

| | | |
|--|---|--|
| App.No: 130708 (PPP) | Decision Due Date: 27 December 2013 | Ward: St Anthonys |
| Officer: Richard Elder | Site visit date: 6 November 2013 | Type: Full Planning Permission |
| Site Notice(s) Expiry date: 24 October 2013 | | |
| Neigh. Con Expiry: 24 October 2013 | | |
| Weekly list Expiry: 27 October 2013 | | |
| Press Notice(s): Submitted 03/10/13 | | |
| Over 8/13 week reason: Within date | | |
| Location: 2-4 Moy Avenue, Eastbourne | | |
| Proposal: Demolition and redevelopment to provide 36 (Class C3) residential units, with associated car parking access and landscaping. | | |
| Applicant: Telereal Trillium | | |
| Recommendation: Recommendation A: Subject to formal agreement of a S106 to cover affordable housing and ESCC obligations, then Chief Officer be delegated to grant full planning permission for demolition and redevelopment to provide 36 (Class C3) residential units, with associated car parking access and landscaping. Recommendation B: In the event that the S.106 is not signed by 4 th April 2014 that delegated authority be given to the Chief Officer to refuse planning permission, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed. | | |

Planning Status:

- Predominantly residential area
- Archaeological Notification Area
- Flood Zone 3a
- Source Protection Zone 1
- Willingdon Levels Catchment Area
- Covenants - Trustees of The Chatsworth Settlement

Relevant Planning Policies:

National Planning Policy Framework (April 2012):

With the adoption of the NPPF, greater weight should be given to sustainable developments, having regard to the environmental, economic and social impact of the proposal. Where a proposal is acceptable in principle, every effort should be made to work up a scheme that addresses any outstanding planning issues, and that addresses the longterm needs of a place, as identified in the Local Plan / Core Strategy.

The following policies are relevant to the application at Moy Avenue:

- Core planning policies:
Para 17 - Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- Delivering a wide choice of high quality homes:
Para 49 - Housing applications should be considered in the context of the presumption in favour of sustainable development.
Para 51 - planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area should be approved provided that there are not strong economic reasons why such development would be inappropriate.
- Requiring good design:
Para 58 - Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks.

Eastbourne Core Strategy Local Plan 2006-2027

| | |
|-----|---|
| B1: | Spatial Development Strategy and Distribution |
| B2: | Creating Sustainable Neighbourhoods |
| C6: | Roselands & Bridgemere Neighbourhood Policy |
| D1: | Sustainable Development |
| D5: | Housing |

Eastbourne Borough Plan (Saed polices, 2007):

| | |
|-------|---|
| UHT1: | Design of New Development |
| UHT4: | Visual Amenity |
| UHT6: | Tree Planting |
| UHT7: | Landscaping |
| HO1: | Residential Development Within the Existing Built-up Area |
| HO2: | Predominantly Residential Areas |
| HO6: | Infill Development |
| H07: | Redevelopment |
| H09: | Conversions and Change of Use |
| HO20: | Residential Amenity |
| TR1: | Locations for Major Development Proposals |
| TR2: | Travel Demands |
| TR5: | Contributions to the Cycle Network |
| TR8: | Contributions to the Pedestrian Network |

| | |
|-------|---|
| TR11: | Car Parking |
| BI1: | Retention of Class B1, B2 and B8 Sites and Premises |
| BI4: | Retention of Employment Commitments |
| NE4: | Sustainable Drainage Systems |
| NE23: | Nature Conservation of Other Sites |
| US4: | Flood Protection and Surface Water |
| US5: | Tidal Flood Risk |

Eastbourne Supplementary Planning Documents:
Sustainable Building Design SPD
Trees and Development SPG

Site Description:

The application site comprises a part 3, part 4 storey commercial building built in the 1970s, currently in use for storage purposes. It is situated within a large level site of 0.69 hectares located on the south east side of Moy Avenue. To the rear of the building is a large hardstanding used as a yard and car parking area, accessed from the south west corner of the site.

