE4: Sustainable Drainage Systems  
NE28: Environmental Amenity  
UHT1: Design of New Development  
UHT4: Visual Amenity  
UHT5: Protecting Walls/Landscape Features  
UHT7: Landscaping  
UHT8 Protection of Amenity Space  
US4: Flood Protection and Surface Water Disposal  
US5 Tidal Risk  
TR2: Travel Demands  
TR4 Quality Bus Corridors  
TR6: Facilities for Cyclists  
TR11: Car Parking  
LCF21: Retention of Community Facilities.

2.4 Supplementary Planning Documents and other relevant guidance

Sustainable Building Design SPD  
Trees and Development SPG  
EBC Sustainability in Development TAN  
EBC Biodiversity Net Gain TAN  
EBC Electric Vehicle Charging Points TAN.

### **3. Site Description**

- 3.1 The application site is within the ownership of Eastbourne Borough Council and comprises an established football pitch with associated buildings and car parking.

The pitch is surrounded by an historic cinder running track, which has not been in use since 1999 and is overgrown.

To the south, the site is bounded by dwellings fronting Channel View Road and to the north, Wartling Road, which is also residential in character.

To the west is Princes Park Health Centre and Crumbles Pond is located immediately east of the site.

The site is accessed from Sidley Road, which transects Channel View Road and provides car parking in an 'unmarked' arrangement.

- 3.2 The site is located within the 'Ocklynge and Rodmill' as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013).

#### **3.3 Site Constraints**

Predominantly Residential Area

Environment Agency - Flood Zone 3

Strategic Flood Risk Assessment – Flood Zone 3a.

### **4. Proposed Development**

- 4.1 The application seeks planning permission for the replacement of an existing grass football pitch with a '3G' synthetic turf pitch. This would involve the levelling of the existing pitch surface and replacement with the synthetic pitch. The application originally proposed building up of the pitch surface, but following concerns on flood capacity of the site from ESCC, this element has been revised to level the pitch through removal of topsoil. This would be redistributed within the site and utilised as part of the biodiversity net gain strategy for use as wildflower planting.
- 4.2 The proposal includes alterations to the existing car parking at the site, comprising an increase in the number of cars able to park at the site, amounting to 81 car parking spaces in total, including nine staff parking spaces and three disabled spaces.
- 4.3 The application proposes other alterations that would allow for a wider access to the site to be achieved for improved movement of traffic in and out of the site.

## **5. Relevant Planning History:**

- 5.1 The site has a long planning history of minor application, the latest of which is 1987, but none is relevant to this planning proposal. As such, the history is not listed within this report.

## **6. Consultations**

### **6.1 Sport England:**

Sport England does not wish to raise an objection to this application as it is considered to meet Sport England's policy. The absence of an objection is subject to the imposition of conditions should the local planning authority be minded to approve the application.

### **6.2 County Football Association/Football Foundation (FA/FF):**

As identified within the application, there is no Playing Pitch Strategy for Eastbourne. However, the Local Football Facility Plan (2019) suggested a shortfall of two Artificial Grass Pitches

The pitch dimensions shown on the proposed plan comply with FA permitted dimensions, whilst the planning documents state that a FIFA Quality pitch is to be provided – which is appropriate for the club's step level of football. The application provides confirmation that the pitch will be tested and placed on the 3G Pitch Register, which is welcome, as is the confirmation that a sinking fund is to be operated to enable the replacement of the carpet and shock pad in the future.

The proposal will support the club in maximising use of the facilities, with an artificial pitch providing increased capacity and therefore provide greater participation opportunities for the club and local community (including women & girls and youth provision identifies within their proposal).

Sussex FA and the Football Foundation are therefore supportive of the intention to develop facilities to help address local shortfalls by providing a facility to meet the required technical specifications.

The documentation does not detail modifications or replacement to the fencing surrounding the perimeter of the pitch, which is recommended to help manage infill loss from the pitch – preventing migration to the environment. The FA Guide to 3G Football Turf Pitch Design Principles and Layouts sets out guidance on managing infill loss – such as through the installation of low-level perimeter boards, and brush-off zones. Additional detail on how the proposal addresses this would be welcome.

6.3 England Athletics:

No objection from England Athletics as the track has not been used since 1999.

However, EA would urge the local authority to forward plan investment in the main 400m athletics facility in Eastbourne - located at Cross Levels Way (BN21 2UF) which will require a resurface in approximately 4years time (last resurfaced in 2000).

6.4 ESCC – Lead Local Flood Authority (SuDS):

The LLFA has dropped an initial objection on grounds of flood capacity following revisions to the scheme.

6.5 ESCC – Local Highway Authority:

No objection – Following revisions and subject to the imposition of conditions, including to secure a Management Plan and Travel Plan for the site, the Highways Officer recommends approval of the application.

6.6 Environment Agency:

No response received.

6.7 EBC – Specialist Advisor (Ecology and Biodiversity):

The Council's Ecologist has responded twice to consultation on ecology and biodiversity matters. Firstly, to request the submission of further information and again to advise that final work is required on the ecological impacts of redistributed topsoil.

Liaison is ongoing with regard to the final matters, which will be concluded in accordance with the recommendation to Members.

**7. Other Representations**

7.1 Notification:

Notification of this application has been undertaken in the form of:

- a. neighbour notification letters;
- b. site notices displayed in roads neighbouring the site.

7.2 Neighbour Representations:

A significant number of objections have been received following neighbour notification, including a petition (although no reasons for objection are

included therewith). Letters of support have also been received. Objections received on material planning grounds are listed below:

- Traffic generation
- Parking
- Noise and disturbance
- Light pollution
- Hours of use.

