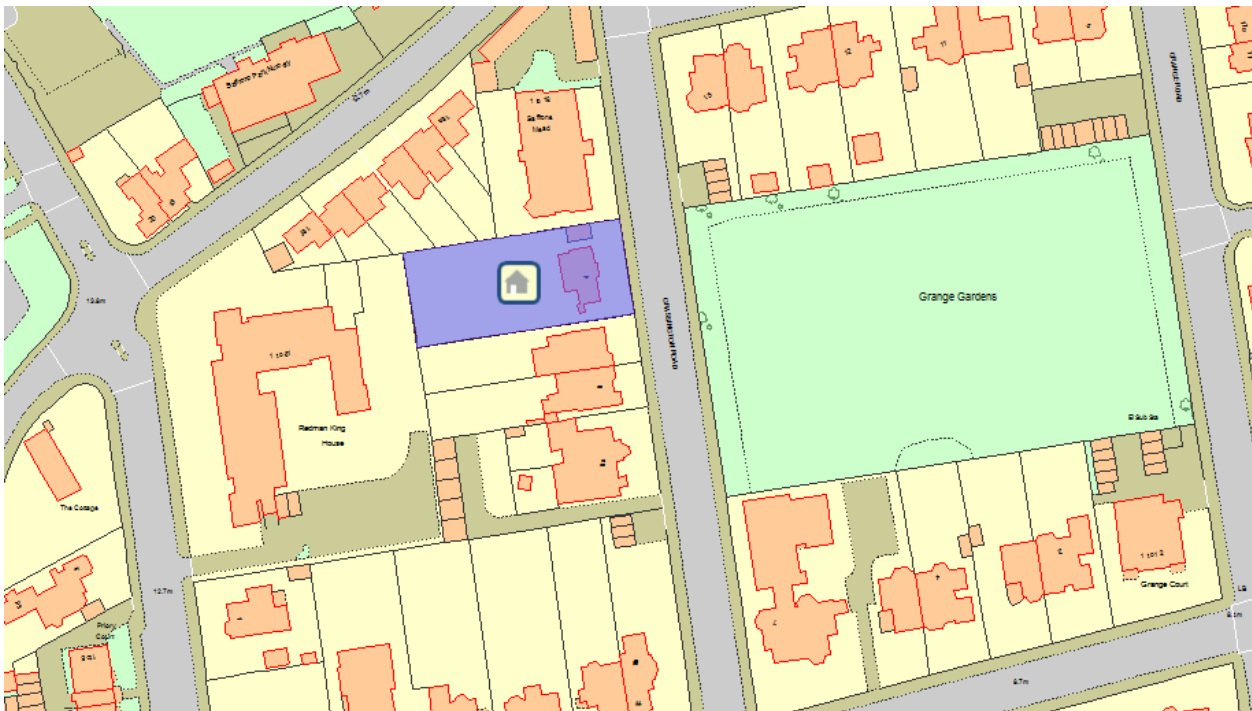


<b>App.No:</b> 190824	<b>Decision Due Date:</b> 19 February 2020	<b>Ward:</b> Meads
<b>Officer:</b> James Smith	<b>Site visit date:</b> 4 <sup>th</sup> February 2020	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 9 February 2019		
<b>Neighbour Con Expiry:</b> 9 February 2020		
Press Notice(s):		
<b>Over 8/13 week reason:</b> Committee Cycle/Consultee Responses		
<b>Location:</b> Glebe Cottage, 4 Grassington Road, Eastbourne		
<b>Proposal:</b> Demolition of existing dwelling. Proposed block of 11no. flats with associated parking to rear.		
<b>Applicant:</b> Urban Developments SE Ltd		
<b>Recommendation:</b> Approve Conditionally – subject to confirmation of acceptable drainage arrangements		
<b>Contact Officer(s):</b>	<b>Name:</b> James Smith <b>Post title:</b> Specialist Advisor (Planning) <b>E-mail:</b> james.smith@eastbourne.lewes.gov.uk <b>Telephone number:</b> 01323 415026	



## **1 Executive Summary**

- 1.1 The proposed development would provide a more efficient use of a large plot in a sustainable location and is therefore supported by the Revised National Planning Policy Framework which highlights the importance of increasing residential density in such locations, particularly in areas (such as Eastbourne) where there is a shortage in housing land supply.
- 1.2 The proposed scheme has responded to the reasons for refusal of the previous application by reducing the number of storeys, stepping the building further in from site boundaries and reducing the amount of the rear garden space removed due to the provision of car parking. The proposed structure is considered to provide a suitable transition between two-storey dwellings to the south and the five-storey flatted development at Saffrons Mead.
- 1.3 The applicant has provided a Financial Viability Assessment which has been reviewed independently by Chartered Surveyors, who have concluded that it would not be viable for the development to include affordable housing provision or for a commuted sum to be paid towards the provision of affordable housing.
- 1.4 The suitability of the use of infiltration drainage on the site has been questioned by the Lead Local Flooding Authority (LLFA), primarily due to a lack of supporting data. The results of percolation testing on the site have now been submitted to the LLFA to be assessed. Permission would only be granted if the LLFA are satisfied the use of soakaways could manage surface water run-off existing (greenfield) rates or lower.
- 1.5 Scheme is recommended for approval subject to the clarification on the surface water issues as outlined above.

