

<b>App.No:</b> 190861	<b>Decision Due Date:</b> 26 <sup>th</sup> February 2020	<b>Ward:</b> Meads
<b>Officer:</b> James Smith	<b>Site visit date:</b> 11 <sup>th</sup> December 2020	<b>Type:</b> Reserved Matters
<b>Site Notice(s) Expiry date:</b> 9 <sup>th</sup> December 2019		
<b>Neighbour Con Expiry:</b> 9 <sup>th</sup> December 2019		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> Awaiting response from ESCC Highways		
<b>Location:</b> Wood Winton, 63a Silverdale Road, Eastbourne		
<b>Proposal:</b> : Reserved matters for 6 dwellings approved by outline permission 181206 appeal reference APP/T1410/W/19/3229204 requesting consideration of access, appearance, landscaping, layout and scale.		
<b>Applicant:</b> Mr Sal Dato		
<b>Recommendation:</b> Approve Conditionally		
<b>Contact Officer(s):</b>	<b>Name:</b> James Smith <b>Post title:</b> Specialist Advisor (Planning) <b>E-mail:</b> <a href="mailto:james.smith@lewes-eastbourne.gov.uk">james.smith@lewes-eastbourne.gov.uk</a> <b>Telephone number:</b> 01323 415026	



**A Addendum to report presented at committee on 25<sup>th</sup> February 2020**

A.1 Members voted to defer the decision on this application as they considered the scale of the dwellings shown on the submitted plans to be excessive and to represent an overdevelopment of the site. Particular concerns related to the size of rear gardens, the number of bedrooms provided and the amount of activity that would be associated with a development of this scale. The appearance of the car ports attached to the dwellings was also criticised by some members.

A.2 In response to the deferral, the applicant has submitted revised plans with the footprint of all dwellings being reduced, the size of garden amenity space being increased and the car ports removed. The table below shows the comparison between the Committee deferred scheme and the one now presented.

<b>FOOTPRINT</b>			
House No.	Outline Approval illustrative plans	Original Plans	Revised Plans
House 1	79 m <sup>2</sup> (approx.)	108 m <sup>2</sup> (approx.)	92 m <sup>2</sup> (approx.)
Houses 2-6	48.3 m <sup>2</sup> (approx.)	63 m <sup>2</sup> (approx.)	57 m <sup>2</sup> (approx.)

<b>GROSS INTERNAL AREA (GIA)</b>			
House No.	Outline Approval illustrative plans	Original Plans	Revised Plans
House 1	N/A	190 m <sup>2</sup> (approx.)	161.3 m <sup>2</sup> (approx.)
Houses 2-6	77 m <sup>2</sup>	145 m <sup>2</sup> (approx.)	131 m <sup>2</sup> (approx.)
Houses 2-6	Without room in roof		98 m <sup>2</sup> (approx.)

<b>ACCORDANCE WITH MINIMUM SPACE STANDARDS</b>			
as per the DCLG's Technical housing standards – nationally described space standard (2015)			
House No.	No. of bedrooms	Required GIA	Provided GIA
House 1	4 bed 6 person	106 m <sup>2</sup>	161.3 m <sup>2</sup> (approx.)
Houses 2-6	3 bed 5 person	99 m <sup>2</sup> (approx.)	131 m <sup>2</sup> (approx.)

REAR GARDEN SPACE			
House No.	Outline Approval	Deferred scheme	Revised scheme
House 1		362 m <sup>2</sup> (approx.)	377 m <sup>2</sup> (approx.)
House 2		133 m <sup>2</sup> (approx.)	147 m <sup>2</sup> (approx.)
House 3		78 m <sup>2</sup> (approx.)	80 m <sup>2</sup> (approx.)
House 4		64 m <sup>2</sup> (approx.)	70 m <sup>2</sup> (approx.)
House 5		47 m <sup>2</sup> (approx.)	54 m <sup>2</sup> (approx.)
House 6		212 m <sup>2</sup> (approx.)	240 m <sup>2</sup> (approx.)

- A.3 The revised plans show a reduction in the footprint of each dwelling and a resultant decrease in the amount of bedrooms accommodated and an increase in private amenity space. Whilst the size of the dwellings would be reduced, the Gross Internal Area (GIA) provided would exceed minimum standards and they would therefore provide good quality family living accommodation with adequately sized garden areas. The reduction on the amount of bedrooms provided would also mean the level of activity associated with the development would be lower than would be associated with the originally submitted scheme. It is therefore considered that the scale and layout of the scheme is consistent with the description of the approved outline permission.
- A.4 The car port structures have now been omitted from the development allowing for additional open space to be maintained between dwellings and thereby reducing the visual impact of the development and allowing more open space to be maintained. The loss of the car port would not reduce parking provision as each dwelling would still have access to two on-site parking spaces, provided in tandem form on a driveway.
- A.4 It is therefore considered that the revised plans, by reducing the scale of the development through a the adjustment in building footprint and number of bedrooms provided, by increasing the amount of garden space provided and by removing the car port structures, have addressed the concerns raised by members at the previous committee meeting and, as such, it is recommended that the application is approved.