7.3 Other Representations:

None.

**8. Appraisal:**

8.1 Key Considerations:

8.2 Principle:

There is no principal conflict with adopted policy, which would prevent approval of the application, subject to consideration of the design and visual impact upon the character of the area and the impact upon the amenity of neighbouring occupants and other material planning considerations, pursuant to the requirements of the National Planning Policy Framework (2021), policies of the Core Strategy 2006-2027 and saved policies of the Eastbourne Borough Plan 2001-2011.

The proposal is, in principle, in alignment with the overarching aims of promoting healthy lifestyle choices and providing improved community facilities for the Borough.

8.3 Design, Character and Impact Upon Landscape:

In terms of the visual amenity of the area, the proposals would not have any significant impact upon the wider area, given that the site is relatively enclosed and does not feature heavily in views from public areas.

However, the proposal would bring environmental improvements through the creation of wildflower planting areas and it is envisaged that, subject to the approval of a good quality native planting scheme, that the amenity of the site would be improved in general.

8.4 Ecology and Biodiversity:

The National Planning Policy Framework (NPPF) states that 'planning policies and decisions should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity...' and that 'opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity...'

The site is potentially ecologically sensitive, insofar as the Crumbles and Horsey Sewers Local Wildlife Site (LWS) lies north-east of the site and is hydrologically connected to the Crumbles Pond, which lies adjacent to the eastern boundary of the site.

The proposals originally comprised an increase of 150mm to the level of the pitch and this was met with objection from the LLFA on grounds that this would reduce the capacity of the site for flood water should it be required at times of flooding.

This in-turn led to a revised proposal to skim the surface of the pitch to level it ready for the synthetic pitch installation and for the resulting topsoil to be redistributed elsewhere on the site.

Following comments received from the Council's Specialist Advisor (Ecology and Biodiversity), a Preliminary Ecological Appraisal was commissioned by the applicant to survey the site for protected species/habitats and the impact of the topsoil distribution.

The applicant has explored use of the topsoil from the pitch for replanting in the interest of achieving biodiversity net gain for the site and mitigating the loss of any regrowth over the cinder athletics track. However, consultation with the Specialist Advisor has not been concluded and this is required prior to determination.

Both the Council's Ecologist and Sport England have raised the issue of microplastic pollution given the close proximity to the aquatic environment. As such, in line with Sport England's recommendations, a condition would capture measures to prevent the infill material from the pitch from environmental pollution, for example from surface water run off or player transfer. This can be prevented through an alternative (biodegradable) material being used, and/or through physical barriers. The details would be agreed with the respective consultees prior to discharge of the condition.

#### 8.5 Transport and Parking:

The proposal would not affect the planning use of the site, which is established. However, the improvements to the pitch would allow for more engagement with the facilities and a greater frequency of use, together with continued use throughout the seasons of the year. It is therefore envisaged that the proposal will generate increased trips to and from the site.

The site is in a sustainable location, with good access to public transport. Bus stops are located on Royal Parade (C558) and Seaside (A259) within 300m from the site access. These stops provide regular services to all of Eastbourne including the Town Centre and Hastings.



The nearest railway station is Eastbourne Station, where connections are available to London, Lewes and Brighton; however this is approximately 2.5km from the site.

The site is accessed from Channel View Road via Sidley Road. Alterations would allow for a wider access to the site to prevent blockages and ease traffic movements.

Turning to the issue of parking, the proposals would increase the level of parking at the site. East Sussex County Council Parking Guidance for Non-residential does not detail the level of parking required for football grounds and as such the number of pitches and intended usage has been considered to justify the level of parking provided. The current arrangement is unallocated, although 30 vehicles could reasonably be accommodated. The proposals would increase the provision to 81 parking spaces in total, including 9 staff spaces and 3 disabled spaces.

The Highway Officer advises that securing a Parking Management Plan by condition of permission would be sufficient to ensure that the vehicular movements would be suitably controlled on days of high demand, such as match days and/or tournaments, when increased visitors numbers would be expected. This would include stewardship over the grounds, the number and position of which would be agreed by the Highways Officer. However, based upon expected usage of the pitches, taking account of their number, sizes and expected player numbers, it is not envisaged that the site would be oversubscribed to a degree that would exacerbate on-street parking demand when compared to the existing arrangement.

Together with this, a Travel Plan (Statement) would be sought to encourage the use of alternative means of transport to the site other than private motor vehicle and this would also be secured by condition.

Cycle storage has not been provided; cycle parking would need to be incorporated within the design to encourage cycling to and from the ground. The storage would need to be conveniently located, covered and secure to encourage use. Details should be secured by condition.

Two electric vehicle charging spaces (with one charging device) would also be sought by condition of approval in line with the Council's Electric Vehicle Charging Points Technical Advice Note.

#### 8.6 Residential Amenity:

The use of the site as a sporting facility is established and unfettered. This means that the site can be used unrestricted.

However, this does not mean that the proposal would be no greater in terms of disturbance than the existing arrangement, as the proposal would generate greater use – as outlined within the submitted information.

The applicant is proposing the following hours of use and the busiest times are expected to be between 5pm – 10pm Monday to Friday for coaching sessions.

Monday to Friday - 9am to 10pm

Saturdays - 9am to 10pm

Sundays - 10am – 10pm.

Officers support the increased use of the pitch facilities, but do not agree that there should be no respite from the potential noise disturbance based upon the hours above. Officers will seek to reach agreement on further restricted hours and these will be reported to the Committee for consideration and secured by condition.

There has also been considerable concern raised from neighbouring residents from light pollution and the hours restriction will take account of the potential for disturbance in nighttime hours. This issue and any other mitigation agreed with the applicant will be reported to the Committee.