The western end of Moy Avenue into Waterworks Road is a mixed commercial and residential area containing mainly 2 storey semi-detached houses and the Southbourne Business Park. The site is bounded by residential houses to the south east along Whitley Road, north east along Moy Avenue and south west along Waterworks Road. 'Walkers' building merchants are located directly opposite.

The site is within a 4 minute walk of the Town Centre and 900m to Eastbourne mainline train station.

Relevant Planning History:

EB/1996/0350

Change of use of ground, mezzanine and first floors from a telephone engineering centre (mixed use of Class B1, B2 and B8 uses) to storage with ancillary office accommodation.

Approved

11-09-1996

EB/1994/0196

Redevelopment for residential purposes.

Outline permission granted conditionally.

27-06-1994

Proposed development:

The application involves the demolition of the part 3, part 4 storey commercial building along the Moy Avenue frontage to facilitate the construction of 36 x 2 and 3 storey houses providing a mix of 2, 3 and 4 bedroom houses.

The frontage to Moy Avenue contains a mix of 2 and 3 storey houses with off-street parking spaces situated within the front gardens. Vehicular access into the site is gained

from a new 7 metre wide entrance road from Moy Avenue approximately 10 metres to the north of the vehicular entrance to the builders merchants site opposite.

Into the site is a row of 9 x 2.5 and 3 storey houses to the south west side of the site with private rear gardens backing onto the rear of houses along Waterworks Road. Opposite these houses are a terrace of 4 x 2.5 storey houses facing the entrance road and partly facing onto an open landscaped area. To the east corner of the site is a terrace of 4 x 2 storey houses and 2 x 3 storey semi-detached houses with private gardens backing onto the rear of houses along Whitley Road. Opposite these houses to the north west is a terrace of 2.5 storey terrace houses centrally located close to the north east boundary of the site.

A detailed financial viability statement has been submitted in support of the proposal to justify the provision of only 5 affordable housing units amounting to a 14% provision of the total to include 2 x 4 bed houses, 2 x 2 bed houses and 1 x 3 bed house and a financial contribution. The viability report has been comprehensively independently appraised by the District Valuation Service (South East) who consider that that this level of affordable housing (after all development costs and values assessed) results in a surplus profit which allows for further contributions/affordable housing. The DVS have, therefore, recommended an alternative proposal of 7 shared ownership units and full S106 contributions of £223,920 is more appropriate. This would be made up of 2 x 2 bed houses, 3 x 3 bed houses and 2 x 4 bed houses, locations for which would be agreed within the S106 legal agreement. The applicants have been informed of this provision.

The proposed houses are of a modern design incorporating a mix of roof shapes and some with dormer windows within the roof slopes to create bedroom accommodation within the roof and others incorporating gable end frontages. First floor rear balconies are provided to all house types incorporating a glass balustrade. A total of 59 car parking spaces would be provided mostly situated within the front gardens up to the edge of the pavement.

Altogether, all 9 trees on site would be removed but would be replaced within a comprehensive landscape scheme.

Consultations:

Planning Policy Manager – Support proposal subject to the amended affordable housing provision and developer contributions recommended by DVS.

Housing Strategy – No objection.

Arboricultural Officer – No objection subject to conditions.

Cleansing Contracts Manager – No comments received.

Highways Dept. – No objection subject to conditions.

Environment Agency – No objection.

County Archaeologist – No objection.

Police – No comments received.

Southern Water – No comments received.

Neighbour Representations:

2 objections and 4 general observations have been received and cover the following points:

- Overdevelopment of the site.
- No sufficient infrastructure to support such a large scheme with local schools and doctors oversubscribed.
- Insufficient parking and lack of visitor spaces would impact on parking on Moy Avenue which is already heavily parked.
- Traffic would increase down Moy Avenue causing more noise, highway safety issues, risk of accidents and congestion.
- Design of houses out of keeping with the character of the surrounding area.
- Position of access may cause undue problems, congestion and conflict with commercial vehicles from the business park. Entrance should be positioned further down Moy Avenue opposite Courtlands Road entrance to create a mini roundabout.
- Asbestos report and demolition plan should be requested prior to demolition.
- Construction traffic to use Waterworks Road only.
- Contamination to be removed prior to construction.