## **2 Relevant Planning Policies**

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

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

### **2.2 Eastbourne Core Strategy 2013**

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C11 Meads Neighbourhood Policy
- D5 Housing
- D7 Community, Sport and Health
- D10 Historic Environment
- D10a Design

## 2.3 Eastbourne Borough Plan Saved Policies 2007

NE28 Environmental Amenity  
UHT1 Design of New Development  
UHT4 Visual Amenity  
UHT5 Protecting Walls/Landscape Features  
UHT7 Landscaping  
UHT16 Protection of Areas of High Townscape Value  
US4 Flood Protection and Surface Water Disposal  
HO2 Predominantly Residential Areas  
HO7 Redevelopment  
HO20 Residential Amenity  
TR2 Travel Demands  
TR11 Car Parking

## 3 **Site Description**

- 3.1 The site is occupied by a detached two-storey red/brown brick which is set back from the street, with a lawned area to the front. No significant alterations or additions have been made to the existing building. The site is enclosed by a flint and brick wall which is approximately 1.5 metres height on the site frontage, stepping up to approximately 2 metres to the side and rear boundaries. There is a detached flat roof garage to the northern side of the dwelling, accessed via a dropped kerb crossover on Grassington Road. To the rear of the site is a large lawn area, a small outbuilding is positioned approximately midway down the lawn, adjacent to the northern site boundary.
- 3.2 The site is located on a residential road that is characterised by large, prominently positioned detached and semi-detached properties, which are set back from the street. Original buildings are occasionally interspersed with more modern purpose built flats. A significant number of the original dwellings have also been subdivided and/or extended for use as flats. This includes the neighbouring property to the north, Saffrons Mead. Building heights vary between two and five storeys.
- 3.3 The site is directly opposite Grange Gardens, a relatively large open green space that is enclosed by walls and bordered by mature trees. There is a verdant nature to the wider street scene due to the presence of mature street trees which augment with landscaping within front garden areas of the properties on the road.
- 3.4 The buildings to the north and south of the open space, on Grange Road and Grange Gardens, fall within the College Conservation Area. The site itself is not within the existing Conservation Area boundary but does fall within an extended area of College Conservation Area which is subject yet to Cabinet approval. There are no other specific planning designations attached to the site.

## 4 **Relevant Planning History**

- 4.1 **190264** - Demolition of existing dwelling. Proposed 16N° block of flats with associated parking to rear – Refused 26<sup>th</sup> June 2019 (Appeal in progress)

## **5 Proposed development**

- 5.1 The proposed development involves the demolition of the existing dwelling and replacement with a four-storey block of flats which would accommodate 11 separate residential units (1 x 1 bedroom, 2 x 2 bedroom, 8 x 3 bedroom). The third floor of the building would be accommodated within the roof space. The overall footprint of the building would be approximately 309 m<sup>2</sup>. The bulk of the northern flank elevation would be stepped in approximately 2.2 metres from the northern site boundary (shared with Saffrons Mead) and approximately 4.2 metres from the southern site boundary (shared with 6 Grassington Road).
- 5.2 The proposed building would have a hipped roof with four gable ended dormers installed within the front (east) roof slope and recessed balcony areas installed to the rear. There would be projecting three-storey elements to the side elevations, the element on the southern elevation being cantilevered so as to allow for space at ground floor level for vehicles to pass to the car parking area at the rear of the site. The proposed building would stand at approximately 13.3 metres to roof ridge height, with the eaves at approximately 10.5 metres. At building would be approximately 18.75 metres at its widest point and approximately 20.75 metres in depth.
- 5.3 The proposed development would be served by a total of 10 x car parking bays which would be positioned to the rear of the building. Access would be provided via a new dropped kerb crossover on Grassington Road and an access drive that would pass along the southern boundary of the site. A cycle store would also be provided to the rear along with a landscaped area for communal amenity use. A bin store area would be provided to the front of the building, adjacent to the driveway.
- 5.4 The two 3 bedroom flats located on the top floor of the building would have balconies to the rear which would be recessed beneath the main roof. Upper floor flats to the rear of the building would have living rooms served by 'Juliet' balconies.

## **6 Consultations**

### **6.1 Specialist Advisor (Planning Policy)**

- 6.1.1 This application proposes the demolition of the existing dwelling and the construction of a block of 11 flats. Parking will be at the rear of the development. The site is located within the 'Meads Neighbourhood' as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013).
- 6.1.2 Policy C11 is the 'Meads Neighbourhood' policy, which sets out the vision for this area as the following; 'Meads will strengthen its position as one of the most

sustainable neighbourhoods in the town. It will make an important contribution to the delivery of housing and increasing its importance to the tourism industry, whilst conserving and enhancing its heritage and historic areas.' This vision will be promoted through a number of factors, including 'Providing new housing through redevelopments and conversions in a mix of types and styles'. It has been identified in the Core Strategy as the second most sustainable neighbourhood in the borough.

- 6.1.3 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).
- 6.1.4 As the proposed development results in the net gain of 10 dwellings, there is a requirement to contribute towards affordable housing. In the Meads Neighbourhood, a contribution of 40% of the Net dwellings would be required, which in this case equates to 4 units. The planning statement describes that "it is not considered practical or economic to provide affordable housing within the proposed development, particularly bearing in mind the existing site value." There is no evidence provided that affordable housing is not viable on this development. There is no indication that a commuted sum would be provided instead. Using the Eastbourne Affordable Housing SPD, the commuted sum has been calculated as £265,663.
- 6.1.5 The total worked out by floorspace for the entire development is £730,580.9. As one of the 11 flats is not required to contribute, one eleventh of this total is removed. This works out as £664,164.45. Only 40% of this is required, so the total is £265,663. As it is a development of flats, this application would not be CIL liable.
- 6.1.6 The Core Strategy states that the Meads Neighbourhood is one of the Borough's most sustainable neighbourhoods. Policy B1, as mentioned in the Spatial Development Strategy explains that higher residential densities will be supported in these neighbourhoods. This site would be considered a brownfield site and the strategy states that 'in accordance with principles for sustainable development, it will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land'. 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 10 residential units and the Council relies on windfall sites as part of its Spatial Development Strategy policy B1, as stated in the Core Strategy.
- 6.1.7 The Borough Plan Policy HO2 identifies this location as being predominantly

residential. Large parts of the neighbourhood have been redeveloped into purpose-built flats (Core Policy, 2013). In this area, windfall sites are one of the ways additional housing is achieved.

6.1.8 It is important to note that this site is identified as being within an area of High Townscape Value as described in UHT16 of the Eastbourne Borough Plan. The planning statement argues that the new development would be in keeping with the surrounding Townscape.

