

Report to: Planning Committee
Date: 20 October 2020
Application No: 200323 (PPP)
Location: Land adjacent to Southfields Court, Southfields Road, Eastbourne
Proposal: Construction of 19no apartments in a five storey building and associated external and enabling works
Applicant: Eastbourne Borough Council
Ward: Upperton
Deadlines: **Decision Due Date:** 8 July 2020
Neighbour Con. Expiry: 11 June 2020
Recommendation: Approve with conditions and subject to a Section 106 Legal Agreement to cover affordable housing and local labour and travel plan
Contact Officer: **Name:** Neil Collins
Post title: Specialist Advisor - Planning
E-mail: neil.collins@eastbourne.gov.uk
Telephone number: 01323 410000

Map Location:



1. **Executive Summary**

- 1.1 This application is brought to the Planning Committee in line with the Scheme of Delegation as it proposes major development.
- 1.2 The application proposes the construction of a 5 storey building resulting in the net gain of 19 residential flats, comprising a mix of one and two beds and includes two 1-bed wheelchair accessible apartments.
- 1.3 The proposal would result in development of a brownfield site and the creation of good quality residential accommodation in a sustainable location close to transport links and the amenities of Eastbourne Town Centre.
- 1.4 The proposal would provide 40% affordable housing provision, in excess of the 30% required by policy.
- 1.5 Design, transport, access, amenity and drainage impacts of the development are considered to be acceptable and the development is considered to provide a good quality of proposed accommodation.
- 1.6 The scheme is recommended for approval subject to conditions and a Section 106 legal agreement for Affordable Housing, a Local Labour Agreement and a Travel Plan, to include the following:
 - An on-street car club vehicle that would include entitlement to 3 years free membership to each first time occupant household and be open to wider membership to existing residents in Eastbourne;
 - 12 month season ticket for Eastbourne bus network;
 - £100 cycle voucher per first occupant;
 - Householder information pack (walking, cycling, public transport routes / distances to local schools, doctors, dentists, hospitals, public buildings, leisure facilities, timetables, etc); and
 - Cycle Maintenance support scheme.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework 2019:

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

2.2 Eastbourne Core Strategy Local Plan 2006-2027:

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C1: Town Centre Neighbourhood Policy

D1: Sustainable Development

D5: Housing

D7: Community Sport and Health

D8: Sustainable Travel

D9: Natural Environment

D10: Historic Environment

D10A: Design

2.3 Eastbourne Core Strategy Local Plan 2001-2011:

UHT1: Design of New Development

UHT4: Visual Amenity

UHT6: Tree Planting

UHT7: Landscaping

HO1: Residential Development Within the Existing Built-up Area

HO6: Infill Development

H07: Redevelopment

H09: Conversions and Change of Use

HO20: Residential Amenity

TR1: Locations for Major Development Proposals

TR2: Travel Demands

TR5: Contributions to the Cycle Network

TR8: Contributions to the Pedestrian Network

TR11: Car Parking

BI1: Retention of Class B1, B2 and B8 Sites and Premises

BI4: Retention of Employment Commitments

NE4: Sustainable Drainage Systems

NE23: Nature Conservation of Other Sites

LCF4: Outdoor Playing Space Contributions

NE14: Source Protection Zone

2.4 Supplementary Planning Documents and other relevant documents

Affordable Housing SPD

Sustainable Building Design SPD

Trees and Development SPG
Eastbourne Townscape Guide SPG

3. Site Description

- 3.1 The application site comprises Southfields Car Park, owned and operated by Eastbourne Borough Council. The car park has provided parking for Council staff on weekdays, with weekends being offered on a pay and display basis to the general public although without staff travelling to work, this has recently extended to a full time pay and display facility.
- 3.2 The site is roughly rectangular and is accessed at its southwestern end from Southfield Road. It is bounded on its north western side by residential buildings, including Southfields Court, a 5 storey residential block of flats fronting Southfields Road and further to the north, Allingham Lodge, a taller 5 storey retirement home. It is bounded on its south-eastern side by the Post Office Depot.
- 3.3 The site forms part of a larger Development Opportunity Site (TO02) as defined within the Strategic Housing Land Availability Assessment (SHELAA 2019) including the adjacent Post Office Depot site.
- 3.4 The site falls within the Environment Agency's Flood Risk Area 1 (Low Risk).

4. Relevant Planning History

- 4.1 No relevant planning history.