Appraisal:

The main considerations in the determination of this application are the acceptability of the change of use from employment uses to residential, the acceptability of the layout, siting and design, the impact of the proposal on surrounding residential amenity, its impact on the character and appearance of the area, highway safety considerations and the provision of sufficient car parking spaces for residents and visitors.

Principle of Development

Policies BI1 and BI4 of the Eastbourne Local plan aim to prevent the loss of land or buildings currently or last in class B1, B2 or B8 use for non-employment use will not be granted unless the site or premises is genuinely redundant and is unlikely to be re-used or redeveloped for industrial or commercial use.

However, the principle of residential development of the site has effectively been established by the grant of outline planning permission (EB/1994/0196) in June 1994. In addition Policy C6 of the Eastbourne Core Strategy has allocated 2 - 4 Moy Avenue as a 'key area of change' and indicates that there is an opportunity for residential development on this site. This policy also states that the vision for 'Roselands and Bridgemere' will be promoted by delivering additional housing through making more efficient use of land. The site is also included in the Council's 5 Year Housing Land supply.

Paragraph 51 of the National Planning Policy Framework states that planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area should be approved provided that there are not strong economic reasons why such development would be inappropriate.

Paragraph 17 of The National Planning Policy Framework 2012 states that Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Bringing forward development on this site is therefore of critical importance to the Council's spatial development strategy (Policy B2), in order to meet local housing need

and housing targets. The development conforms with the Neighbourhood Policy (Policy C6: Roselands and Bridgemere) in that it 'delivers additional housing through making more efficient use of land'.

The site was identified in the Strategic Housing Land Availability Assessment (SHLAA) and the accompanying schedule of development sites for the Eastbourne Core Strategy Local Plan as having the potential to accommodate 42 net dwellings. Although the application proposes 6 dwellings less than this target, the proposal provides in majority family housing units (ranging from 2 bed houses to 4 bed houses) with private gardens which is beneficial for local housing need, and is in character with the immediate surrounding residential area. Opportunities to create a range in size of family housing units are supported in the Council's Strategic Housing Market Assessment.

As such, it is considered that given the previous permission for residential development in 1994, the site being an identified housing site, the efficient use of the site for an identified housing need, it is considered that the redevelopment of the site for housing is acceptable in principle in accordance with Policy C6 of the Eastbourne Core Strategy and the aims of National Planning Policy Framework 2012.

Layout, Siting and Design

Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout.

Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character.

The existing building on site has a rundown appearance run with some boarded up windows and has no significant architectural merit or adds any aesthetic value to the appearance of the local area. Its relationship to no.6 Moy Avenue to the north in terms of siting and scale is somewhat dominating and unneighbourly. As such, it is considered that the demolition of the existing building is acceptable and its replacement with lower level housing would create a distinct improvement to the appearance of the street scene, visual amenity and neighbouring residential amenity.

The design approach of the houses is of a modern variety of similar styles incorporating a more standard traditional approach to the 2 storey, 2 bed houses and a more quirky stylised design to the 2.5 and 3 storey houses where the fenestration takes on an irregular fenestration pattern and window size to the front elevations and large windows, doors and balconies to the rear elevations. It is considered that the overall house design is original and aesthetically pleasing subject to an appropriate palette of materials.

The number and layout of the houses within the site appears to be well structured with reasonably good sized rear gardens and spacing between the housing clusters and terraces. The houses have been grouped into terraces of 3, 4 and 5 houses and 2 sets of semi-detached houses which break up the expanse of development into more aesthetically pleasing sections and provide relief and views through the site. Separation distances between the first floors of the proposed houses within the site are at a minimum of 20 metres which is an acceptable distance without appearing cramped. A small area of landscaped communal open space would be provided centrally within the

site outside units 15 – 17 providing a small amenity area and welcome relief from the repetitive provision of off-street parking spaces at the fronts of the houses. An objection on the grounds of overdevelopment has been received from 2 local residents, however, it is considered that the proposed layout constitutes an efficient use of the space in accordance with the aims of the National Planning Policy Framework.