The requisite Parking Management Plan would seek to ensure that vehicles arrive and leave in an orderly fashion on matchdays to reduce the potential for disturbances arising.

#### 8.7 Flooding and Drainage:

The application site is located within the Environment Agency's Flood Zone 3 and is identified as Flood Zone 3a within the Council's Strategic Flood Risk Assessment 2022 (SFRA). This means that the site is at high risk of flooding. The SFRA also shows Crumbes Pond as being Flood Zone 3b (Functional Flood Plain).

ESCC as Lead Local Flood Authority has been consulted regarding the proposals. The original proposals to raise the level of the pitch by 150 millimetres was met with objection from the LLFA, due to the reduction in flood water capacity at the site. The proposals were therefore revised at the request of officers to address this issue and now propose a reduced level for the pitch with topsoil being redistributed to other areas of the site. This would maintain the flood water capacity of the site and the LLFA have agreed this revision following re consultation.

The existing grass pitch provides infiltrated drainage for surface water. The proposed synthetic replacement pitch would offer similar infiltration properties. However, at times of heavy rainfall all flooding this could lead to dissemination of the pitch infill material to other areas of the site or to the neighbouring Crumbles Pond or beyond. Therefore, as mentioned above there is a need for features to be agreed to prevent material from leaving the pitch. A condition has been drafted, which would seek details regarding either drainage or other preventative measures to protect against environmental pollution.

#### 8.8 Ecology and Biodiversity:

A Preliminary Ecological Appraisal Report was submitted as part of this application which has concluded that no evidence was recorded on site which would suggest that the development proposals are likely to have a major adverse effect upon biodiversity. The main body of the site is formed of building, hard / bare ground and grassland with limited species diversity; this habitat is of limited ecological value.

The proposal has considered the ecological enhancement within the proposed development and this can be secured by way of a condition.

#### 8.9 Planning Obligations:

The planning application qualifies for a Local Employment and Training Agreement as it meets the thresholds for a commercial development as detailed on page 11 of the Employment and Training Supplementary Planning Document, adopted November 2016.

The Regeneration team requests that were any approval to be given it is subject to a Local Employment and Training Agreement. This agreement would be secured by S106 legal agreement.

The Travel Plan for the development would be secured by S106 agreement, together with any additional heads of terms that are requested by ESCC Highways, comments from whom are yet to be received at the time of writing.

#### 8.10 Human Rights Implications:

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.

#### 8.11 Conclusions:

Subject to conclusion of remaining matters and consultations and delegated authority, this application is recommended for approval, subject to conditions.

### **9. Recommendations**

9.1 Recommendation to approve the application subject to the following conditions:

### **10. Conditions**

10.1 **Time Limit:** The development hereby permitted shall be begun before the expiration of three years from the date of permission.

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

10.2 **Drawings:** The development hereby permitted shall be carried out in accordance with the approved drawings:

- Updated by addendum

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

10.3 **Landscaping:** Prior to the completion or first occupation of the development, hereby approved, whichever is the sooner; details of the treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.

Details shall include:

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

Any new tree or planting that dies or is removed, becomes severely damaged or diseased within five years of this permission shall be replaced in the following planting season. Replacement planting shall be in accordance with the approved details unless agreed otherwise with the Local Planning Authority.

Reason: To safeguard and enhance the character and amenity of the area and in the interest of the biodiversity of the site.

10.4 **Details of pitch:** No development shall commence until details of the design and layout of the mitigation for the grass infill of the artificial grass pitch have been submitted to and approved in writing by the Local Planning Authority following consultation with Sport England. The Artificial Grass Pitch shall be constructed in accordance with the approved details prior to first use of the development, hereby approved, and retained as such for the lifetime of the development.

Reason: To ensure the development is fit for purpose and sustainable and to prevent impacts upon ecology and local watercourses.

10.5 **Pitch certification:** Use of the development shall not commence until:

- (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf, FIFA Quality or equivalent International Artificial Turf Standard (IMS); and
- (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches

have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits.

- 10.6 **Community Use Agreement:** Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the artificial grass pitch, lighting, changing accommodation including toilets and car parking and include details of pricing policy, hours of use, access by non-members, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities and to ensure sufficient benefit to the development of sport.

- 10.7 **Cycle Parking:** Details of covered and secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the cycle parking facilities shall be provided in accordance with the approved details prior to first use of the development, hereby approved, and retained as such for the lifetime of the development and shall not be used other than for the parking of cycles.

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

- 10.8 **Travel Plan:** No part of the development shall be occupied until a Travel Plan (Statement) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport and/or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

- 10.9 **EV Charging:** Details of electric vehicle and cycle charging facilities, including their number, specification and location, shall be submitted to

and approved in writing by the Local Planning Authority. Thereafter, the facilities shall be implemented in accordance with the details approved prior to first use of the development, hereby approved, and retained as such thereafter for the lifetime of the development.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

- 10.10 **Access:** Prior to commencement of development hereby proposed the altered access shall be in the position shown on the submitted plan (Proposed layout) and laid out and constructed in accordance with the (attached HT407 form) and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority.

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

- 10.11 **Parking provision:** The development shall not be occupied until a parking area has been provided in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the area(s) shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

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

- 10.12 **Parking space dimensions:** The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

- 10.13 **Vehicular turning space:** The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the details which shall have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority) and the turning space shall thereafter be retained for that use and shall not be obstructed.