**For ease of reference the report as presented at committee on 25<sup>th</sup> February 2020 is reproduced in full below.**

## **1 Executive Summary**

- 1.1 The principle of constructing 6 dwellings within the site has been established following the approval of application 181206 (allowed on appeal). The matters are consideration relate to access arrangements, site layout, the scale and appearance of the development and landscaping arrangements only.
- 1.2 The submitted scheme shows an arrangement of suitably sized family dwellings that engage with each other in an effective way and create a distinctive character

and sense of activity.

- 1.3 The proposed layout is sympathetic to the amenities of surrounding residents in terms of mitigating overlooking, overshadowing and overbearing impact. The layout is also consistent with the general characteristics of surrounding residential development in regard of plot sizes, building footprint and separation between buildings.
- 1.4 It is considered that the scale of the proposed dwellings is comparable to neighbouring residential dwellings and is suitable for the proposed development, given the size of individual plots, the overall size of the site and the proximity to neighbouring residential properties. It is considered that the design reflects general characteristics of surrounding development whilst generating a distinct sense of character for the development itself.
- 1.5 It is considered that the scale of the proposed dwellings is comparable to neighbouring residential dwellings and is suitable for the proposed development, given the size of individual plots, the overall size of the site and the proximity to neighbouring residential properties. It is considered that the design reflects general characteristics of surrounding development whilst generating a distinct sense of character for the development itself.
- 1.6 The site layout allows for sufficient space for appropriate levels of landscaping that would enable the site to retain a level of greenspace that would integrate with the surrounding green environment.
- 1.7 The proposed site access would be of sufficient width to allow for vehicles entering and leaving the site to pass one another as well as to allow pedestrians safe access and egress. A sufficient quantum of parking is provided to serve the development.

## **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  
9: Promoting sustainable transport  
11: Making effective use of land  
12: Achieving well designed places

### **2.2 Eastbourne Core Strategy Local Plan Policies 2013**

B1: Spatial Development Strategy and Distribution  
B2: Creating Sustainable Neighbourhoods  
C11: Meads Neighbourhood Policy  
D1: Sustainable Development  
D5: Housing  
D8: Sustainable Travel  
D9: Natural Environment

D10: Historic Environment  
D10A: Design

### 2.3 Eastbourne Borough Plan Saved Policies 2007

NE7: Waste Minimisation Measures in Residential Areas  
NE28: Environmental Amenity  
UHT1: Design of New Development  
UHT2: Height of Buildings  
UHT4: Visual Amenity  
UHT5: Protecting Walls/Landscape Features  
UHT6: Tree Planting  
UHT7: Landscaping  
UHT15: Protection of Conservation Areas  
UHT16: Protection of Areas of High Townscape Value  
UHT18: Buildings of Local Interest  
HO1: Residential Development Within the Existing Built-up Area  
HO2: Predominantly Residential Areas  
HO6: Infill Development  
HO7: Redevelopment  
HO20: Residential Amenity  
TR11: Car Parking  
TR12: Car Parking for Those with Mobility Problems

## **3 Site Description**

- 3.1 The site is roughly triangular in shape, being broad at the eastern end and tapering towards the western extremity.
- 3.2 The site includes the detached dwelling, Wood Winton, which is a large 2½ -storey dwelling which has painted render elevation walls and a tiled, hipped roof which contains a number of dormers. The dwelling is cut into a slope, which rises towards the rear of the building. There is a detached garage and other outbuildings to the side (east). A garden is provided to the rear (south) of the dwelling. Historic Ordnance Survey mapping shows that the site originally fell within the curtilage of Robin Hill Cottage but at some point became annexed from it.
- 3.3 The portion of the site where the proposed houses are to be located is predominantly flat but slopes upwards from the south to the north. There is also a gentler gradient running from the east of the site to the west. Neighbouring plots to the south and are at a higher level whilst those to the north and east are at a lower level. The majority of the site is enclosed by flint walling, which acts as a retaining wall in places. The site has recently been cleared, with a number of trees being removed from the boundary and overgrowth and smaller trees and shrubbery removed from the site interior. The most notable remaining tree is a mature Lime tree, of significant stature, which is positioned adjacent to the site access road and is covered by a Tree Preservation Order.
- 3.4 The access road itself is entered via a dropped kerb in Silverdale Road. The road is hard surfaced, although significantly worn and potholed, and is steep and winding due to the topography and the layout of neighbouring sites. The access

road is bordered by flint walling, which is damaged in places, and a green verge which includes hedgerow and occasional mature trees.

