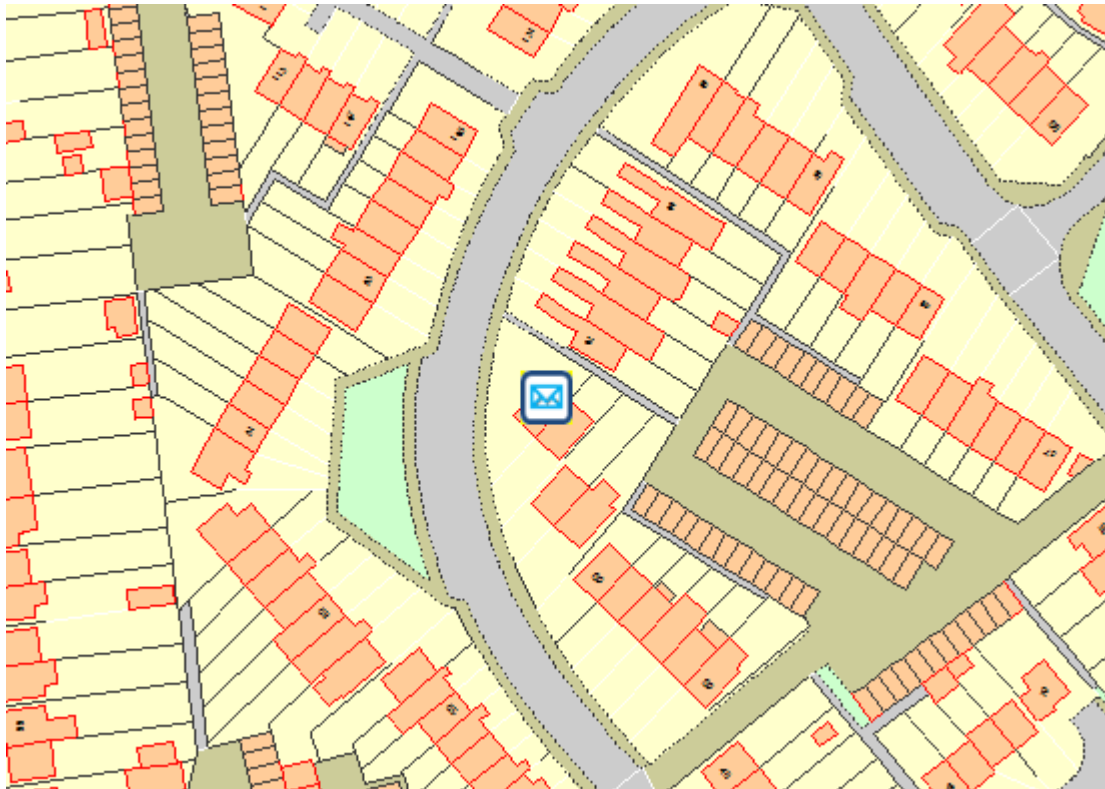


<b>App.No:</b> 200203	<b>Decision Due Date:</b> 4 May 2020	<b>Ward:</b> Hampden Park
<b>Officer:</b> Neil Collins	<b>Site visit date:</b> 19 <sup>th</sup> March 2020	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 6 April 2020		
<b>Neighbour Con Expiry:</b> 6 April 2020		
<b>Press Notice(s):</b>		
<b>Over 8/13 week reason:</b> Committee cycle		
<b>Location:</b> 68 Southern Road, Eastbourne		
<b>Proposal:</b> : Erection of three bedroom dwellinghouse		
<b>Applicant:</b> Mr Gianfranco del Medico		
<b>Recommendation:</b> Grant Planning Permission subject to conditions		

**Contact Officer(s):**      **Name:** Neil Collins  
**Post title:** Specialist Advisor - Planning  
**E-mail:** neil.collins@eastbourne.gov.uk  
**Telephone number:** 01323 4150000



## **1 Executive Summary**

- 1.1 This application is brought to the Planning Committee at the discretion of the Head of Planning.
- 1.2 The application seeks permission for the erection of a three bed dwelling, which would adjoin the western elevation of an existing pair of semi-detached dwellings.
- 1.3 This application follows the grant of planning permission for the erection of a house on the site, which is almost identical in design other than the addition of a roof extension to increase the accommodation provided.
- 1.4 Planning permission has previously been refused for a similar scheme for a single dwelling at 131 Southern Road and subsequently allowed at appeal. This decision has carried significant weight in the grant of planning permission for a dwelling at this site. The reasons for refusal of the previous application are discussed in more detail later in this report, but this application is considered to overcome the previous reasons for refusal and meet all other adopted policy requirements.
- 1.5 The application has attracted a total of 11 objections.
- 1.6 The application is recommended for approval, subject to conditions.