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

- 10.14 **Parking Management Plan:** The development hereby permitted shall not be brought into use until a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include, as a minimum, the Stewarding Plan and location of stewards, identification of suitable parking areas in the event that the football car park is full, methods of advising

users of the football Club of the Parking Management Plan, staggered start times and a statement to increase awareness/use of sustainable travel options. The document should also detail that the parking situation will be monitored for a year after operation and should there be any issues that suitable measures to be agreed will be implemented to mitigate the development.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and the impact upon the highway network

10.15 **Hours of use:** The use, hereby approved, shall only operate within the following hours:

- Hours to be agreed

Reason: In the interest of protecting the amenity of neighbouring occupants.

## 11. **Appendices**

11.1 None.

## 12. **Background Papers**

12.1 None.

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# Agenda Item 10

**Report to:** Planning Applications Committee  
**Date:** 17 July 2023  
**Application No:** 230318  
**Location:** Upperton United Reformed Church, Upperton Road, Eastbourne  
**Proposal:** Installation of roof top plant on new church centre  
**Applicant:** Reverend Paul Tabraham  
**Ward:** Upperton  
**Recommendation:** Approve, subject to conditions.

**Contact Officer:** **Name:** Chloe Timm  
**E-mail:** [chloe.timm@lewes-eastbourne.gov.uk](mailto:chloe.timm@lewes-eastbourne.gov.uk)

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## Site Location Plan



## **1. Executive Summary**

- 1.1 The application is being presented to the Planning Committee at the request of a Ward Councillor.
- 1.2 The application seeks retrospective planning permission for the retention of roof top plant already installed which includes the provision of 6no vent turrets.
- 1.3 The application is considered to be acceptable in policy terms and would not have any detrimental impact on the amenities of the neighbouring occupiers or the surrounding area.

## **2. Relevant Planning Policies**

### **2.1 National Planning Policy Framework:**

- 2. Achieving sustainable development
- 4. Decision making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment.

### **2.2 Eastbourne Core Strategy 2006-2027:**

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C2: Upperton Neighbourhood Policy
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D10: Historic Environment
- D10a: Design.

2.3 Saved policies of the Eastbourne Borough Plan 2001-2011:

NE14: Source Protection Zone

UHT1: Design of New Development

UHT4: Visual Amenity

HO2: Predominantly Residential Areas

HO20: Residential Amenity

TR4 Quality Bus Corridors.

**3. Site Description**

3.1 The site is located on the north side of Upperton Road on the corner of Watts Lane in a somewhat mixed use, but predominately residential area. Upperton Road is part of one of the main routes in and out of Eastbourne and serves a number of local and area-wide bus routes.

3.2 The application site is a to be used as a church and is comprised of three-storey brick-built building with grey mansard roof, the site provides parking at ground floor level with entrance foyer and access to the rest of the building to the congregation hall, gallery, offices, vestry, prayer room, meeting rooms and 2no second floor roof top gardens. A secondary access to the building is located on the side elevation on Watts Lane.

3.3 Planning permission for the church was approved in 2018 and works to complete the building are still underway.

3.4 The site is not located within a conservation area, nor is it statutorily listed.

3.5 Site Constraints:

Covenant – Gilbert Estate

Predominantly Residential Area

Source Protection Zone

Archaeological Notification Area.

**4. Proposed Development**

4.1 This application involves retrospective planning permission for the installation of roof top plant.

4.2 The proposal includes 3no air handling units, 1no kitchen extract fan and 6no vent turrets located on the roof of the newly built church, which is still under construction.

## 5. Relevant Planning History:

- 5.1 **160590:** Demolition of existing United Reformed Church and construction of new church and community centre.  
Planning Permission Approved Conditionally 05/01/2018.
- 5.2 **180411:** Application for approval of details reserved by conditions, 3) Construction Method Statement, 6) Geotechnical investigation, 7) Archaeological Works, 10) Construction Traffic Management Plan, 12) Wheel Washing, 20) Retention/Protection of Boundary Wall, 22) Deposit of Materials On-Site and 23) Employment and Training. (P/C 160590).  
Approval Of Condition Issued 05/06/2019.
- 5.3 **200157:** Application to vary condition 2 (approved plans), condition 9 (access gates) to allow for installation of telescopic bollards in place of gates, and conditions 13 (cycle parking) and 14 (turning space) to allow for amended parking level layout - following grant of planning permission 160590.  
Approval of Condition Discharged 21/04/2020.
- 5.4 **200230:** Approval of details reserved by conditions 5 (lighting), 8 (access) and 11 (surface water) following grant of planning permission 05 January 2018 (as varied 21st April 2020) for Demolition of existing United Reformed Church and construction of new church and community centre (ref 200157).  
Approval of Condition Discharged 21/05/2020.
- 5.5 **210623:** non-material amendment application for original roof lantern design - Planning application 160590 Condition 4/Materials.  
Non-Material Amendment Issued 03/08/2021.
- 5.6 **210945:** Application for approval of details reserved by condition 7 (Archaeology), condition 15 (Hours of Occupation) and condition 21 (Boundary Treatment) pursuant to planning consent 160590 granted on 05/01/2018.  
Approval of Condition Discharged 12/01/2022.
- 5.7 **230090:** non-material amendment application in relation to planning permission 160590 granted on 05/01/2018 to include amendment to privacy screens, 1no door at ground floor, 2no doors at first floor level, 4no windows at second floor level, and to include protective guarding to roof (amended description).  
Non-material Amendment Issued 11/04/2023.

## 6. Consultations:

6.1 Environmental Protection:

The Specialist Advisor in Environmental Protection has confirmed that there is no objection to the proposal and that the proposal would well within tolerance limitations where noise nuisance was Lilley to become an issue.

**7. Other Representations:**

7.1 Notification

Notification of this application has been undertaken in the form of:

- a. Neighbour notification letters;
- b. Site notices displayed in roads neighbouring the site.