- 3.5 The site is fairly secluded due to its positioning to the rear of surrounding buildings, the surrounding topography and the presence of mature landscaping. Surrounding development is predominantly residential in nature and consists of large, generally detached, building originally separate dwellings but many of which have been subdivided into flats. These are interspersed with more modern three and four-storey blocks of flats that are set within well landscaped plots. Equally spaced street trees, grass verges and flint boundary walling generate a distinctive suburban character on the road. Many of the original buildings possess distinctive architectural features in the 'Arts & Crafts' vernacular and date from the late 19th to early 20th century. This is recognised by the fact that dwellings on St Johns Road that back on to the site are within the Meads Conservation Area whilst all other surrounding properties are within an Area of High Townscape Value.

#### **4 Relevant Planning History**

##### **4.1 030202**

Demolition of existing house and erection of three detached houses with garages.  
Outline (some reserved)  
Approved conditionally

##### **4.2 060712**

Renewal of outline planning permission EB/2003/0255(OL) for the demolition of existing house and erection of three detached houses with garages  
Outline (some reserved) - Approved conditionally

##### **4.3 120089**

Redevelopment of site including demolition of existing building and erection of three detached dwellings with parking and garages together with lengthening access drive (outline application)  
Outline (some reserved) - Approved conditionally

##### **4.4 160226**

Demolition of existing dwelling, erection of 3 no. detached dwellings with parking and garages together with lengthening existing access drive.  
Outline (some reserved) - Approved conditionally

##### **4.5 180569**

Outline planning permission (all matters reserved) for the erection of seven houses (AMENDED DESCRIPTION FOLLOWING REDUCTION OF UNITS) – Refused

##### **4.6 181206**

Outline planning permission (all matters reserved) for the erection of six houses –

Refused – Allowed at Appeal

## 5 Proposed development

- 5.1 The application seeks approval of reserved matters relating to access, appearance, landscaping, layout and scale associated with the outline permission in place for the provision of 6 new dwellings on the site (181206).
- 5.2 The access and layout arrangements for the proposed development are broadly similar to the indicative plans provided with the outline scheme, although the dwelling footprints are slightly larger, in the case of plots 2-6 and markedly larger in the case of plot 1.
- 5.3 The configuration of the development would concentrate the new dwellings, all of which would be detached, towards the southern boundary of the site, with one dwelling to the south of Wood Winton, a line of four dwellings in a staggered row further to the west and a single detached dwelling towards the western corner of the site. The existing access road would be utilised, with passing points incorporated to allow for the safe movement of two-way traffic. The access road would be extended across the northern elevation of Wood Winton to form a spinal road serving the development. A turning head would be provided adjacent to Wood Winton.
- 5.4 Each dwelling would be provided with a car parking space under a car port structure with an additional tandem parking space on a hard surfaced driveway to the front of it. These driveways would be accessed directly from the main cul-de-sac.
- 5.5 Two different types of dwelling would be provided, the details of which are summarised below.

Plot No.	House Type	Dimensions (approx.)	GIA Provided*	GIA Required** Per Person
2-6	2½-storey 4 bedroom	Height (ridge) – 9.4m Height (eaves) – 4.9m Width – 6.3m Depth – 10m	145 m <sup>2</sup>	103 m <sup>2</sup> (5p) 112 m <sup>2</sup> (6p) 121 m <sup>2</sup> (7p) 130 m <sup>2</sup> (8p)
5	2-storey 5 bedroom	Height (ridge) – 9m Height (eaves) – 4.9m Width – 9m Depth – 12m	190 m <sup>2</sup>	110 m <sup>2</sup> (6p) 119 m <sup>2</sup> (7p) 128 m <sup>2</sup> (8p)

\* = GIA = Gross Internal Area  
\*\* = as per the DCLG's Technical housing standards – nationally described space standard (2015)

- 5.6 The dwellings occupying plots 2-6 would have a gable ended roof with an additional small gable ended first floor overhang on the front elevation. One bedroom and an en-suite would be accommodated entirely within the roof space and would be served by rooflights on the front and rear roof slopes and a single second floor window within the side elevation, which would serve a landing. A lean-to style car port, accessed via a driveway, would be attached to the side elevation. All roofing would be surfaced in slate whilst external walls would be predominantly

finished in white render, other than the first floor overhang and car port which would be finished in slate grey cladding. Each dwelling would have a rear garden with a hard surfaced patio area, planting and a bin storage area. Additional soft landscaping would be provided to the front of the dwellings.

- 5.7 The dwelling occupying plot 5 would have a gable ended roof which would be surfaced in slate. All walls would be finished in white render. A Car port would be attached to the front elevation. Vehicular access would be provided in the form of a driveway.
- 5.8 Each dwelling would be served by two on-site car parking spaces, one of which would be provided within a car part, with the other situated on a hard surfaced driveway. Two additional spaces would be provided opposite Wood Winton whilst two parking spaces and the existing detached garage would be retained for use by the occupants of Wood Winton. The existing access from Silverdale Road will be widened in places and a 1.2 metre wide footway (which would be marked in paint in places) would be provided for pedestrian access to the site.