## **2 Relevant Planning Policies**

### **2.1 Revised National Planning Policy Framework (2019)**

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

### **2.2 Eastbourne Core Strategy Local Plan (2013)**

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C7: Hampden Park
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D10a: Design

### **2.3 Eastbourne Borough Plan – Saved Policies**

- NE4: Sustainable Drainage Systems;

UHT1: Design of New Development;  
UHT2: Height of Buildings;  
UHT4: Visual Amenity;  
HO1: Residential Development Within the Existing Built-Up Area;  
HO2: Predominantly Residential Areas;  
HO6: Infill Development;  
HO20: Residential Amenity;  
TR2: Travel Demands  
TR6: Facilities for Cyclists;  
TR11: Car Parking;

### **3 Site Description**

- 3.1 The application site is located on the north-eastern side of Southern Road, within the Hampden Park Neighbourhood. It currently comprises a two-storey single-family dwelling, which is part of a pair of semi-detached dwellings.
- 3.2 The site does not comprise any listed buildings, nor is the site located within any designated conservation area or an Area of High Townscape Value.
- 3.3 A portion of the site is located within Flood Zone 2.
- 3.4 The site is not located within any designated Conservation Area and the application site does not comprise any statutorily listed buildings.

### **4 Relevant Planning History**

- 4.1 190137  
Erection of 2 bedroom single family dwelling  
Planning Permission  
Withdrawn  
17/05/2019
- 4.2 191027  
Erection of two bedroom single family dwelling  
Approved with conditions  
04/03/2020
- 4.3 131 Southern Road  
  
190132  
Proposed erection of a 3 bed semi-detached dwelling  
Refused, 04/06/2019  
Allowed at appeal  
25/11/2019

### **5 Proposed development**

- 5.1 The application seeks permission for the erection of a three bed dwelling, which would adjoin the western elevation of an existing pair of semi-detached dwellings.

- 5.2 The dwelling would be two-storey and would comprise a stepped floor plan due to the location on the bend in Southern Road.
- 5.3 The proposed dwelling would have access to a rear private amenity space, which would be enclosed by a close boarded fence, and the proposal includes a designated refuse and recycling storage area to the rear of the building.

## **6 Consultations**

6.1 Internal  
None

### External

6.2 Given the development is under 5 new residential units then it falls to be determined under the ESCC Highways standing advice.

## **7 Neighbour Representations**

7.1 A total of 11 objections and 1 neutral representation have been received following public consultation with neighbouring residents. Objections are made on the following material planning grounds:

- Drainage
- Parking
- Highway safety
- Loss of green space

## **8 Appraisal**

8.1 Principle of development:

- 8.1.1 The site is located within the built-up area and also within an area recognised as predominantly residential by Policy HO2 of the Eastbourne Borough Plan. This Policy states that, in order to ensure that at least 60% of residential dwellings are built on previously developed land, planning permission will be granted for residential schemes in the areas identified on the Proposals Map as predominantly residential areas. The Policy goes on to state that infill development, such as can be described by this planning proposal, is an acceptable method of fulfilling this aim.
- 8.1.2 The site is located within the Hampden Park Neighbourhood Area. Policy C4 of the Core Strategy states that some residential development should be carried out within this area, with infill development and redevelopment of commercial premises identified as appropriate ways of achieving this.
- 8.1.3 As an example of infill development within the Hampden Park Neighbourhood, the principle of the proposed development is considered to be acceptable.
- 8.1.4 The National Planning Policy Framework (NPPF) requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of October 2019, Eastbourne is only able to demonstrate a 1.43 year supply of housing land,

meaning that Eastbourne cannot demonstrate a five-year housing land supply. National policy and case law has shown that the demonstration of a five year supply is a key material consideration when determining housing applications and appeals. It also states that where relevant policies are out-of-date, permission should be granted “*unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole*”, (NPPF, paragraph 11).