7.2 Neighbour Representations:

4 letters of objection have been received, which raise the following concerns based upon material planning grounds:

- Noise;
- Visual Impact.

7.3 Other Representations:

Impact to house prices;  
Impact to views;  
New church building is overbearing.

**8. Appraisal:**

8.1 Principle:

The principle of the new church building as a whole was previously established under planning application 160590.

This application is reviewing the roof top plant and vent turrets only and is to determine whether there is a detrimental impact on the amenities of the neighbouring occupiers and the visual amenity of the area along with compliance with other national and local planning policies.

## 8.2 Design, Character and Impact Upon Landscape:

The majority of the roof top plant is not visible within the surrounding street scene or within wider views. However, due to the topography of Watts Lane the roof top plant is visible in the immediate area.

The vent turrets are grey in colour to match the grey slate of the mansard roof and minimise the overall visual impact.

A key feature, and tallest part of the church building is the tower, which is located on the westernmost corner of the site. The roof lantern for the tower forms the highest part of the building. The highest vent turret sits approximately 1.9m below the highest part of the roof lantern.

Whilst the turrets are visible within the roof from certain views surrounding the site, they do not add to the overall bulk of the building and are not out of keeping.

## 8.3 Residential Amenity:

The roof top plant has been reviewed by the Councils Specialist Advisor in Environmental Protection, who has confirmed that they have no adverse comments relating to noise from the air handling plant and kitchen extract units.

*The Specialist Advisor comments that 'The plant described is modern, efficient, well insulated and, additionally, fitted with appropriate noise attenuators. The data provided by the manufacturers has a tolerance factor built into it as it presents the worst case scenario (ie plant running at maximum capacity), which is never the case when the plant is in use.*

*The acoustician's calculations are correct and appropriately presented and the predicted sound emissions lie comfortably within the planning condition limits'.*

A condition is recommended by the Specialist Advisor (at paragraph 9.2), which ensures that only the approved plant shall come into operation and any departure from this would require separate approval prior to first use, in the interest of protecting residents.

The residential properties of Watts Lane are sited above street level and will have an increased view of the roof top plant and vent turrets. Whilst visible, the views of the turrets are not considered to have a harmful impact on residential amenity.

8.4 Use:

The plant is expected to be in operation between the hours of 07:00 and 23:00 when the church building is in use. The plant provides ventilation throughout the building and also provides extract for the kitchen on the first floor.

8.5 Human Rights Implications:

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.

8.6 Conclusions:

The application is found to be in accordance with national and local planning policies and will not have a detrimental impact on the amenities of neighbouring residential occupiers or have a harmful impact on the visual amenity of the surrounding area.

**9. Recommendations**

9.1 The application is recommended for approval, subject to conditions.

**10. Conditions:**

10.1 Drawings: The development hereby permitted shall be carried out in accordance with the approved drawings submitted on **29<sup>th</sup> January 2020:**

- Drawing: UPC.15/158P Revision B – Proposed Third/Roof Floor Plan on Existing Site Plan
- Drawing: UPC.15/159P Revision E – Elevation Sheet 1
- Drawing: UPC.15/160P Revision E – Elevation Sheet 2
- Document: Acoustic Design Specification
- Document: Assessment of Ventilation Plant Noise

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

- 10.2 **Plant:** No plant and/or machinery, other than those hereby approved, shall come into operation until full specifications, and any mitigation measures required to achieve this condition, have first been submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed 48 dBA between 0700 and 2300 hours and 37 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest residential premises. The measurements and assessment shall be made according to BS 4142:2014.

Reason: In the interest of protecting residents against the potential for future noise disturbance.

**11. Appendices**

None.

**12. Background Papers**

None.



**Report to:** Planning Applications Committee  
**Date:** 17 July 2023  
**Application No:** 230381  
**Location:** 24 Hurst Road, Eastbourne, BN21 2PW  
**Proposal:** Erection of 3no. 4-bedroom dwellings. Resubmission of approved planning application 220566  
**Applicant:** Miss Cara Christie  
**Ward:** Upperton  
**Recommendation:** Approve Conditionally

**Contact Officer:** **Name:** Chloe Timm  
**E-mail:** [Chloe.Timm@lewes-eastbourne.gov.uk](mailto:Chloe.Timm@lewes-eastbourne.gov.uk)

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**IMPORTANT NOTE: This scheme is CIL Liable.**

## Site Location Plan



## **1. Executive Summary**

- 1.1 The application is being presented to the Planning Committee at the discretion of the Head of Planning as it seeks a revision to a previous permission granted by the Planning Committee in October 2023.
- 1.2 The pre-existing dwelling has been demolished following the grant of permission by the Planning Committee. This application seeks permission for a revised scheme which utilises the loft space to provide an additional bedroom within each dwelling, amounting to 3no detached four-bedroom dwellings. The dwellings would comprise four storeys, set at lower ground, ground and first floor levels with converted roof space. The scheme includes the provision of off-road parking to the front and landscaped gardens to the rear and balconies at ground floor level on the rear elevation.
- 1.3 The application is a resubmission of planning application 220566, which was approved conditionally for the erection of 3no three-storey three-bedrooms, the approved proposal did not include the use of the roof space as a fourth bedroom.
- 1.4 The application is considered to comply with national and local policies and is therefore recommended for approval subject to conditions.

## **2. Relevant Planning Policies**

### **2.1 National Planning Policy Framework:**

- 2. Achieving sustainable development
- 4. Decision making
- 5. Delivering a sufficient supply of homes
- 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 2006-2027:**

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C2: Upperton Neighbourhood Policy
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D10: Historic Environment

D10a: Design.