## **6 Consultations**

### **6.1 ESCC Highways:**

- 6.1.1 It is noted that the layout plans, Transport Report, and Access and Design Statement submitted with application number 181206 were for 6No 2 bed dwellings and 1No 3 bed dwellings. Planning application 160226 for the demolition of the existing dwelling and erection of 3No dwellings was approved Aug 16 and Condition 7 concerning the access widening was discharged 2019 application no 190347.
- 6.1.2 Planning application 190347 for a widened access at the site has been approved and constructed. The access can now accommodate two way traffic. It is proposed to use road markings to separate pedestrians and vehicles along the access road. Although it is noted that vehicles may occasionally need to encroach the pedestrian area if 2 vehicles are required to pass the low expected vehicle flows along the access road make this acceptable.
- 6.1.3 Each of the 6No 4 or 5 bed dwellings has been provided with a carport and a parking space. There are 2 additional visitors parking spaces. The dimensions of the carports and parking spaces meet East Sussex County Council's parking standards, although the majority of the parking layouts are in tandem which is not ideal.
- 6.1.4 Using the East Sussex County Council Parking Demand Calculation Tool as set out in the East Sussex County Council's 'Guidance for Parking at New Residential Developments', the expected demand for the proposed development can be calculated. For a residential development of 6 units, of which 5 four-bed and one five-bed, each with two allocated parking spaces the total expected parking demand would be for approximately 13 car parking spaces; of which 12 would be allocated and 1 would be unallocated. The proposed number of parking spaces proposed is therefore in line with the expected demand generated by the proposed development.



6.1.5 East Sussex County Council Guidelines for Parking at Residential Developments advise that each dwelling should be provided with covered, safe and convenient cycle storage for 2 cycles.

6.1.6 The applicant submitted a swept path plan for a refuse vehicle with application 181206. Although the refuse vehicle did not meet East Sussex County Council's standard length requirements it has been confirmed that the vehicle size used in the swept path plans is the size of vehicle used in Eastbourne.

6.2 Specialist Advisor (Arboriculture):

6.2.1 Only one of the trees on the driveway – a lime (T17 of the Order) is of interest. Subject to the demands of the Highways Engineers, it might be possible to retain this tree but to do so special protection measures will have to be employed.

6.3 Specialist Advisor (Planning Policy):

6.3.1 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.

6.3.2 The 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 2018, Eastbourne is only able to demonstrate a 1.56 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. The NPPF would view this application with a 'presumption in favour of sustainable development,' as described in paragraph 14 of that document. It is not considered that the proposal would be contrary to the NPPF as a whole, or contrary to any specific policies in the NPPF.

6.3.3 It is important to note that as this application is for 6 additional units, it does not meet the threshold for contribution towards affordable housing. The application is, however, liable for CIL.

6.3.4 The Borough Plan Policy HO2 identifies this location as being predominantly residential. In order to reach housing targets, planning permission will be granted for residential schemes within these predominantly residential areas. This site has been previously identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). Therefore, policy has no objections to this application.

6.4 Southern Water:

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

6.5 Meads Community Association:

- 6.5.1 The Meads Community Association representing some 660 households in Meads is aware that following the planning appeal, consent has been given for 6 houses to be erected on this site. In Paragraph 1 of the inspectors decision the following statement is made: "The appeal is allowed and outline planning permission is granted for the erection of 6 houses at Wood Winton 63a Silverdale Road, Eastbourne, East Sussex BN20 7EY in accordance with the terms of the application Ref PC/181206 dated 10th January 2019, subject to the conditions set out by the planning inspector.
- 6.5.2 Application no181206 (being the third planning application for this site) was for outline planning for the erection of 5, 2 bedroom detached houses and 1, 3 bedroomed detached house. The application stated that all houses would have a car port and one additional parking space and the site would have 3 spaces for visitor parking. The original plan also stated that the proposals are for lower priced housing fairly close to the town centre making it more attractive to first time buyers.
- 6.5.3 The outline planning application submitted in November 2019 following the appeal Ref. 190861 is for one, 5 bedroom house and five 4 bedroom houses. On the site plan houses 2-5 will be 3 storeys and house 6 will have attic accommodation. The provision of 3 car parking spaces per property will increase vehicle movements as it is likely that as a result of the increase in size and accommodation each property may have 5 or more residents. Also of concern also is that there is very limited outside garden spaces for recreational use as these houses are designed as large family homes.
- 6.5.4 The original large house is to remain and we are aware that currently a number of people are resident in this house therefore adding to the number of movements and traffic to and from this site. We have a concern that there is no indication as to what is proposed for the existing house when considering the development as a whole.
- 6.5.5 The MCA considers that this latest proposal is a cynical attempt by the developer to use the planning process in order to ascertain the maximum potential for this site. There is obviously no regard to the existing environmental quality of the area as the site has already been cleared with the loss of a number of substantial trees and a development of this scale has a flood risk.
- 6.5.6 The problems identified by the previous objectors and the Planning Committee concerning access to the site still remain. The access to the development is along an uphill, long and winding driveway suitable for only one vehicle at a time and the pedestrian pathway is separated from vehicles by a painted line and not a separate kerbed pathway. There is also a preserved tree in the centre of the path half way down the drive.
- 6.5.7 The entrance to Wood Winton off Silverdale Road remains narrow and with the