8.1.5 This site would be considered a windfall site, as it has not been previously been identified in the Council’s Strategic Housing Land Availability Assessment (SHLAA). The Borough Plan Policy HO2 identifies this location as being predominantly residential. In this area, windfall sites are one of the ways additional housing is achieved. Additionally, Policy HO2 states that “...*to ensure that at least 60% of homes are built on previously developed land...schemes for new homes will be achieved through...conversion of existing residential... use to provide additional dwelling units.*” The application will result in a net gain of 4 residential units.

## 8.2 Impact of proposal upon the amenity of adjoining residents

8.2.1 The proposed dwelling would be situated to the west of number 68 and to the south of number 70, which forms the southern end of a terrace of dwellings fronting Southern road.

### 8.2.2 *Privacy*

Number 68 provides an existing northerly view to the nearest neighbouring property, number 70 Southern Road, to which it is perpendicular. As such the existing view is to the flank wall of number 70, although views are also afforded over the rear garden.

8.2.3 The proposed dwelling would provide an outlook to the rear that would be similar in relationship to number 70. However, a very oblique view would be made possible from proposed rear facing windows to those at number 70. It is not considered that this would allow for any intrusive view that would result in a loss of privacy.

8.2.4 The application seeks to provide additional accommodation within an extended roof space when compared to the approved dwelling on the site, which was limited to accommodation on two floors. Given the arrangement, it is not considered that the additional windows would have any significant impact upon neighbour privacy and is considered to be acceptable in amenity terms.

### 8.2.5 *Dominance*

Given that the proposed dwelling, together with the proposed additional bulk at roof level, would not appear within views from adjoining neighbour’s windows, it is not considered that the proposal would have a significant dominant impact upon the outlook for neighbouring occupants.

### 8.2.6 *Impact upon light loss for neighbouring dwellings*

The proposed addition of a rear dormer roof form beyond the approved development is not considered to have any significant impact upon light serving neighbouring habitable room windows, taking account of the orientation of the

buildings.

8.2.7 Taking account of the above considerations, it is considered that the proposed development would not result in a significant impact upon amenity and is considered to be acceptable in terms of the impact upon existing neighbouring residents, in accordance with Policy HO20 Residential Amenity.

### 8.3 Impact of proposed development on amenity of future occupiers

#### 8.3.1 *Standard of proposed accommodation:*

The proposed dwellings would generally provide a good standard of accommodation for future occupants, being well arranged on plan. The proposal would create a single dwelling with 3 bedrooms, suitable for a total of 4 individuals.

8.3.2 The 'Technical housing standards - nationally described space standards', adopted by central Government in March 2015 defines the requirements for internal space standard for new residential units, including both the Gross Internal Area (GIA) of each unit and the internal floor area of individual rooms and storage space. Each of the proposed dwellings would comprise dwellings of the same size and arrangement. As such, the table below provides details of the proposed internal areas for assessment, based upon the common design of the proposed dwelling.

#### 8.3.3

	<b>Required</b>	<b>Proposed</b>	<b>Complies</b>
Bedroom 1	11.5m <sup>2</sup> (double)	15.9m <sup>2</sup>	Yes
Bedroom 2	7.5m <sup>2</sup> (single)	7.5m <sup>2</sup>	Yes
Bedroom 3	7.5m <sup>2</sup> (single)	10.3m <sup>2</sup>	Yes
Total (GIA)	90m <sup>2</sup> (3 storey, 3b 4p)	90m <sup>2</sup>	Yes

8.3.4 The proposed unit would meet the minimum internal space standards in terms of the total Gross Internal Area and individual bedroom sizes required by the 'Technical housing standards - nationally described space standards'.

#### 8.3.5 *Outlook and privacy:*

The proposed dwellings comprise a suitable level of outlook for future occupants taking into account the obscure glazing. It is not considered that there would be any privacy issues and the scheme is considered to be in accordance with Policy HO20 Residential Amenity.

### 8.4 Design issues:

8.4.1 The proposed dwelling is an enlarged design compared to the approved dwelling insofar as it adds bulk to the roof of the building for additional accommodation at second floor level.