6.1.9 The principle of this development is supported by policy, in accordance with the Affordable Housing SPD; viability evidence will need to be provided that affordable housing is not available on site. If this is the case, a commuted sum payment will be required. If the payment of the commuted sum means that the development is not viable, this will also require evidence. In the absence of such evidence, the application is not supported by policy.

## 6.2 SUDS:

6.2.1 No information has been provided to show how surface water runoff from the application site will be managed, apart from the application form that indicates that soakaways will be used. However, there is no evidence submitted to show that infiltration is feasible.

6.2.2 British Geological Survey (BGS) data shows that groundwater is less than 3m below ground level at the application site and that there is a 'potential for groundwater flooding...' Borehole records close to the site (available on the BGS website) and within the same geological layer show that groundwater was recorded at 1.8m below ground level. Therefore, infiltration systems in the form of soakaways are unlikely to be feasible.

6.2.3 The public sewer record indicates that there is a public surface water sewer that the application could discharge surface water runoff into. However, the proposals increase the impermeable area at the application site, which increases the surface water runoff from the site even if the current property is connected to the public sewer. Therefore, any proposed discharge into the public surface water sewer has to be agreed by Southern Water.

6.2.4 The applicant should provide a robust surface water manage strategy, which manages surface water runoff appropriately. If discharge to the public sewer is proposed, evidence that Southern Water has agreed to the discharge rate should be provided together with the hydraulic calculations showing surface water will be discharged at the agreed rate without increasing flood risk.

## 6.3 ESCC Highways:

6.3.1 Consulted on 25<sup>th</sup> November. No response received to date. Standing advice has been followed.

## 6.4 Meads Community Association:

6.4.1 Glebe Cottage is a detached four bedroom house with a good sized garden laid

to lawn opposite an open space Grange Gardens. Next door are 2 semi-detached houses with other similar houses along Grassington Road. There is a block of apartments the other side, 2 Saffrons Mead which was constructed in 1987/8 following the sale and demolition of a larger property belonging to Eastbourne College, Pennell House.

- 6.4.2 The developers are using the Saffrons Mead development and have cited other developments in the area as reasons to promote the development of Glebe Cottage. None of those examples referred to in the planning statement have the same impact on neighbouring properties as this proposed development. We consider that such large scale development as proposed is now out of keeping with the layout and environment of Meads. Our objections are as follows:
- 6.4.3 The site is too small to accommodate a development on the scale proposed - a four storey block of 11 apartments plus 10 parking spaces behind, replacing a two-storey detached house with garden. The previous application was for 14 two bedroomed flats and two three bedroomed flats. This application is for a one bedroom flat and 10 three bedroom flats therefore the possible number of residents could be well above thirty residents.
- 6.4.4 Adjoining properties on both sides of the proposed development site would suffer from loss of light, over-shadowing and loss of privacy as would the properties at the rear of the development. The north wall of the proposed new block is just one metre from the boundary of the 4 Grassington Road site and four metres from the wall and windows of the flats on the south side of the adjacent Saffrons Mead block (2 Grassington Road). The site plan with the application suggests that the rear wall of the proposed block will be at least 2 metres further back than the rear walls of the adjoining properties.
- 6.4.5 When Saffrons Mead was built in 1987/88 it replaced a building of very similar size and it is located on the corner of Meads Road. The same is not true of the proposed development at 4 Grassington Road; moreover, the latter will be directly across the road from the important Grange Gardens open space. The proposed development will not provide "aspirational homes", i.e. housing suitable for young families, in The Meads.
- 6.4.6 Most of the rear lawn garden would disappear to be replaced with concrete hard standing for resident's vehicles. The plan makes no provision for visitor parking, or residents who own more than one car. Parking is at a premium at all times in Grassington Road being close to the town centre and the development would add to that pressure.
- 6.4.7 The objection submitted by the Pevensey & Cuckmere Water Level Management Board on 10 December notes that the applicant has provided insufficient information to allow assessment of the proposed development in flood risk terms and that a robust strategy to manage surface water runoff appropriately needs to be provided. The application only mentions soakaways but British Geological Survey data for the vicinity apparently suggest that infiltration of surface water is not feasible
- 6.4.8 The development site's location is likely to be within the extension to the

Eastbourne College Conservation Area recommended in the recent consultant's report due for consideration imminently by the Council's Planning Committee. This area of Meads is also designated as an "area of high townscape value".

6.4.9 The development site's location is likely to be within the extension to the Eastbourne College Conservation Area recommended in the recent consultant's report due for consideration imminently by the Council's Planning Committee and Cabinet. This area of Meads is also designated as an "area of high townscape value".

## 6.5 Specialist Advisor (Regeneration):

6.5.1 In line with the Local Employment and Training Supplementary Planning Document, adopted November 2016, this planning application qualifies for a local labour agreement as it meets the threshold for a residential development.

6.5.2 The proposed development will offer employment, contracting and supply trade opportunities to the local economy.

6.5.3 In light of the above, Regeneration supports the proposal and requests the inclusion of a local labour agreement should the application receive planning approval.