The houses fronting Moy Avenue continue the building line, at a lower height than the existing building, through to the rear boundaries with nos. 23-27 Waterworks Road, retaining approximately 18.5 metres between the rear of these houses and the flank elevation of the 2 storey, unit 1 house. The 2 houses at each end are lower 2 storey houses which would reduce the visual impact of the development on neighbouring houses.

Details of tree planting and hard and soft landscaping indicated on the submitted layout plans would be secured by condition.

As such, it is considered that the layout, siting and design of the proposal are acceptable in accordance with Policies UHT1 of the Eastbourne Local Plan and B2 of the Eastbourne Core Strategy.

Residential Amenity Impact

Policies HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy B2 of the Eastbourne Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

It is considered that the redevelopment of the site to provide new housing would significantly improve the visual appearance of this section of Moy Avenue as well as visual amenity when viewed from surrounding residential properties. The reduced height, bulk and scale of the proposal in relation to nos. 6 and 8 Moy Avenue would be considerable and would significantly increase levels of sunlight, daylight to these properties and southern outlook from the rear windows. In addition, the provision of neighbouring houses to a similar height and depth would significantly improve upon the dominating nature of the existing building.

The separation distance between unit 21 (to the north east boundary with no.6 Moy Avenue) and the rear of no.6 Moy Avenue would be approximately 20 metres which is in general an acceptable separating distance. The rear garden of no.6 Moy Avenue would be overlooked from the first floor of unit 21 but at an obscure angle of around 45 degrees. As such, it is considered that any overlooking and loss of privacy would not be significantly harmful in this instance to justify refusal or removal of this unit from the scheme.

Separation distances between the rear of units 28 – 36 and the rear of houses on Waterworks Road would be approximately 31 metres which is more than adequate to avoid any direct overlooking or loss of privacy to these properties. A 1.8 metre high

frosted glass privacy screen between the first floor balconies would prevent any overlooking to the adjacent private balconies.

With regards refuse provision, due to the provision of housing units only, it is assumed that each house would have use of individual wheelie bins and recycling facilities which would be stored at the front or rear of each house. No communal facilities have been provided and it is considered they are unnecessary in the circumstances. The internal road network has been designed to accommodate a refuse truck and turning capability.

Several observations have been received concerning the control of construction traffic, demolition, asbestos removal, contamination of the land, piling and associated vibration. It is considered that due to the scale of this proposal, a Construction Environmental Management Plan is required to address the impact of the demolition and potentially intrusive impacts of the construction phase/s on local residents and the surrounding road network and secured by condition.

As such, it is considered that subject to conditions, the proposal would not significantly impact adversely on surrounding residential amenity in accordance with Policies HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Access, Car Parking and Highway Considerations

Policy TR1 states that major development proposals should be located on sites within the town centre or edge of town centre and accessible by a variety of means of transport.

Policy TR11 of the Eastbourne Local plan states that new development must comply with approved maximum car parking standards as set out in the East Sussex County Council Highways SPG parking standards.

The applicants have provided a Transport Assessment in accordance with Policy TR2 of the Eastbourne Local Plan to support the proposed scheme including a justification of the proposed parking provision, internal road layout, trip generation and parking surveys of surrounding streets and has been considered by East Sussex Highways.

Access to the site would be moved north of its current position to a more central point between Waterworks Road and Courtlands Road. This allows appropriate visibility splays (2.4m x 43m) to be provided in either direction and the tighter radius will also ensure vehicle speeds when entering and exiting the site are kept low. At the pre application stage the applicant did suggest providing the access at a number of different points along this frontage but this location was finally used as it allows appropriate visibility as previously mentioned and keeps fairly central between the two main junctions to allow visibility between them and the site access as well as not being directly opposite the site access on the other side of the road which could have caused conflict.

The proposal involves the provision of 59 car parking spaces (of which 5 are visitor parking spaces) which is within the range indicated by the ESCC Parking Guidelines calculator at the lower end of these figures and has been significantly increased from that submitted at pre-application stage. In addition, the site is within an acceptable distance (less than 400m) from a bus stop which links the site to the town centre, the hospital, colleges and within walking distance of the town centre and Eastbourne mainline train station which makes the site accessible to public transport in accordance with Policy TR1.