8.4.2 To recap on the considerations of the approved dwelling design, it is considered that the building would be a logical addition to the existing dwellings when viewed within the wider street scene. It is noted that the building would form the

end of the existing dwellings in this part of Southern Road and that, together with the location on the bend of the road, that it would be closer to the pavement than other houses in the vicinity, which are typically set further back. However, the building design is stepped, so as to reduce the bulk on the corner of the building. The resulting design is not considered to be overly dominant in the street scene.

8.4.3 The proposed dwelling would reduce the amount of land currently afforded around the existing dwellings. However, the general layout of dwellings and the open character of the local area would not be significantly impacted by the proposal.

8.4.4 When considering the proposed additional bulk at roof level (the change to the approved design proposed within this application), it is considered that the resulting appearance would not be overly obtrusive or dominant. The dormer element would also be set back from the side elevation, so as to reduce its presence within views from Southern Road.

8.4.5 It is noted that there are other dormer roof forms on neighbouring properties that form part of views within the street scene and that the proposed is considered to be in keeping with the general character of the area.

8.4.6 The proposed development would be finished in materials to match the existing and neighbouring buildings in terms of its visual appearance.

## 8.5 Impacts on highway network or access:

### 8.5.1 *Access:*

The site is located in the Hampden Park Neighbourhood, which is noted as a sustainable neighbourhood within the Core Strategy. Therefore, residential development is considered to be acceptable in principle in this location. The site is located within walking/cycling distance of Hampden Park Train Station and a number of amenities, as well as a number of bus routes in the vicinity. Therefore, residents of the proposed development would have access to a number of methods of transport other than use of a motor vehicle. This contributes to the Council's aim of being carbon neutral by 2030.

### 8.5.2 *Cycle storage facilities*

The submitted plans do not include the provision of cycle storage facilities at the site, but it is considered that there would be sufficient space to accommodate facilities to meet policy requirements. As such, their provision would be secured by condition of permission.

### 8.5.3 *Parking:*

The proposed dwelling would provide a relatively small amount of accommodation, suitable for 4 individuals. Therefore, the parking demand generated by the development would be very low. No off street parking is proposed for the site, so parking would need to be accommodated on street.

8.5.4 It is also noted that planning permission has been granted by way of an appeal at 131 Southern Road. In deciding the appeal, the Inspector noted that the demand generated by a single house in this location would be generally very low and that it is likely that this demand could be accommodated on street. Taking

this into account, it is not considered that the impact upon on-street parking could reasonably be defended as a reason for refusal.

## 8.6 Highway Safety

- 8.6.1 The proposed dwelling would be closer to the highway than existing neighbouring buildings and, together with the location on the bend in this part of Southern Road, this has attracted a number of concerns from neighbouring residents regarding road safety. This has been carefully considered as part of the previous application for a dwelling and it is noted that the impact upon road safety would not be altered as a result of this modified proposal.
- 8.6.2 Road safety concerns from objectors can be broken down into two main parts; visibility and additional on-street parking. In terms of visibility, a distance of 2.3m would be retained from the pavement edge to the closest part of the proposed dwelling. Neighbouring dwellings to the north of the application site, numbers 70 to 80, include driveways that are directly accessed from Southern Road. Concerns have been raised regarding the visibility from vehicles using these driveways, particularly that of number 70, which is closest to the application site.
- 8.6.3 The proposed 2.3m set back of the proposed building from the edge of the site is considered to provide sufficient visibility splays to the side of the existing driveway across the application site. A condition is recommended to ensure that no enclosures or other structures that might otherwise be afforded by permitted development legislation could be erected to impact upon the visibility splay. Furthermore, this would also restrict the ability for a hardstanding to be created at the application site for off street parking for the proposed development.
- 8.6.4 When considering views from neighbouring driveways, it is noted that due to the bend in Southern Road cars parked on street are the main obstacle to views of oncoming traffic from existing driveways. Due to the unfettered nature of on-street parking, this can include cars parked back to back along the length of the road, incidentally including in front of the driveway to number 70, given the absence of any white line on the road surface.
- 8.6.5 Turning to the safety impacts related to any increased on-street parking demand, it is noted that the proposal would not affect the location of vehicles parked on street taking into account the lack of on-street parking controls. Therefore, on-street parking and the ease of movement by vehicles on the highway, including emergency vehicles, would remain unchanged from the existing arrangement.
- 8.6.6 Taking the above into account, the proposal is considered to be acceptable in terms of highway safety.