## 7 **Neighbour Representations**

7.1 Following public consultation, 12 letters of objection have been received, the contents of which are summarised below:-

### 7.2 Design/Visual Impact

- Overly dominant towards houses on Meads Road and Grassington Road and Saffrons Mead;
- Majority of nearby buildings are two-storey;
- Overdevelopment of site;
- Loss of house that gives character to area;
- Presence of large structure close to Saffrons Mead would increase impact of strong winds;
- Not enough space to sides of building to allow for maintenance;
- Existing building could be extended and converted instead;
- Insensitive design;
- Will impact setting of Grange Gardens;
- Unsuitable external materials;
- Loss of trees;

### 7.3 Residential Amenity

- Noise and light pollution from vehicles and from windows and balconies;
- Noise survey is inadequate;
- Level of activity would be disruptive;
- Loss of natural light;



- Loss of privacy;
- Breach of Protocol 1, Article 1 of Human Rights Act (1998) – Protection of Property);
- Noise and disruption due to proximity of driveway and building entrance to 6 Grassington Road;
- Windows in southern elevation facing directly towards 6 Grassington Road;
- Rear wall of building would project further to the rear of the site than neighbouring buildings;
- Northern elevation will be closer to the site boundary;
- Views from balconies into conservatory at 6 Grassington Road would be possible;
- Loss of tranquillity;

#### 7.4 Highway Impact/Parking

- Not enough car parking provided and on-street spaces will also be lost;
- No visitor parking provided;

#### 7.5 Infrastructure/Drainage

- Increased risk of surface water flooding;
- Pressure on infrastructure due to cumulative impact with nearby development;

#### 7.6 Accommodation Provided

- Loss of a family house;
- Variety of housing needed, not just flats;
- Would not provide 'aspirational homes';
- No private outdoor space for use by families;

#### 7.7 Accommodation Provided

- Loss of a family house;
- Variety of housing needed, not just flats;
- Would not provide 'aspirational homes';
- No private outdoor space for use by families;

#### 7.8 Other Matters

- Imminent extension of Conservation Area should prevent this form of development;
- Covenants restrict the use of the land to maximum of two houses;
- Inconsistencies between plans and comments in Planning Statement (position of access);

## 8 **Appraisal**

### 8.1 Principle:

- 8.1.1 The site is located within the built-up area, where the principle of residential development is acceptable. The site also falls within an area identified as predominantly residential within the Eastbourne Borough Plan. The redevelopment of sites in predominantly residential areas is encouraged by Policy HO2 of the Borough Plan.
- 8.1.2 Para. 11 of the revised NPPF (2019) states that decision taking should be based on the approval of development plan proposals that accord with an up-to-date development plan without delay.
- 8.1.3 Where the policies that are most important for determining the application are out of date, which includes, for applications involving the provision of housing, situations where the local authority cannot demonstrate a five year supply of deliverable housing sites, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the NPPF as a whole. Currently, Eastbourne is only able to demonstrate a 1.43 year supply of land (as of October 2019). This proposal, for 10 additional units, would make a contribution towards increasing the number of year's supply of housing land.
- 8.1.4 Para. 122 of the Revised National Planning Policy Framework (NPPF) states that planning decisions should support development that makes efficient use of land. This is caveated by section (d) of the paragraph which instructs decision to take into account 'the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change.
- 8.1.5 Para. 123 instructs local planning authorities to seek optimal use of land in terms of residential density, particularly where there is a shortage in housing land supply. Para. 118 (e) identifies extensions into airspace above existing residential premises as a means to achieve this, where the development would be consistent with the prevailing street scene.
- 8.1.6 Para. 127 refers to potential impacts on character and remarks that development should be 'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)' and that development should also create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.1.7 The scheme would therefore need to satisfy all other relevant local planning policies, which reflect NPPF requirements for good design and protection of visual and residential amenities (Chapter 12), community needs and social interaction (Chapter 8), highway impacts (Chapter 9). This will be assessed in the main body of this report.
- 8.2 Affordable Housing:
- 8.2.1 Para. 62 of the Revised NPPF states that where a need for affordable housing is

identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
- b) the agreed approach contributes to the objective of creating mixed and balanced communities.

The proposed development involves the net gain of 10 residential units and, therefore, represents major development. Para. 64 of the Revised NPPF states that a minimum of 10% of units within major development should be provided as affordable housing.

8.2.2 Policy D5 of the Eastbourne Core Strategy reflects this national position and sets a requirement for 40% of units to be provided in 'High Value Areas' (of which the Meads Ward is an example).

8.2.3 The adopted Affordable Housing Supplementary Planning Document, which provides a companion to Policy D5, states that, in circumstances of negative viability, the applicant should follow a hierarchy of alternative ways to provide affordable housing. The applicant has stated that it would not be viable to provide affordable housing either on-site as part of the development, off-site or via a commuted sum. Para. 7.8 of the Affordable Housing SPD provides the following commentary for these circumstances:-

*To abandon the requirement for affordable housing to be provided or funded as a consequence of the development. This option will not normally be considered unless there is clear, justifiable and independently verified evidence that none of the options detailed above are viable.*

8.2.4 The applicant provided a Financial Viability Assessment which concluded that the delivery of, or contribution towards, affordable housing would render the scheme unviable. This document was independently assessed by a Chartered Surveyor, who also concluded that the development would not be viable if a contribution towards affordable housing was required. In this instance, it is therefore considered that there is a clear and justified reason for omitting affordable housing from the development.

### 8.3 Loss of Existing Building:

8.3.1 Whilst of pleasant appearance, the existing building, which is relatively modern, is not the subject of any special designations, be it local or national listing, nor is it considered to possess any attribute to make it worthy of such a status..

8.3.2 The existing dwelling is notably smaller than the majority of buildings on Grassington Road but is located on a sizeable plot. It is therefore considered entirely reasonable to explore possibilities for a more efficient use of the site, as encouraged by the National Planning Policy Framework.

8.3.3 It is therefore considered that no objections should be raised to the removal of

the existing building.

#### 8.4 Impact upon Conservation Area:

8.4.1 The site is currently designated as an Area of High Townscape Value but is positioned on land within the proposed enlarged College Conservation Area. Given the advanced stage of the consultation process relating to this expansion, a suitable degree of weight is attached in terms of the impact of the development upon the heritage status of the site and the wider surrounding area.

8.4.2 As set out above, it is not considered that the exiting building possesses any significant heritage value, as confirmed in the Appraisal for the potential expansion of the College Conservation Area, which designates the building as making little or no contribution to the character and appearance of the area. The appraisal notes there is a variation in built form within the surrounding area due to the 'plot-by-plot' nature of development, the presence of defined building lines and the importance of public and private green space and boundary walls.