This development will create a greater demand for public transport and in order to encourage its use, ESCC Highways recommend that the two closest bus stops to the site in Ringwood Road should be upgraded to include high level kerbs, new bus stop flags and poles for both stops and a new shelter on the southern side, secured by Section 106 legal agreement. The costs for these off-site improvements would be included within the recommended financial contribution of £223,920 which is also to be secured by legal agreement.

The site layout has used the shared space concept which encourages low speeds and creates a more pedestrian friendly environment and is shown to work well in short lengths and in low traffic volume sites and is bringing to be used in far busier areas which so far appear to be working as expected. The proposal to use shared space is therefore acceptable. Tracking has also been included to show that a large (11.2m) refuse vehicle can turn successfully within the site at the 't junction' as well as for cars using the parking bays at the end of the road. Details of the construction, drainage, lighting, etc will be required by condition especially if the streets are to be offered for adoption as public highway.

Objections have been received concerning insufficient parking provided for such a large proposal and that overspill would be accommodated within the surrounding residential streets. In order to ensure that any potential overspill parking can be accommodated, the applicant has undertaken parking surveys to assess the current level of on street parking in the surrounding streets. This is partly on the basis that the national highway guidance (Manual for Streets) states that it is suitable for some developments to cater for all anticipated demand on street, in areas where adjacent streets are easily able to accommodate the increase. Therefore it would also be acceptable for a development to at times rely on on- street parking for any overspill parking which occurs.

Another ground for objection relates to inappropriate parking around the site on yellow lines by lorries, delivery trucks and vans associated with the surrounding commercial uses, especially at peak times even though there are waiting restrictions in the form of double and single yellow lines in place. This is an unfortunate consequence of the mix of uses in the area, however, this is mainly a matter for traffic enforcement officers as the presence of the lines allows tickets to be issued during the times of operation. The development should also help to prevent this practice as currently there is only one access point from the site. The residential development would add a number of vehicle accesses along the site frontage and therefore there any parking in front of these would cause an obstruction which is an added deterrent.

It is noted that cycle parking is to be provided for each dwelling in accordance with ESCC standards. Details of cycle storage facilities are not shown on the plans, however, the Transport Assessment indicates that covered and secure cycle storage facilities would be stored in the rear gardens of each house. As such, a condition is recommended requiring details of the facilities prior to occupation of the development.

Therefore, it is considered that the proposal accords with Policy TR11 of the Eastbourne Local Plan and Policy C6 of the Eastbourne Core Strategy.

Affordable Housing

Policy D5 seeks to deliver housing within the sustainable centres and sustainable neighbourhoods and must take appropriate account of the need identified in the most up-to-date strategic housing market assessment with particular regard to size, type and tenure of dwellings. All development will be required to contribute towards affordable housing where there is a resultant net gain of 1 or more residential units (C3 Use Class).

Policy D5 of the Eastbourne Core Strategy expects at a starting point that 30% of the housing provision to be affordable housing which would equate to 10 housing units on site and 0.8 units as financial contribution.

The viability report submitted by the applicants has been comprehensively independently appraised by the District Valuation Service (South East) who consider that that this level of affordable housing (after all development costs and values assessed) results in a surplus profit which allows for further contributions/affordable housing. The DVS, therefore, recommend the provision of 7 shared ownership units and full S106 contributions of £223,920. This would be made up of 2 x 2 bed houses, 3 x 3 bed houses and 2 x 4 bed houses, locations for which would be agreed within the S106 legal agreement.

The affordable housing tenure is 100% shared ownership (40% ownership) with no affordable rented housing. It is considered that the provision of affordable rented housing would not be viable in this instance and would lower the number of affordable units in total. As such, the preferred 70% affordable rented, 30% shared ownership split cannot be achieved in this instance in the interests of a viable proposal.

As such, the proposal would, in most part, meet the requirements of Policy D5 of the Eastbourne Core Strategy in bringing forward a viable housing scheme which would meet an identified housing need in the area with as much affordable housing as possible.