greater intensity of traffic generated from within the development this will cause additional problems in Silverdale Road. This is a busy road with a bus route and has parking on both sides of the road. Emergency vehicles would have major difficulties in accessing the development as would refuse and re-cycling vehicles. This part of Meads is recognised by EBC as having a high townscape value and this development if approved will have a severe impact on the character and appearance of this part of Meads adjacent to both the Meads and the likely extension of the College Conservation Area.

- 6.5.8 In Summary we consider that this application does not follow the inspectors decision which we believe was based on application 181206 for 6 2 bedroomed lower priced homes. The access for vehicles and pedestrians is poor especially for service and emergency vehicles. The layout and design of the site is a complete over development with the houses on 3 floors all with limited garden space based on maximising the value of the site rather to the disadvantage of the area. . Therefore we urge that this application is refused.

## **7 Neighbour Representations**

- 7.1 Objections have been received from 26 individual addresses, raising the following concerns:

- Overlooking towards neighbouring gardens and accommodation
- Increased air, noise and light pollution;
- Loss of trees, grassed areas and biodiversity/habitat;
- Service road to narrow for two way traffic;
- Footpath blocked by protected tree;
- Increased risk of surface water flooding and land slips;
- Insufficient parking on site;
- Access difficult for service vehicles due to parked cars on Silverdale Road;
- Overdevelopment on site due to increase in number of bedrooms provided;
- Lack of screening;
- Permitted Development rights need to be removed;
- Insufficient amenity space provided for family housing;
- Loss of views;
- Lack of infrastructure;
- Additional bins will be left on Silverdale Road;
- Dwellings out of keeping with surrounding development;

One letter of comment has been received:-

- A landscaping scheme using mature planting is required;

## **8 Appraisal**

### **8.1 Principle of development:**

- 8.1.1 The principle of erecting 6 new dwellings on the site has been established following the approval of outline permission by the planning inspectorate. The

current application relates only to the layout, appearance, scale and landscaping of the development and the access arrangements.

- 8.1.2 Whilst the density of the development in terms of dwellings per hectare has been agreed, housing density can also be measured in terms of bedspaces per hectare, as stated in para. 005 of the MHCLG's Planning Practice Guidance for Effective Use of Land (2019). The amount of bedspaces provided within the development, which would be defined by its layout and scale, can therefore be taken into account in the context of seeking development that represents an optimal use of the site, as required by para. 123 of the Revised National Planning Policy Framework (2019).
- 8.1.3 The content of section 12 of the Revised NPPF, 'Achieving well-designed places', is also of particular relevance in determining this reserved matters application. The guidance provided in para. 127 within this section requires development to be functional, visually attractive and effectively landscaped, to respect the surrounding built environment and landscape (whilst not discouraging innovation or change such as increased density), to possess a strong sense of space and to be safe, inclusive and accessible. It is also required that a high standard of amenity is provided both for existing residents as well as the future occupants of the development.
- 8.1.4 With regard to the access arrangements, para. 109 of the Revised National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.1.5 The proposed development will therefore be determined in the context of the NPPF, along with development plan policies that reflect the NPPF position and any other development plan policies relevant to the development.
- 8.2 Impact of proposed development on amenity of adjoining occupiers and surrounding area:
- 8.2.1 The proposed scheme is broadly similar to the indicative layout plan submitted with the outline application, albeit with a marginal increase in the footprint of the dwellings occupying plots 2-6 and a more marked increase in the footprint of the unit occupying plot 1. In para. 8 of his report allowing outline permission on appeal, the Planning Inspector stated that *'the indicative layout demonstrates that, in principle, it would be possible to erect six dwellings on the land within plots that would provide a good degree of separation between individual buildings.'*
- 8.2.2 The site is raised above the site levels of neighbouring flatted development to the north and west, whilst the flatted development that backs on to the south of the site are at a higher level. The road serving the development would flank the northern site boundary, where there is a flint wall in place that would prevent light spillage from car headlights into neighbouring windows and also provide a degree of soundproofing.
- 8.2.3 The proposed dwellings include a two-storey property occupying plot 1 and

properties that include a second floor occupying plots 2-6. The dwellings occupying plots 2-6 would essentially appear as two-storey dwellings in terms of scale as the entire second floor level would be accommodated in the roof space. It is noted that the eaves height of the 2-storey and 2½-storey dwellings is identical whilst the ridge is only 0.4 metres higher. Whilst the dwellings are positioned relatively close to the southern site boundary, a significant distance is maintained between them and neighbouring flats. This degree of separation, combined with the differential in levels between the site and development to the south is considered sufficient to prevent the dwellings from appearing overbearing. For the same reason, it is also considered that the proposed development would not cause undue levels of overshadowing.