8.4.3 There is an established presence of larger buildings on this part of Grassington Road and that a new building could be accommodated within the site if is of appropriate design and respects general characteristics of the surrounding area, such as the presence of front boundary walling and landscaping as well as street landscaping, and does not obscure or damage any important views or architectural features, or the setting of nearby buildings.

8.4.4 It is considered that the proposed development preserves important aspects of the street scene in the form of boundary walls and landscaping and would also retain a suitable level of open green space to the rear of the site. Established building lines are not compromised and, as such, the 'planned' nature of the development on this part of Grassington Road would not be compromised.

#### 8.5 Density:

8.5.1 As stated above, para. 123 of the Revised NPPF encourages intensification of residential density in new development, particularly in areas where there is a shortfall on housing land supply. The proposed development would provide 11 residential units on a site with an area of approximately 1230 m<sup>2</sup>, equating to a residential density of approximately 89 dwellings per hectare. Meads is identified as one of the six most sustainable neighbourhoods within the borough by Policy B1 of the Eastbourne Core Strategy, which states that development of a density of up to 127 dwellings per hectare would be supported. The density of the proposed development is therefore considered to be in compliance with this policy, particularly as it would be located within a part of Meads that is in relatively close proximity to the Town Centre (approx. 200 metres walking distance) as well as public transport links and hubs.

#### 8.6 Design issues:

- 8.6.1 Grassington Road is characterised by buildings of various designs, with more modern structures, such as the flats at Saffrons Mead being an established presence within the street scene. Prominent wide building frontages are also an established feature. The main unifying characteristic displayed within the street scene is the building line, with properties being set back from the road, and the presence of low boundary walling along site frontages.
- 8.6.2 The proposed building includes elements of contemporary design, in contrast to the existing more traditional dwelling that occupies the site. It would also be significantly larger than the existing building, in terms of height, width and depth. Given the mix of architectural styles present within the street scene and the desirability for a development of this size to possess its own distinctive character, it is considered that a certain level of juxtaposition is acceptable, provided spatial characteristics are preserved. It is also noted that the proposed building incorporates architectural features that relate to similar features on neighbouring properties, such as gable ended dormer windows and ground floor bay windows. Although the main entrance to the building would be to the side, the street frontage contains a good level of architectural detail and fenestrations and would clearly engage with the street scene.
- 8.6.3 The building frontage would be more advanced towards the highway than that of the existing dwelling. However, it would not project significantly further forward than 6 Grassington Road, the neighbouring property to the south, and be in broad alignment with Saffrons Mead, the neighbouring building to the north. The building frontage is also staggered and is stepped further back towards the sides, creating an element of relief and softening any sense of over-dominance towards the buildings on either side of the site. The low brick wall would be maintained along the front boundary, other than a section to be removed to allow for the new site access. This would be mitigated through the stopping up of the existing site access with a matching section of wall.
- 8.6.4 A previous application for a five-storey building accommodating 16 x flats was refused under application 190264 due, in part, to the significant height, bulk and mass of the building and the resultant overbearing and oppressive relationship that it would have had towards 6 Grassington Road. The current scheme has omitted a storey off the building, reducing its ridge height from 16 metres (approx.) to 13.3 metres. The flank southern elevation would be stepped a further 2.85 metres in from the site boundary (4.25 metres in total), and a further 0.7 metres away than the existing dwelling. It is considered that these measures, combined with a more effective articulation of the front elevation and substitution of the large gable ended projections of the original scheme with more modestly sized roof dormers, would soften the visual impact of the building in relation to street scene presence and its relationship with neighbouring buildings. The abrupt increase in building height that the previous scheme prevented would now be managed to a more suitable level, resulting in a managed transition building heights between the 6 Grassington Road and Saffrons Mead, thereby improving visual integration between buildings.
- 8.6.5 The previous scheme also included a large, hard surfaced car parking area for 16 vehicles to the rear of the site. This area occupied the majority of the rear garden space, and was therefore considered harmful towards the character of

the area on account of replacing a landscaped garden that contributed towards its spacious and verdant nature. Car parking spaces were also located adjacent to boundaries shared with neighbouring residential properties, with particular concerns being raised about the proximity of parking spaces to the small rear gardens at 15b – 15d Meads Street, which back onto the northern site boundary. The current scheme has reduced the car parking area from approximately 400 m<sup>2</sup> to approximately 306 m<sup>2</sup> and the amount of parking spaces provided to 10. The majority of parking spaces would be positioned away from site boundaries and none would be provided adjacent to the sensitive northern boundary. It is considered that the reduction in parking area combined with the repositioning of parking spaces would allow the parking area to be integrated without compromising the overall character of the surrounding area or the amenities of neighbouring residents. Notwithstanding the above, the impact of the parking area could be further mitigated through the use of appropriate landscaping, which will be secured by planning condition.

8.6.6 It is therefore considered that the proposed scheme has addressed the objections to the previous submission in terms of the overbearing and oppressive impact of the building upon neighbouring properties and the wider surrounding area, the loss of open garden space and level of disruption towards neighbouring residents and, as such, would comply with Chapter 12 of the Revised NPPF, policy D10a of the Eastbourne Core Strategy and saved policies UHT1, UHT4 and UHT5 of the Eastbourne Borough Plan.

#### 8.7 Residential Amenity:

8.7.1 The proposed building would be positioned between an existing 5-storey block of flats (Saffrons Mead) and a 2½-storey semi-detached dwelling (6 Grassington Road). The site also adjoins residential dwellings and flats on Meads Road.

8.7.2 Windows and openings, including balconies, would be restricted to the front and rear elevations of the building, other than obscure glazed windows serving bathrooms or forming secondary windows to bedrooms. Although the proposed building would project approximately 9.5 metres further towards the rear of the site than the existing dwelling, it is considered that there is sufficient distance between the windows on the those of neighbouring properties that may be subjected to direct overlooking (not at acute angles) to prevent intrusive views towards these properties. The rear of properties on Meads Road, in a realistic field of vision, would be approximately 27 – 30 metres away. It is also noted that windows on Redman King House, which is to the rear of the site, approximately 38 metres from the rear elevation of the proposed building, do not serve habitable rooms.