Sustainable Development

Policy D1 of the Eastbourne Core Strategy requires all new development to be sustainable and be well designed and constructed and demonstrate that it has taken account of the principles of sustainable development. All new residential developments should demonstrate that they meet the minimum requirement of Code Level 4 for all new homes from April 2013.

The applicants have submitted an Environmental Statement incorporating SAP calculations to demonstrate that the proposed development has been designed to achieve a minimum of code level 3 of the Code for Sustainable Homes and go beyond the minimum requirements of the building regulations.

The applicants consider that the additional cost in providing 36 houses to meet code level 4 would not be financially viable and would significantly reduce the numbers of affordable housing units and commuted developer contributions. The District Valuation Service, through a comprehensive appraisal of the submitted viability report, has accepted this in favour of the additional affordable housing units and contributions.

In addition, a material consideration in the evaluation of this issue is the recent Government consultation on the Housing Standards Review which is seeking views from

Local Authorities and the wider public on integrating the codes for sustainable homes into the Building Regulations rather than as a separate Planning Policy. The results of this consultation have not been made available at this early stage. However, the review has identified that the provision of higher codes than the existing building regulations set out may have an adverse impact on the viability of housing developments in certain areas of the country. This is particularly relevant to this proposal and is a material consideration in the determination of the proposal.

The standards proposed through the application align with current Building Regulations, however their Sustainability and Energy Statement does identify measures which can be introduced to reduce household waste, water consumption and energy. It purports that a combination of the proposed initiatives would result in the development achieving an improvement of 12% over the 2010 Building Regulations CO2 emissions standards which is considered acceptable in the circumstances.

As such, given the proposal would not meet the requirements of Policy D1 of the Eastbourne Core Strategy and the Sustainable Building Design Supplementary Planning Document, it is considered that on balance the provision of a lower code 3 level development in this instance is acceptable in bringing forward a viable housing scheme which would meet an identified housing need in the area with as much affordable housing as the viability assessment prescribes.

Trees and Landscaping

Policy UHT6 requires new trees to be of a species that retains the distinctive character of Eastbourne and be of a size to make a significant visual impact to the locality.

Policy UHT7 requires development proposals to make improvements to the physical environment through site layout and landscaping and conditions will be imposed requiring landscape proposals to be approved before development commences.

An arboricultural report has been submitted to demonstrate that the existing trees on site are of low arboricultural and landscape value. Therefore, it is intended that all nine trees on site are to be removed to facilitate the development and would be replaced with a robust species which are well suited to urban planting in appropriate locations. The site layout plans show basic hard and soft landscaping details and new tree locations but appear to be indicative only.

The Council's Arboricultural officer has been consulted and raises no objections to the removal of the existing trees on site subject to a condition requiring the submission of comprehensive landscape details incorporating suitable replacement tree and planting species and their locations.

As such, the proposal would accord with Policies UHT6 and UHT7 of the Eastbourne Local Plan.

Biodiversity

Policy NE23 of the Eastbourne Local Plan states that planning permission will be refused for developments which would have a significant adverse effect, either directly or indirectly, on a habitat and/or species of flora and fauna of demonstrable nature conservation importance.

Paragraph 118 of the National Planning Policy Framework states that opportunities to incorporate biodiversity in and around developments should be encouraged.

A biodiversity survey and report has been submitted and concludes that the site offers low to insignificant ecological value. The report recommends some biodiversity enhancements to the development including the provision of bird boxes, bat roosting spaces, climbing plants, drought resistant wildflower gardens and integration of green/grey roofs. Due to the nature of the proposed development of houses with private gardens, it is considered that these recommendations would be difficult to implement, maintain and enforce. However, it is considered that the provision of 12cm holes to the bottom of garden fences/boundaries for hedgehog access to gardens is feasible and a condition is recommended to secure this initiative.

As such, the proposal would meet the requirements of Policy NE23 of the Eastbourne Local Plan and the National Planning Policy Framework 2012.

Other Considerations

The site is located within the Tidal Flood Zone 3a, and although this area is protected by coastal flood defences, consideration should be given to minimising flood risk. The applicant confirms that finished floor levels will be above 2.9m AOD and that proposed SUDS measures will alleviate surface water flooding and drainage issues. This is considered appropriate and conditions are recommended to secure the submission of surface water drainage details and any amendments to finished floor levels during the course of the development in accordance with Policy NE4 of the Eastbourne Local Plan.