2.3 Saved policies of the Eastbourne Borough Plan 2001-2011:

NE4: Sustainable Drainage Systems

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

HO3: Retaining Residential Use

HO6: Infill Development

HO7: Redevelopment

HO11: Residential Densities

HO20: Residential Amenity

TR11: Car Parking

US1: Hazardous Installations.

2.4 Supplementary Planning Documents and other relevant guidance:

Sustainable Building Design SPD

Trees and Development SPG

Sustainability in Development

EBC Sustainability in Development TAN

EBC Biodiversity Net Gain TAN

EBC Electric Vehicle Charging Points TAN.

**3. Site Description**

3.1 The application site comprises a corner plot with Hurst Road and Rossington Close, which formerly accommodated a single storey bungalow. The building that formerly occupied the site has since been demolished and the site is currently vacant.

3.2 Hurst Road slopes downwards from South to North and West to East with the application site itself sloping from West to East.

3.3 The existing property has an existing access from Hurst Road and vegetation surrounding the footprint of the former dwelling and there is evidence of this recently being cleared and the cutting down of trees.

- 3.4 The site is neither located within a designated Conservation Area, nor is the building statutorily listed.
- 3.5 The application site is within an archaeological notification area and is within 50m of a high-pressure gas line.
- 3.6 Hurst Road is mainly comprised of two storey terraced properties with the exception of the application site and two pairs of semi-detached properties, adjoining the site and opposite the site.
- 3.7 Immediately north of the site are semi-detached two-storey dwellings (ground and lower ground floor levels) and opposite the site are three-storey semi-detached dwellings. The properties on the western side of Hurst Road sit above the properties on the eastern side due to the topography of the road.
- 3.8 Site Constraints  
Predominantly Residential Area  
Gas High Pressure 50m Buffer Zone  
Archaeological Notification Area  
Covenant – Trustees of the Chatsworth Estate.

#### **4. Proposed Development**

- 4.1 The application is seeking planning permission for the demolition of the existing bungalow and the erection of 3no dwellings.
- 4.2 The proposal is for 3no four-bedroom, four-storey detached dwellings with lower ground, ground, first and converted roof space with gross internal area of 163.8m<sup>2</sup> approximately.
- 4.3 The layout for each dwelling is a bedroom with ensuite and direct access to the rear garden at lower ground floor level, open plan kitchen/living space with balcony leading to stairs down to the garden, w.c, and study at ground floor level. At first floor level will be two-bedrooms and a family bathroom and the loft space will have one-bedroom with ensuite.
- 4.4 Facing materials include a mix of brickwork, tile hanging, off white render, composite cladding and slate roof tiles.
- 4.5 The proposal includes 2no off road parking spaces to the front and a landscaped garden to the rear.
- 4.6 It should be noted planning permission has been granted previously for the same proposal without the bedroom and ensuite in the roofspace.

#### **5. Relevant Planning History:**

- 5.1 220216: Demolition of existing dwelling and erection of 3no 3-bedroom dwellings.  
Planning Permission, Refused, Decision Date: 27 May 2022.

- 5.2 220566: Demolition of existing dwelling and erection of 3no. 3-bedroom dwellings (resubmission of refused planning application 220216)  
Planning Permission, Approved Conditionally, Decision Date: 26/10/2022.
- 5.3 230055: Non-material amendment application in relation to planning consent 220566 granted on 26/10/2022 for alterations to external materials to all elevations (amended proposal).  
Non-Material Amendment, Issued, 28/03/2023.
- 5.4 230202: Variation of a condition 2 (Approved Plans) following grant of planning permission 26/10/2022 (ref 220566) to include additional bedrooms to form 3no four-bedroom dwellings.  
Variation of Condition, Withdrawn.

**6. Consultations:**

*Please note, planning application 220566 was granted 26/10/2022 since this date further clearance of the site and works have commenced, the below comments are from application 220566 and still stand:*

6.1 Specialist Advisor (Arboriculture)

Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) in relation to T1 and G1 and to include ground protection methods and construction exclusion zone (CEZ) where applicable.

Tree Group 1 (G1) in relation to concrete hard standing adjacent this tree group. Root Protection Areas (RPA's) are to be shown. If excavations are to be undertaken, they must be done so under arboricultural supervision. It is advised that trial pit excavations are undertaken along this location to identify tree root presence and density or lack of. Photographic evidence and report of findings are to be submitted. Working methods as per Volume 4: NJUH+G Guidelines for the Planning, Installation and Maintenance Apparatus in proximity to trees (Issue 2), gives guidance when excavating in close proximity to trees. Supporting documentation is to demonstrate arboricultural protection methods when working in close proximity to trees.

6.2 County Archaeology:

The proposed development site lies within an archaeological notification area (a non-designated heritage asset) associated with Saxon burial, a possible medieval and post-medieval milling. In 1993, an *in-situ* human burial dating to the later Anglo-Saxon period was discovered at 27 Hurst Road, just c.70m South-West of the application site. In my opinion, any groundwork undertaken outside the footprint of the building that currently occupies the site have the potential to expose below ground in-site archaeological features, deposits and artefacts including further inhumations perhaps associated with a wider Anglo-Saxon cemetery.

In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area

affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in-situ or, where this cannot be achieved adequately recorded in advance of their loss. These recommendations are in line with the requirements given in the NPPF.

In furtherance of this recommendation, we shall be available to advise the applicant on how they can best fulfil any archaeological condition that is applied to their planning permission and the provide a brief setting out the scope of the programme of works.

The **written scheme of investigation**, referred to in the recommended condition wording, will set out the contracted archaeologist's detailed approach to undertake the programme of works and accord with the relevant sections of the Sussex Archaeological Standards (2019).