8.7.3 As the rear balconies would be provided within a recessed area, the elevation walls of the building would provide impermeable screening, thereby preventing direct views towards properties either side of the site, these being 6 Grassington Road and Saffrons Mead.

8.7.4 The proposed building is substantially larger than the existing dwelling in terms of bulk, mass and height. The building would reach within close proximity of the side boundaries of the site, and would flank the side elevations of Saffrons Mead

and 6 Grassington Road to the north and south respectively. It is acknowledged that these existing windows are already subject to a certain level of overshadowing from the existing dwelling occupying the site.

- 8.7.5 The ground, first, second and third floor windows to the side elevations at Saffrons Mead do not provide the main source of natural light and outlook to any primary habitable rooms and therefore are considered not to be materially impacted by this development.
- 8.7.6 It is noted that there is a balcony and larger windows at fourth floor level of Saffrons Mead, however the proposed building would not reach the height of these features and it is therefore not considered that these windows and balcony would suffer an unacceptable impact by way of overbearing or overshadowing .
- 8.7.7 The previous application for the redevelopment of the site was refused, in part, due to the overbearing and oppressive relationship between the proposed building and 6 Grassington Road. The revised application has stepped the building in further from the site boundary, maintaining a degree of separation of some 4.5 metres between the flank wall of the proposed building and the site boundary and 6.2 metres between the proposed building and the neighbouring dwelling. The rear portion of the proposed building is stepped further away from site boundaries so as to create further space between buildings and soften visual impact. Additional articulation has been added to the flank wall as well as obscurely glazed window in order to overcome previous objections relating to the oppressive appearance of a tall, featureless wall when viewed from neighbouring properties. These steps, combined with the reduced height of the building and less cumbersome roof form. Would combine to prevent the proposed building from appearing unacceptably overbearing or oppressive towards the occupants of 6 Grassington Road.
- 8.7.8 The proposed access drive would run alongside the southern boundary of the site, shared with 6 Grassington Road, which is marked by an approximately 2 metre high brick wall. The parking spaces themselves would be stepped away from the boundary. It is considered that the level of use associated with a development of this size would not be unacceptably disruptive towards the occupants of 6 Grassington Road and that boundary wall would help mitigate noise and light disturbance caused by moving vehicles. Car parking spaces predominantly be sited away from site boundaries and boundary screening would provide a level of screening in regard to noise and light emissions. A planning condition would be used to control the provision of any external lighting within the car parking area to ensure that it is low level and angled downwards so as to not cause a nuisance to neighbouring residents.

8.8 Living Conditions for Future Occupants:

- 8.8.1 Each flat provides a level of Gross Internal Area (GIA) that complies with the DCLG’s Technical housing standards – nationally described space standard, as is shown in the table below:-

Unit Number	Unit Size	Required GIA	Provided GIA
1 (GF)	1 bedroom, 2 person	50 m <sup>2</sup>	52.9 m <sup>2</sup>

2 (GF)	3 bedroom, 4 person	74 m <sup>2</sup>	85 m <sup>2</sup>
3 (GF)	3 bedroom, 5 person	86 m <sup>2</sup>	91.3 m <sup>2</sup>
4 (1 <sup>st</sup> )	3 bedroom, 5 person	86 m <sup>2</sup>	89.5 m <sup>2</sup>
5 (1 <sup>st</sup> )	2 bedroom, 3 person	61 m <sup>2</sup>	64.2 m <sup>2</sup>
6 (1 <sup>st</sup> )	3 bedroom, 5 person	86 m <sup>2</sup>	89.5 m <sup>2</sup>
7 (2 <sup>nd</sup> )	3 bedroom, 5 person	86 m <sup>2</sup>	89.5 m <sup>2</sup>
8 (2 <sup>nd</sup> )	2 bedroom, 3 person	61 m <sup>2</sup>	64.2 m <sup>2</sup>
9 (2 <sup>nd</sup> )	3 bedroom, 5 person	86 m <sup>2</sup>	89.5 m <sup>2</sup>
10 (3 <sup>rd</sup> )	3 bedroom, 6 person	95 m <sup>2</sup>	103.2 m <sup>2</sup>
11 (3 <sup>rd</sup> )	3 bedroom, 6 person	95 m <sup>2</sup>	103.2 m <sup>2</sup>

- 8.8.2 The internal layout of each unit is simple and avoids overly lengthy corridors or awkwardly shaped rooms. All habitable rooms are served by clear glazed windows that would provide good access to natural light and ventilation as well as an unobstructed outlook. Upper floor flats would be accessible via a staircase and a lift. No main habitable room windows would face over the access driveway.
- 8.8.3 A landscaped amenity space of approximately 328 m<sup>2</sup> area, which would be accessible to all occupants, would be provided to the rear of the site. It is considered that this amount of space would be acceptable for the level of development proposed. It is also noted that there are public amenity areas nearby that would be easily accessible to future occupants and that occupants of the top floor flats (which are the largest within the development) have additional private amenity space provided on balconies.
- 8.8.4 The low walled frontage ensures defensible space is provided for occupants of ground floor flats whilst not impacting upon levels of surveillance from the street or creating a secluded environment within the site itself. The car parking area is overlooked by a number of habitable room windows, thereby acting as a deterrent to crime and anti-social behaviour to the rear of the site.
- 8.9 Highway Impacts:
- 8.9.1 It is not considered that the amount of additional trips generated by the proposed development would be to a degree that would result in an unacceptable or unmanageable increase in traffic on the surrounding highway network.
- 8.9.2 The proposed building would be accessed from Grassington Road via a new dropped kerb crossover. This existing crossover serving the site would be obsolete and would be stopped up. The access drive is 4.5 metres wide, allowing two vehicles to pass each other. There is a small cantilevered projection over part of the driveway below which vehicles could safely pass. The access would be straight and level, allowing for good visibility. The pedestrian access to the building would utilise the driveway and, as such, a pedestrian route would need to be marked out. This would be secured by condition.
- 8.9.3 The development would be served by a total of 10 x off street car parking spaces. The ESCC car parking demand calculator tool states that the development is likely to generate a demand for 9 car parking spaces, provided



these are not allocated to specific properties. Whilst the formation of a new dropped kerb crossover would result in the loss of an on-street parking space, this would be mitigated by the stopping up of the existing access serving the site. The car parking spaces would be provided directly to the rear of the building, and sufficient turning space would also be provided in order to ensure that vehicles can enter and leave the site in forward gear. A total of 3 x disabled bays would be provided, in excess of the 5% ration required by Manual for Streets. Two of these spaces are close to the entrance to the building. A further space is provided at the far end of the car park and is therefore considered to have little merit as a disabled parking bay due to the distance from the entrance to the building.