With regard to land contamination, an Environmental Phase 1 Assessment report has been submitted and concludes that there is potential contamination to ground and underground water on site. The report recommends that a geotechnical assessment of the site be undertaken prior to development and a drainage survey is undertaken to confirm the presence of a culverted stream/ditch underlying the site. A condition is recommended to secure the submission of these details by way of a Phase II Soil Assessment report prior to commencement of development.

Human Rights, and Equality and Diversity Implications:

It is considered that the proposal would not have any adverse impact on the amenities of nearby residents, nor have any negative impact on human rights, equality and diversity.

Conclusion:

Given the previous permission for residential development in 1994, the site being an identified housing site, the efficient use of the site for an identified housing need, it is considered that the redevelopment of the site to provide 36 houses is acceptable in principle.

The overall design concept for the houses is considered to be original and aesthetically pleasing subject to an appropriate palette of materials. The number and layout of the houses within the site appears to be well structured with reasonably good sized rear gardens and spacing between the housing clusters and terraces.

With regard to the impact on surrounding residential amenity, it is considered that subject to conditions, the proposal is a significant improvement on the appearance of the existing building incorporating lower heights of development, acceptable separation distances and improved visual amenity. As such, it is considered that the proposal would not have an adverse impact on surrounding residential amenity.

The internal road layout, access, visibility splays and provision of 59 car parking spaces to serve the development are considered acceptable by ESCC Highways subject to conditions and off-site improvements to the bus stops on Ringwood Road.

Affordable Housing provision of 7 houses and financial contribution of £223,920 is considered appropriate given the submitted viability report in support of the submitted proposal and subsequent assessment by the District Valuation Office and this level of provision keeps the development financially viable.

With regard to Sustainability requirements, given the proposal would not meet the requirements of Policy D1 of the Eastbourne Core Strategy and the Sustainable Building Design Supplementary Planning Document, it is considered that on balance the provision of a lower code 3 level development in this instance is acceptable in bringing forward a viable housing scheme which would meet an identified housing need in the area with as much affordable housing as the viability assessment prescribes.

The site has low to insignificant ecological value and no objections are raised to the removal of trees, which are of low arboricultural and amenity value, and their replacement through a comprehensive landscape scheme for the site.

Overall, it is considered that the proposed redevelopment of the site is acceptable and accords with national and local planning policy.

Recommendation: Recommendation A: Subject to formal agreement of a S106 to cover affordable housing and ESCC obligations, then Chief Officer be delegated to grant full planning permission for demolition and redevelopment to provide 36 (Class C3) residential units, with associated car parking access and landscaping.

Recommendation B: In the event that the S.106 is not signed by 4th April 2014 that delegated authority be given to the Chief Officer to refuse planning permission, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.

Conditions:

(++ Prior to commencement)

(// Prior to occupation)

1. Time limit
2. In accordance with plans
3. Samples of materials (++)
4. Site Construction and Compound Management Plan (++)
5. Traffic Management Scheme (++)
6. Demolition statement (++)
7. No burning of any waste during demolition and construction phase

8. Phase II Soil Investigation (as recommended in the submitted Environmental Phase 1 Assessment report) (++)
9. Scheme for surface water drainage (++)
10. Reinstatement of redundant vehicle crossover (//)
11. Boundary treatment (//)
12. Parking areas provision (//)
13. Cycle parking provision (//)
14. Estate roads and Turning space for vehicles (//)
15. Lighting strategy (//)
16. Details of both hard and soft landscape works
17. Hedgehog access to gardens
18. Contamination, if identified during development
19. Vehicle wheel washing equipment
20. Hours of operation
21. All permitted development rights removed (extensions, windows & doors, gates, fences walls, structures, development in rear garden)
22. No contaminated material

Informatives

- Pre-commencement conditions to be discharged
- Pre-occupation conditions to be discharged
- Completion of S106

Appeal: Should the applicant appeal the decision the appropriate followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**