- 8.2.4 The dwellings towards the western end of the site are also within relatively close proximity to the northern boundary, on account of the tapering nature of the plot. However, distances of a minimum of 21 metres would remain in place between the elevations of the proposed dwellings and the residential building to the north and this is considered sufficient to soften visual impact of the development. Whilst the level of the application plot is raised above that of the adjoining site to the north, this degree of separation combined with partial screening provided by the flint boundary wall is considered to soften impact and ensure that the development does not appear overly dominant when viewed from the neighbouring site. The presence of visual gaps between individual dwellings would also help to maintain a sense of spaciousness in outlook from windows belonging to surrounding residential property.
- 8.2.5 Due to the distances maintained between the proposed dwellings and neighbouring properties it is not considered that views from their windows would offer intrusive or invasive views towards neighbouring flats and dwellings. In addition, views towards neighbouring property would only be realistically available at first floor level due to the screening offered by existing site boundary treatment. Whilst parts of the communal amenity space serving flats to the north and the south of the site would be positioned closer to the proposed dwelling it is not considered views into these areas would be overly invasive and would be comparable to views of these amenity spaces available from other neighbouring property. It is noted that the dwellings closest to neighbouring flats, those at plots 1 and 6, are orientated 'side on' to the buildings on adjoining sites so as to minimise the views towards them. In the case of plot 1 the only first floor windows in the side elevation would serve bathrooms and a condition can be used to ensure these are obscurely glazed. In the case of plot 6, there are no windows at all within the side elevation facing to the south, whilst the first and second floor windows facing to the north serve landings and a bathroom rather than any primary habitable room.
- 8.2.6 The provision of second floor accommodation at plots 2-6 would be achieved through the use of rooflights rather than dormers. The primary function of these rooflights would be to provide natural light and ventilation within the rooms that they serve. As they would be installed within the roof slope they would be angled upwards rather than directly towards neighbouring properties. As such, it is not considered that they would cause any unacceptable impact upon the privacy of neighbouring residents. A condition will be attached to any approval to remove permitted development rights in order to prevent dormers being formed at a later

date, without going through the full planning process, as this type of feature would have a greater potential to allow for intrusive views or to appear overbearing.

### 8.3 Design issues:

- 8.3.1 The proposed development would incorporate two different forms of dwelling. Although plots 2-6 would accommodate rooms within the roof, the design and scale of each of the proposed dwellings is essentially in the form of a two-storey, gable roofed dwelling. The buildings immediately surrounding the development are predominantly large blocks of flats and, as such, it would not be expected for the proposed dwellings to replicate their appearance. However, general characteristics such as the use of gable roofing are consistent with surrounding development, as is the scale of the proposed dwellings which is considered to be reflective of the two and three-storey dwellings that occupy the nearby Fitzgerald Close. The use of rooflights on the buildings occupying plots 2-6 is not considered to be incongruous as they do not overwhelm the overall roof slope and there are rooflights installed on other nearby buildings, including at Hunters Lodge, which backs on to the site.
- 8.3.2 In any case, the self-contained nature of the site, combined with the scale of the development, warrants the overall development possessing its own distinctive character, as encouraged by para. 127 of the Revised National planning Policy Framework.
- 8.3.3 The increase in the footprint of the proposed dwellings over those shown on the indicative plan provided with the outline application would not result in dwellings that are overly large, particularly when viewed in context of the footprint of neighbouring buildings. The largest dwelling, occupying plot 1, is set on a more spacious plot than the smaller dwellings, ensuring that the development would not appear cramped. Individual plot sizes are comparable to surrounding development of residential dwellings, examples being Fitzgerald Close and Jephson Close, as is the ratio between building footprint and garden size.
- 8.3.4 All dwellings will be fronted by a soft landscaped area, with hard surfaced parking restricted to the side of the building. As a result, the development would not be visually dominated by parked cars and hard surfacing. The car port structures would also provide sympathetic screening to parked cars.
- 8.3.5 Due to the arrangement of the dwellings within the development, and their orientation in relation to surrounding residential buildings, the overall development would benefit from a good degree of natural surveillance. The development would also not include any secluded or isolated areas. As a result, it is considered that the proposed development would not be susceptible to anti-social or criminal behaviour nor would future occupants be subject to an unacceptable fear of crime.
- 8.3.6 All dwellings would engage with the street scene due to their orientation and arrangement of fenestrations. It is considered that this would help to generate and inclusive and welcoming environment that would promote interaction between residents and instil a strong sense of space, as encouraged by para. 127 of the Revised National Planning Policy Framework.