8.9.4 A bin store would be provided to the front of the building. Given the sensitive location, it is important bins are accommodated within secured, covered housing of a sympathetic appearance. Details of the design and scale of the structure would need to be the subject of a planning condition in order to ensure that it would appear sympathetic towards the surrounding street scene. The store would be easily accessible to refuse collection crews, allowing for the development to be serviced in an efficient manner.

8.9.5 A cycle store would be provided to the rear of the site, in order to encourage the use of this mode of transport. Full details of the store, which would need to have the capacity to provide 0.5 spaces per 1 and 2 bed flat and 1 space per 3 bed flat, as per the standards set out in para. 3.8.5 of ESCC Highways standing advice. This equate to 10 spaces (rounded up). A requirement for a minimum of one Electric Vehicle Charging Facilities will also be made, in order to encourage uptake in the use of electric cars.

#### 8.10 Landscape Impact:

8.10.1 The front of the site would incorporate a significant amount of soft landscaping which would contribute towards the verdant street scene and also compliment the general pattern of landscaped frontages which is present within the street scene.

8.10.2 Unlike the previous scheme, the proposed development would not result in the loss of a street tree as the site access would be repositioned. There is, however, a lamppost that would need to be relocated in order to allow for the proposed new access to be formed. This would be carried out under licence from ESCC Highways. It is considered there is adequate space to allow for the lamppost to be repositioned without causing detriment to the character of the area.

8.10.3 Although part of the existing landscaped rear garden would be removed in order to accommodate car parking, a significant amount of landscaped garden space (approx. 328 m<sup>2</sup>) would be maintained to the rear of the site and would continue to contribute towards the spatial characteristics of the surrounding area, where open green spaces to the rear of buildings are prevalent.

#### 8.11 Drainage

8.11.1 The site falls within Flood Zone 1 and so is not at increased risk of flooding from

tidal or fluvial sources. However, it is important that surface water is managed in a way that does not compromise drainage infrastructure capacity or allow for surface water to build up on the site, on neighbouring property or be discharged onto the public highway.

8.11.2 The proposed development would introduce a building with an increased footprint as well as additional hard surfacing to be used for car parking. The proportion of the site that is hard surfaced would therefore increase from approx. 35% to approx. 58%. The applicant has indicated that soakaways would be used for surface water drainage but this has not been supported by any infiltration testing results and the Lead Local Flooding Authority (LLFA) have raised concerns over the feasibility of the use of infiltration due to high groundwater levels below the site. This may also impact on any potential use of underground attenuation tanks. It is clear that implementation of this development would be reliant on a functioning surface water attenuation scheme. Given this it is recommended that if Members choose to support the proposal then a condition be attached to any approval stating that no development can commence until such time as a suitable/appropriate surface water attenuation scheme has been agreed.

8.11.3

There is also a public surface water sewer on Grassington Road into which surface water could be discharged (subject to agreement with Southern Water) but discharge rates would have to be managed to an appropriate rate. The rate of discharge could be managed through the use of permeable paving on hard surfaced parking areas as well as rainwater harvesting equipment. A green roof would also provide some level drainage capacity. Suitable measures to minimise surface water discharge and, would be required, regardless of the effectiveness of the use of soakaways, in order to maximise the drainage capacity of the site in accordance with para. 080 of the Government Planning Practice Guidance for Flood risk and coastal change.

## **9 Human Rights Implications**

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

## **10 Recommendation**

10.1 Approve subject to the conditions listed below:-

10.2 **Approved Plans:** 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 following approved drawings:-

- 2937 21 – Site Location & Block Plans;
- 2937 25 Rev. C – Proposed Site Layout;
- 2937 26 Rev. C – Proposed Site Layout;
- 2937 27 Rev. B – Street Elevations;
- 2937 28 Rev. B – Proposed Ground Floor;
- 2937 29 Rev. B – Proposed First and Second Floors;
- 2937 30 Rev. B – Proposed Third Floor;
- 2937 31 Rev. B – Proposed East Elevation;
- 2937 32 Rev. B – Proposed North Elevation;
- 2937 33 Rev. B – Proposed West Elevation;
- 2937 34 Rev. B – Proposed South Elevation;

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

10.4 **External Lighting:** Prior to the first occupation of the development hereby approved a detailed scheme of all external lighting (including full specifications) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter and no other external lighting shall be installed unless agreed in writing with the Local Planning Authority.

Reason: In the interests of environmental, residential and visual amenity, in accordance with saved policies NE28, HO20, UHT1 and UHT4 of the Eastbourne Borough Plan.

10.5 **Hard and Soft Landscaping:-** Notwithstanding the approved plans, prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a) details of all hard surfacing which should be permeable where feasible;
- b) details of all boundary treatments;
- c) details of all balcony screening;
- d) details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees. Planting should be carried out using predominantly native species;
- e) Cycle and bin store structures;

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar

size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of environmental, residential and visual amenity and biodiversity in accordance with saved policies NE28, HO20, UHT1, UHT4, UHT5 and UHT7 of the Eastbourne Borough Plan and Policy D9 of the Eastbourne Core Strategy.