6.3 Specialist Advisor (CIL):

The application is liable for CIL.

7. **Other Representations:**

7.1 Notification:

Notification of this application has been undertaken in the form of:

- a. Neighbour notification letters;
- b. Site notices displayed in roads neighbouring the site.

7.2 Neighbour Representations:

For committee scheduling the officer report was submitted prior to the end of the consultation period.

To date, no representations have been received.

All representations received following the submission of the report, along with any amendments/adjustments to the officer report/recommendation will be provided by an addendum to the committee.

8. **Appraisal:**

8.1 Key Considerations:

Planning permission for 3no three-bedroom dwellings have already been granted under reference 220566. This application is seeking permission for the inclusion of a converted roof space to create an additional bedroom with ensuite.

9. The proposal includes the installation of 7no roof lights within the roof slopes, no other external changes are proposed.

## 9.1 Principle:

Eastbourne are currently unable to demonstrate a 5-year housing land supply and as such planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the National Planning Policy Framework as a whole.

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.

Any presumption of approval will therefore need to take into account the balance between the 3 overarching objectives of sustainable development, (these being social, economic and environmental benefits), as well as other matters identified within the NPPF, such as safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 120), 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. 113).

This is reinforced within the Local Development Framework, with one of the key primary development principles being to provide at least 60% of new residential development within the existing built-up area in well-designed schemes that make efficient use of urban land. Policy HO1 also states that planning permission will be granted for residential schemes in 'predominantly residential areas', one of which the site is located.

## 9.2 Design, Character and Impact Upon Landscape:

The proposal is for the erection of 3no detached dwellings, the design of the proposal has been amended since a previous refused scheme (220216) to include bay window design to the front which is felt to harmonise better with the properties surrounding.

The properties will be set further forward than the original bungalow on-site. The existing building on site and the property of 72 Hurst Road both have a single storey appearance when viewed at street level, this design is not a common characteristic within the street scene of Hurst Road with other properties being formed of two storey terraced housing or semi-detached properties.

The layout of the existing site with the building to the rear is also not a common feature, the application site being the only property set towards the rear of the site, away from the highway, all other properties form a

building line much closer to the highway with limited amenity space to the front.

The site for the proposed dwellings forms the end plot of Hurst Road on the junction to Rossington Close and Selby Road. Being situated at the end of the road gives way for a differing design to be acceptable.

### 9.3 Impact Upon Heritage Assets:

The application site is not listed or located within a conservation area nor will the proposed development impact on the setting of any listed heritage assets.

The nearest heritage asset is St Michael and All Angels Church on Willingdon Road, approximately 100m to the east, the application site is not visible from the Grade II listed building.

### 9.4 Transport and Parking:

The proposal includes off road parking to the front of the proposed dwellings, the East Sussex Highways parking demand calculator advises a total of 6.84 (2.26 per dwelling) spaces should be provided for the development.

The previously approved planning application for 3no three-bedroom dwellings had a parking demand level of 6.78, the level of demand for the fourth bedroom sees an increase of only 0.02 per dwelling

The application site is sustainably located with links to local bus routes in close proximity, Eastbourne train station and the town centre are a short distance away.

The scheme as approved provides for 6 spaces (2 per dwelling), an increase of 0.06 in parking demand, does not warrant enough of a reason for refusal of this application to include a fourth bedroom within the properties.

### 9.5 Residential Amenity:

The proposed dwellings are not considered to have a negative impact on the amenity of the occupiers adjoining or the surrounding area.

The layout for each plot has been considered to ensure minimum impact to the neighbouring occupiers in terms of loss of light, overshadowing and loss of privacy.

New views will be available from the rear of the properties into surrounding gardens, the current building on site is a two storey (ground/lower ground) building, anything of larger design will impact in some way. It is not uncommon for neighbouring properties to have a view into surrounding gardens.



Adjoining properties to the application site are 72 Hurst Road to the north and 143 Burton Road to the east. 143 Burton Road is set at a lower land level than the application site, due to be approximately 30m distance from the proposed properties there are no concerns raised regarding overshadowing or loss of light.

The side elevation of plot 3 will be set approximately 5m from the side elevation of 72 Hurst Road. The original bungalow was centrally located towards the rear of the plot and with no buildings located along the boundary with 72 Hurst Road. The proposed dwellings may cause some overshadowing to the side elevation of the 72 Hurst Road, however, the level of impact is not thought to have a detrimental impact and will mainly impact the paved area to the side of the neighbouring property.

Outlook from the new dwellings will not give direct views into the neighbouring properties surrounding the site. Roof lights are proposed and will have limited views onto neighbouring properties due to the slope of the roof and the height of the sill, which would be controlled by condition.

#### 9.6 Impact of the proposed development on amenity of future occupiers:

The proposal is for the erection of 3no three storey, three-bedroom detached dwellings with an approximate gross internal area (GIA) of 163.8m<sup>2</sup>.

Nationally described space standards advise the minimum requirement for a three storey four-bedroom property for eight persons is 130m<sup>2</sup>. The proposal exceeds the minimum requirement for GIA and the requirement for the provision of bedspaces being a minimum of 2.15m wide and floor area of 7.5m<sup>2</sup>.

The proposal includes two parking spaces to the front of the property along with hedging to the boundaries. To the rear is landscaped garden with a patio area, turf, a tree, and hedging. Plot three will have additional shrubbery and trees to the north side of the rear garden. The plot boundaries will be enclosed with a 1800mm height close board fencing.

The proposed dwellings are considered to provide a good level of accommodation for future occupiers.