#### 8.4 Landscaping:

- 8.4.1 The site has recently been cleared and this activity involved the removal of a number of mature trees that were positioned around the site boundaries. Overgrowth and smaller trees were also removed from the site interior. The submitted plans include details of new tree and shrub planting along the southern and western site boundaries. Further details will be required of the exact amount of planting, the different species used and their height at the time of planting. This can be achieved through the use of a planning condition. It is also considered that the provision of some planting should be included along the northern boundary. Whilst new tree planting of a height similar to the trees removed from the site boundary would not be suitable on account of proximity to the new dwellings, it is noted that boundary planting was not considered by the planning inspector to provide any essential screening in terms of privacy.
- 8.4.2 Whilst new tree planting of a height similar to the trees removed from the site boundary would not be suitable on account of proximity to the new dwellings. It is noted trees had been removed at the time of the appeal site visit and that boundary planting was not considered by the planning inspector to provide any essential screening in terms of privacy. However, the value of landscaping as a means to preserve an element of the current green nature of the site is important and it is considered that the provision of new planting, as well as the presence of front and rear lawns, is essential to maintaining a suitable green environment.
- 8.4.3 A lime tree covered by a Tree Protection Order may be affected by the development as it is positioned adjacent to the widened access road and on the course of the proposed pedestrian footpath. The Councils arboriculturalist recommends that steps should be taken to protect the tree during construction works as well as following completion in order to ensure it is not damaged. If this is not possible, the Arboricultural Officer would accept the loss of this tree if it required on the grounds of highway safety (see para. 6.2.2).
- 8.4.4 The retention of the existing flint and brick walls enclosing the site is considered to be important due to the screening these walls provide, the purpose they serve in places as retaining walls and the contribution they make towards the character of the site and neighbouring properties. Any landscaping scheme would need to include surveys of these walls and details of necessary repairs that will need to be made. Further details of other boundary treatment, including garden screening, would also need to be provided. It is recommended that the front of sites are kept open plan in order to prevent the installation of boundary fencing that may divorce individual sites from the wider street scene.
- 8.4.5 Site landscaping, both hard and soft, will also play an important role in relation to surface water drainage. As such, a condition will be used to secure a comprehensive landscaping scheme that maximises areas of soft landscaping and that utilised permeable hard surfaces where feasible in order to improve overall site permeability.

#### 8.5 Impacts on highway network or access:

- 8.5.1 The proposed development would utilise the existing site access from Silverdale Road, which would be widened in order to allow for sufficient room for vehicles entering and leaving the site to pass each other. A pedestrian footway, part of which would be marked out as a painted surface, would also be provided to allow for pedestrians to enter and leave the site safely.
- 8.5.2 The access road shown on the layout plan includes passing points and a marked out pedestrian footpath. The climbing and winding nature of the road would also act as a natural deterrent to vehicles travelling at speed and, thereby, presenting a risk to pedestrians.
- 8.5.3 The Highways Officer did note that a 9 metre vehicle had been used as the basis for swept path analysis for refuse vehicles accessing the site, and that this was shorter than the standards used by ESCC. However, it has been confirmed that the vehicles used for refuse collection in Eastbourne are 8.54 metres long (with a wheelbase of 5.6 metres). As such, the swept path analysis that has been provided is considered to be acceptable. It is understood that refuse lorries do not currently use the lane but this is due to there being no turning facilities at present. The proposed development would provide a turning head to allow refuse lorries to leave the site in forward gear.
- 8.5.4 Each dwelling would be provided with two car parking spaces, one of which would be provided within a car port. This is a sufficient amount of car parking to support the development without giving rise to concerns of increased car parking pressure on the surrounding highway network. These car parking spaces would be directly alongside the dwelling and, therefore, be easily accessible. The parking spaces would be entered directly from the main access road and there is sufficient manoeuvring space to allow cars to turn into and out of the spaces. A turning head is also to be provided to allow for vehicles, including servicing vehicles, to turn and leave the site in forward gear.
- 8.6 Sustainable development implications:
- 8.6.1 It is noted that the Lead Local Flood Authority have objected to the scheme, on the basis of a lack of information being provided. Given that the application is for outline permission only, it is considered that the concerns raised, which relate to the ability of the ground to support infiltration drainage, could be addressed by the applicant carrying out the requested testing and submitting results at the reserved matters stage. It is also noted that there is an opportunity to use the Southern Water public sewer for surface water disposal if infiltration is found to be unfeasible.
- 8.7 Other matters:
- 8.7.1 As the development would involve a net increase of 6 residential dwellings, it would be liable to a Community Infrastructure Levy (CIL) charge. As such, a liability notice would be issued to the developer, should planning permission be granted.
- 8.7.2 The scheme proposes new dwellings on a sloping site and as such the



development proposes stepped access to the front doors. It is recognised that under building regulations that these steps should be ambulant and also that level access should be delivered to/through the rear of the property. An informative will be placed on the approval notice to cover this issue.