## 8.7 Other matters:

- 8.7.1 *Refuse/Recycling storage facilities:*  
The application proposes dedicated refuse/recycling storage facilities at the rear of the site, which is considered to be suitable for ease of collection by refuse operatives. Their provision prior to first occupation would be secured by condition.



### 8.7.2 *Drainage*

A comprehensive sustainable drainage scheme has been required by condition of the approved application. Details have been submitted to discharge that condition, which are currently being considered by ESCC Flood Risk Team.

8.7.3 In the absence of any response from ESCC prior to determination by Committee, the same conditions are recommended for this application. However, any response, or indeed approval from ESCC in relation to drainage will be reported to Committee in an addendum.

8.7.4 In terms of the connection to the foul sewer, this would be a matter for Southern Water, who would need to approve new connections to the system prior to habitation and this is included as an informative on the decision notice.

### 8.8 Conclusion

8.8.1 The proposed development is considered to meet the requirements of adopted policy.

8.8.2 Eastbourne is only able to demonstrate a 1.57 year supply of housing land, therefore In accordance with paragraph 14 of the NPPF, permission should be granted 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.

8.8.3 The proposal will result in the net gain of a residential dwelling in a sustainable location, which meets current residential standards. For reasons outlined in the report the design, layout and any impacts upon existing residential properties, as well as highway safety, are considered to be acceptable. Therefore, the development is considered to be compliant with adopted policy in all respects.

## 9 **Human Rights Implications**

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

## 10 **Recommendation**

10.1 Grant Planning Permission subject to the following conditions:-

10.2 The development hereby permitted shall be begun before the expiration of three years from the date of permission.

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

10.3 The development hereby permitted shall be carried out in accordance with the

approved drawings and documents received on **9<sup>th</sup> March 2020**:

- **Drawing: 11 – Site Location and Block Plans**
- **Drawing: 14 - Proposed Plans**
- **Drawing: 15 – Proposed Elevations**
- **Flood Risk Assessment, produced by CKA Architects**

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

- 10.4 The external finishes of the development, hereby permitted, shall match in material, colour, style, bonding and texture to those used in the external surfaces of the existing dwelling.

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

- 10.5 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 development shall be undertaken without the prior grant of planning permission by the Local Planning Authority.

Reason: In the interests of the design, impact upon neighbouring residents and highway safety.

- 10.6 No above ground build shall take place until details of a surface water drainage scheme have been submitted to and agreed 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 and 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). The implementation of the surface water drainage scheme shall thereafter be carried out in accordance with the approved details prior to the occupation of the dwelling hereby approved.

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

- 10.7 Following completion of the works a 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), confirming that the suds scheme approved under condition 6 has been fully implemented shall be submitted to the Local Planning Authority.

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

- 10.8 Prior to first occupation of the development, hereby approved, refuse and

recycling storage facilities shall be provided in accordance with the approved plans. 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: In the interest of the amenity of future occupants of the development and the health and safety of the site.

- 10.9 Prior to first occupation of the development, hereby approved, secure and covered cycle parking shall be provided within the rear garden area. Thereafter the facilities shall be retained solely for the parking of cycles, in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

- 10.10 The recommendations contained within the submitted Flood Risk Assessment (received 9<sup>th</sup> March 2020) shall be adhered to in full. All future habitants of the residential unit, hereby approved, shall be signed up to the Environment Agency's Flood Warning Service.

Reason: In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants.

**Informatives:**

- 1) In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework. This included amendments to the proposal during the course of the application.
- 2) Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You are advised that carrying out any building works that can be heard at the boundary of the site, including demolition, site clearance or building operations, should only take place only between the hours of 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays.
- 3) Your proposals may be subject to control under the Building Regulations which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings.
- 4) A formal application regarding the impact upon and connection to the public sewerage system is required in relation to this development. For further information, the applicant is advised to contact [www.southernwater.co.uk](http://www.southernwater.co.uk)
- 5) In relation to condition 9 above, future residents can be signed up to the Environment Agency's Flood Warning Service at: [www.gov.uk/sign-up-for-flood-warnings](http://www.gov.uk/sign-up-for-flood-warnings)

## **11 Appeal**

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