- 10.6 **Sustainable Initiatives:** No development associated with the construction of the building shall take place until details of how the development will incorporate measures to reduce carbon energy use, facilitate renewable energy installations, and lower household water consumption, have been submitted to and approved in writing by the local planning authority. The approved measures shall be put in place prior to the first occupation of the new flats as they are each completed, and retained as such thereafter.

Reason: In order to improve the sustainability of the development and to meet the challenge of climate change in accordance with policy D1 of the Eastbourne Core Strategy and section 14 of the Revised National Planning Policy Framework.

- 10.7 **Electric Vehicle Charging Points:** Prior to the first occupation of the development, a scheme showing the number and location of electric vehicle charging points shall submitted to and approved in writing by the Local Planning Authority. The details as approved shall be installed and operable prior to the first occupation of any of the units. These charging points shall thereafter be maintained in place throughout the lifetime of the development.

Reason: In order to improve the sustainability of the development and to meet the challenge of climate change in accordance with policy D1 of the Eastbourne Core Strategy and section 14 of the Revised National Planning Policy Framework.

- 10.8 **Obscure Glazing:** Prior to the first occupation of the development hereby approved, the all windows on the northern and southern elevations shall be obscurely glazed and permanently fixed shut, other than fanlights a minimum of 1.7 metres above the finished floor level of the rooms they serve and shall be retained as such, unless in accordance with a subsequent planning permission granted by the Local Planning Authority.

Reason: In the interests of environmental and residential amenity, in accordance with saved policies NE28 and HO20 of the Eastbourne Borough Plan.

- 10.9 **Closure of Existing Access:** Before preparation of any groundworks or foundations, details of the proposed means of closure of the existing vehicular access onto the site from Grassington Road shall be submitted to and approved in writing by the Local Planning Authority and the access shall be closed off in accordance with the approved details prior to the first occupation of the development.

Reason: In the interests of visual amenity and highway safety in accordance with

saved policy UHT1 of the Eastbourne Borough Plan and para. 109 of the Revised National Planning Policy Framework.

- 10.10 **New Site Access:** No development approved by this permission shall take place until full details of the means of vehicular access into the site, including the road width, kerb radii, visibility splays, surfacing materials and pedestrian routes have been submitted to and approved in writing by the Local Planning Authority. The approved details of the access shall be completed before the commencement of the use of the land or buildings hereby permitted and the visibility splays maintained free of all obstruction to visibility above 0.6 metres above ground level.

Reason: In the interests of highway safety in accordance with saved policy UHT1 of the Eastbourne Borough Plan and para. 109 of the Revised National Planning Policy Framework.

- 10.11 **Parking/Turning Space:** The development hereby approved shall not be occupied until the parking spaces and turning areas shown on approved plan 2937 26 Rev. C have been constructed, surfaced and marked out to a suitable standard. These areas shall not be used for any purpose other than for the parking and turning of vehicles thereafter.

Reason: In the interests of highway safety in accordance with saved policy UHT1 of the Eastbourne Borough Plan and para. 109 of the Revised National Planning Policy Framework.

- 10.12 **External Materials:** Before the commencement of any construction works above foundation level of the development hereby approved, a schedule of external materials to be used in connection with the development shall be submitted to and approved in writing by the Local Planning Authority, and the approved materials shall be used in the implementation of the development and thereafter so retained.

Reason: In the interests of visual amenity in accordance with saved policy UHT1 of the Eastbourne Borough Plan and policy D10a of the Eastbourne Borough Plan.

- 10.13 **Construction Traffic Management Plan:** Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of construction and delivery vehicles, wheel cleaning facilities, traffic management (to allow safe access for construction vehicles), contractor parking and a compound for plant/machinery and materials clear of the public highway. Associated traffic should avoid peak traffic flow times.

Reason: In the interest of environmental amenity and highway safety in accordance with saved Policy NE28 of the Eastbourne Borough Plan and Policy D8 of the Eastbourne Core Strategy.

- 10.14 **Surface Water Drainage:** No development shall commence at the site until

such time as the a full surface water drainage strategy has been implemented at the site. This drainage strategy should highlight the engineering/architectural/design solutions along with maintenance regime to ensure that the surface water discharge rate is no worse than the existing.

Reason: in the interest of localised flooding

10.16 **Local Labour Agreement:** Prior to Commencement of Development, Construction and Operational (if applicable) Employment and Training Plans shall be agreed with the Local Authority detailing how the developer will undertake the works in accordance with the Local Employment and Training Supplementary Planning Document. In order to enable the drafting of the Employment and Training Plans by the Council the developed is requested to submit Appendix 3 – Proforma for Construction Phase and Appendix 4 – Proforma for Operational Phase to the Council.

a) The Employment and Training Plan, will include, but not limited to the following:

- Details of the monitoring fee
- Evidence of awareness and compliance with the Employment and Training Plan in the tendering and award of contract in the construction phase
- Submission of a detailed programme f works
- Contact details for all organisations awarded contracts for the development
- Completion of a monthly monitoring form (Appendix 5) and quarterly economic impact checklist – 25% of employees and contractors to be resident/based in East Sussex
- Promotion/advertising of all sub-contracting opportunities to local business and construction/operational vacancies to local people
- Work experience for the unemployed/those aged 14 – 18 years, apprenticeship starts/completions, NVQ starts/completions, curriculum/employability activities and guaranteed job interviews for those unemployed who have participated in site specific training

b) The agreed ETP shall thereafter be complied with and all construction works to establish the development and the operational stage of the development hereby permitted shall be undertaken in accordance with the Employment and Training Plan approved pursuant to part a) above.

Reason: To ensure that the development helps secure local employment and training in accordance with the requirements of the Eastbourne Land Local Plan Policy EL1 and to meet the requirements of the Local Employment and Training Supplementary Planning Document adopted on 16 November 2016.

10.17 **Informatives**

10.18 **New Access:** The applicant will be required to enter into a Section 184 Licence with East Sussex Highways, for the provision of a new vehicular access. The applicant is requested to contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place.