## **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 That the application is approved, subject to the conditions listed below.
- 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 following approved drawings:-

- 94554/301;
- 94554/302;
- 94554/303;
- 94554/304;
- 94554/305;
- 94554/306 Rev A;
- 94554/307 Rev B;
- 94554/308;
- 94554/BP;

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

- 10.4 The external materials and finishes of the dwellings hereby approved shall be in accordance with the schedule of materials provided on approved plans 94554/306 and 94554/308.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and the character of the surrounding area in accordance with policy D10a of the Eastbourne Core Strategy (2013) and saved policy UHT1 of the Eastbourne Borough Plan.

- 10.5 Prior to the commencement of development, details of surfacing, signage and any other measures to control and direct traffic movements, as well as identify a

continuous pedestrian footway to serve the development, shall be submitted to and approved by the Local Planning Authority. Thereafter, the access shall be constructed in accordance to these details prior to the occupation of the development and maintained as such thereafter.

Reason: In the interests of highway safety in accordance with para. 109 of the Revised National Planning Policy Framework and Policy D8 of the Eastbourne Core Strategy.

- 10.6 The development hereby permitted shall not be occupied until car parking spaces shown on approved plans 94554/301, 94554/302 and 94554/303 have been surfaced and marked out. The parking spaces shall thereafter be maintained throughout the lifetime of the development and the land on which they are positioned shall be used for no purpose other than for the parking and turning of vehicles.

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

- 10.7 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,

- 10.8 No development shall take place until details of surface water drainage, which shall follow the principles of sustainable drainage as far as practicable, have been submitted to and approved by the Local Planning Authority. The drainage shall be provided in accordance with the approved details. The information provided will need to include details of how surface water associated with the site and access road will be managed so as to prevent discharge onto the public highway.

The implementation of such details as approved shall be subject to soil/porosity tests for all soakaways, as deemed necessary by the Local Planning Authority, and the development shall not be occupied or used until written confirmation has been received from the Local Planning Authority confirming approval of both the porosity tests and the completed surface water drainage measures.

Reason: In order to ensure the site is adequately drained and that surface water is appropriately managed in accordance with saved Policy US4 of the Eastbourne Borough Plan.

- 10.9 Details for the provision of cycle storage in accordance with East Sussex County Council's adopted standards shall be submitted to and approved in writing by the

Local Planning Authority, and the approved details shall be implemented before the first occupation of the relevant part of the development to which they relate and retained thereafter.

Reason: To provide for alternative modes of transport in accordance with policy D8 of the Eastbourne Core Strategy.

- 10.9 No enclosure or infilling of the sides of the car-ports hereby approved shall take place without the prior written consent of the Local Planning Authority.

Reason: In order to secure the ongoing use of the car ports for parking purposes only in accordance with policy D8 of the Eastbourne Core Strategy.

- 10.10 Details of refuse and recycling storage to serve the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the residential development. The refuse storage facilities shall be provided in accordance with the approved details prior to occupation and shall thereafter be retained as such for the duration of the permitted use.

Reason: To preserve the residential and visual amenities of the locality, in accordance with saved policies UHT1, HO20 and NE28 of the Eastbourne Borough Plan.

- 10.11 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 buildings, structures or works as defined within Part 1 of Schedule 2, classes A-F inclusive of that Order, shall be erected or undertaken on the site.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interest of visual, residential and environmental amenity in accordance with saved policies UHT1, HO20 and NE28 of the Eastbourne Borough Plan.

- 10.12 No floodlighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with a detailed scheme which 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.

Reason: In the interest of environmental amenity and biodiversity in accordance with saved policy NE28 of the Eastbourne Borough Plan and Policies D1 and D9 of the Eastbourne Core Strategy.

- 10.13 Before preparation of any groundworks and foundations on site for the development hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out in accordance with the approved details. These details shall include proposed boundary treatments, proposed finished levels and contours, hard surface finishes (which should be permeable where possible), details of any retaining walls, steps, railings, walls, gates or other supporting

structures, car parking layouts, other vehicle and pedestrian access and circulation areas, minor structures (e.g. refuse and other storage units). The information shall also include indications of all existing trees and hedgerows on the land, including those to be retained, together with measures for their protection which shall comply in full with BS5837:2012 Trees in relation to design, demolition & construction – Recommendations, in the course of the development, together with a scheme for the subsequent maintenance of any trees, shrubs and hedges retained on the site and any proposed to be planted as part of the approved landscaping scheme. Soft landscape details shall include planting plans, written specifications, schedules of plants - noting species (which should be indigenous), planting sizes and proposed density.

Reason: In the interest of biodiversity, visual, residential and environmental amenities and surface water management in accordance with saved policies UHT1, NE28, HO20 and US4 of the Eastbourne Borough Plan and Policies D1 and D9 of the Eastbourne Core Strategy.

10.14 **INFORMATIVE:-**

The applicant is reminded of the requirement for ambulant steps to front door and ramp and level access to the rear of the new dwellings.

**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.