#### 9.7 Ecology and Biodiversity:

Prior to planning permission being granted the application site had been cleared of some vegetation and a loss of biodiversity from the site may have occurred. Due to this application taking place after the site being cleared, the level lost is hard to determine.

It is however noted that if the site had not been left to fall into disrepair and the outdoor areas allowed to over grow, it is probable that the level of biodiversity may not have been at such a high level.

The proposal is to have a mix of hard and soft landscaping to the front and rear of the dwellings, final landscaping details will be secured by condition along with a condition for bird and bat boxes to be provided within each plot to further enhance the ecology within the site.

9.8 Human Rights Implications:

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.

9.9 Conclusions:

The proposed erection of 3no four-bedroom dwellings will provide a good level of accommodation for future occupiers and will not have a detrimental impact on the amenities of the neighbouring occupiers or the surrounding area.

For this reason, the application is found to be in accordance with national and local planning policies.

**10. Recommendations**

10.1 Approve, subject to conditions.

**11. Conditions**

11.1 **Timeframe:** The development hereby permitted shall be begun before the expiration of three years from the date of permission.

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

11.2 **Drawings:** The development hereby permitted shall be carried out in accordance with the following approved drawings:

Drawing: 01 Rev E – Location, Block and Site Plan  
Drawing: 02 Rev L – Proposed Plans Plot 1  
Drawing: 03 Rev N – Proposed Plans Plot 2  
Drawing: 04 Rev N – Proposed Plans Plot 3

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

11.3 **Balcony Screening:** Notwithstanding the approved plans, details of privacy screens to the balconies of the development hereby approved,

shall be submitted to and approved in writing by the local planning authority, and shall be retained as such for the lifetime of the development.

Reason: To protect the amenity of neighbouring properties and future occupiers.

- 11.4 **Tree Protection:** Prior to the commencement of works a Tree Protection Plan and Arboricultural Method Statement to include ground protection methods and construction exclusion zones in relation to T1 and Tree G1 are to be submitted and approved in writing by the local planning authority.

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

- 11.5 **Bird/bat boxes:** Details of bird, bat and insect boxes, including their design, number and location on the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the boxes shall be installed in accordance with the details approved prior to commencement of the development or any tree works, hereby approved, and retained as such thereafter.

Reason: In the interest of the protection of bird habitats from the impacts of the development and tree works.

- 11.6 **Construction Management Plan:** Prior to the completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

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

Any new tree(s) that die(s) are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which die, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details unless agreed otherwise with the Local Planning Authority.

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

- 11.7 **SUDS:** Prior to commencement, a surface water drainage scheme and maintenance and management plan shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme should be supported by an assessment of the site's potential for

disposing of surface water by means of a sustainable drainage system. Surface water run off to the surface water sewer network shall be limited to a rate agreed with Southern Water and shall incorporate any required mitigation measures. Thereafter, the approved scheme shall be carried out or supervised by an accredited person. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM). Thereafter, the surface water drainage scheme shall be implemented in full in accordance with the approved details prior to first occupation of the development, hereby approved.

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

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

- 11.8 **SUDS:** Following completion of the SuDS scheme, a Completion Statement by an accredited person, who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM), which demonstrates that the development has been fully implemented in accordance with the approved SuDS scheme, including a photographic record of the works, shall be submitted to and approved in writing by the Local Planning Authority.

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

- 11.9 **Demolition/Construction Management Plan:** Prior to commencement of development, including any ground and demolition works, a Demolition Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire demolition/construction period. The Plan shall provide details as appropriate, which shall address but not be restricted to the following matters:

- sequence and schedule of demolition phases;
- the anticipated number, frequency and types of vehicles used during development.
- the method of access and egress and routing of vehicles during development;
- parking of vehicles by site operatives and visitors;
- loading and unloading of plant, materials and waste;
- method of removing material from the site, including special measures for hazardous material;
- times of any deliveries related to the development, which should avoid peak travel times;

- photographic survey of the condition of the surrounding highway;
- storage of plant and materials,
- erection and maintenance of any security hoarding;
- provision and operation of wheel washing facilities or any other works required to mitigate the impact of development upon the public highway (including the provision of temporary Traffic Regulation Orders);
- measures to manage the impact upon local air quality;
- confirmation of no burning of materials on site;
- operating hours;
- anticipated timescales for completion of the works;
- measures to manage flood risk during construction; and
- public notification, including site notices with public contact details during the works.

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

- 11.10 **Archaeology:** No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

- 11.11 **Archaeology:** The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is agreed in writing with the Local Planning Authority.

- 11.12 **Obscured Glazing:** The upper floor windows in the north elevation of Plot 3 of the development, hereby approved, shall be obscurely glazed and fixed shut, and shall be installed prior to first use of the development and retained as such for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of neighbouring residents and future occupiers.

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

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

- 11.14 **Electric Vehicle Charging Point:** Details of electric charging facilities, including their number, specification and location, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the facilities shall be implemented in accordance with the details approved prior to first use of the development, hereby approved, and retained as such thereafter for the lifetime of the development.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

- 11.15 **Parking:** Prior to first occupation of the development, hereby approved, the car parking spaces shall be provided and clearly marked in accordance with approved drawing No: 01 (Location, Block and Site Plan). The parking spaces shall thereafter be maintained throughout the lifetime of the development and the land on which they are positioned shall be used for no purpose other than for the parking and turning of vehicles.

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

- 11.16 The sill level of the second-floor windows shall be no less than 1.7m above the finished floor level and retained as such for the lifetime of the development, hereby approved.

Reason: In the interest of neighbour amenity.

## 12. Appendices

- 12.1 None.

## 13. Background Papers

- 13.1 None.