5. Proposed Development

- 5.1 The application seeks permission for the construction of a five storey building located centrally on the site. The building would comprise 19 self-contained flats, which would provide a mix of housing between 1 and 2 beds and would include two 1 bed wheel chair accessible units at ground floor level.
- 5.2 8 of the 19 units, including the wheelchair accessible units, would be affordable, amounting to 40% on site affordable housing provision.
- 5.3 The building design and internal unit layout focusses outlook towards the front and rear of the site, with secondary outlook from the side elevations. Outdoors amenity space would be provided in the form of ground floor courtyards and balconies for the upper floor units.
- 5.4 The building would continue to provide vehicular access from Southfields Road and parking for two Blue Badge Holder vehicles for use by the wheelchair accessible units.
- 5.5 Secure internal ground floor cycle storage facilities would provide 38 cycle spaces for use by residents. Refuse and recycling storage facilities would be provided at the front of the site.
- 5.6 The proposal would incorporate a SUDs scheme, including a below ground tank to attenuate surface water discharge rates in the main sewer.

6. **Consultations**

6.1 East Sussex County Council (ESCC) Highways:

6.1.1 Objection to the displaced parking from the site and the on-street demands for the development.

6.2 Southern Water:

6.2.1 Our investigations indicate that Southern Water can facilitate foul and surface water sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

6.3 ESCC SuDs:

6.3.1 Objection on grounds that the site offers surface water attenuation for run off from the public highway, which would no longer be possible following development.

6.4 Specialist Advisor Planning Policy:

6.4.1 No objection to the development – sustainable residential development within the town centre location.

6.5 Specialist Advisor Regeneration:

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

6.5.2 Regeneration requests that if the above application is given approval it be subject to a local labour agreement.

7. **Neighbour Representations**

7.1 15 letters of objection, 4 general observations and 1 letter of support have been received following public consultation. Objections are lodged on the following grounds:

- On street parking stress
- Loss of car park
- Traffic generation
- Boundary wall alterations
- Overdevelopment
- Noise
- Pollution
- Loss of light
- Loss of privacy
- Too high

- Highways safety
- Loss of adjacent tree prior to application.

8. Appraisal

8.1 Principle of Development

- 8.1.1 Para. 73 of the Revised National Planning Policy Framework (NPPF) instructs that 'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. As the Eastbourne Core Strategy is now more than 5 years old, local housing need is used to calculate the supply required.
- 8.1.2 The most recently published Authority Monitoring Report shows that Eastbourne can only demonstrate a 1.43 year supply of housing land. The application site is not identified in the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) or on a brownfield register. It therefore represents a windfall site that would boost housing land supply.
- 8.1.3 Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 8.1.4 This site would not be considered a windfall site, as it has previously been identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). The application will result in a net gain of 19 residential units.
- 8.1.5 The site is located within the Town Centre Neighbourhood and Policy C1 of the Core Strategy sets out the vision for this area, which includes 'Delivering new housing through conversions, infill development and redevelopment'.
- 8.1.6 The Core Strategy states that the Town Centre Neighbourhood is one of the town's most sustainable neighbourhoods. It also states that "The Town Centre will make an important contribution to housing needs as a sustainable centre. Future residential development will be delivered through conversions and changes of use of existing buildings".
- 8.1.7 In addition, Policy B1 in the Spatial Development Strategy states 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'.

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

8.2 Housing Mix and Affordable Housing

Housing mix:

- 8.2.1 Policy TC6 of the Eastbourne Town Centre Local Plan covers Residential Development in the Town Centre and states that it should provide a mix of different dwellings to include one, two and three bedroom units to suit the needs of a range of different occupiers.
- 8.2.2 The proposed building would comprise a mix of 1 and 2 bed units although 17 of the 19 would be 2-bed with the remaining two being 1-bed. Whilst no 3-bed flats would be provided, such family-sized accommodation should have access to good quality outdoor amenity space. This constrained site would not allow for many ground floor 3 bed units and would need to replace the proposed wheel chair accessible units, which there is a far greater need for, especially as they would be included within the affordable housing provision. Therefore, 2-bed units are considered to be well suited to this site given the other considerations.
- 8.2.3 Furthermore, the precise proportions in the split between dwelling sizes is not explicitly outlined within adopted policy. Therefore, it is not considered that it would be reasonable to refuse this application based upon the proposed mix of dwelling sizes, in the absence of such detail in adopted policy.
- 8.2.4 Therefore, the proposed mix is considered to be acceptable on this site.

Affordable Housing:

- 8.2.5 Any application submitted which results in a net increase of 10 or more residential units requires provision of affordable housing as per Eastbourne Borough Council's Affordable Housing SPD (2017). As such, this proposal for 19 dwellings will require the provision of affordable housing in line with adopted policy.
- 8.2.6 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:
- off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
 - the agreed approach contributes to the objective of creating mixed and balanced communities.

- 8.2.7 Eastbourne is divided into two Market Value Areas, as defined by the Eastbourne Affordable Housing SPD 2017, which reflect dwelling prices across Eastbourne. The Town Centre Neighbourhood is identified as being a 'Low Value Market Area'. Developments within Low Value Areas require 30% provision of affordable housing on all sites.
- 8.2.8 However, the application proposes that 8 of the 19 units would be affordable, which would amount to 40% of the scheme, well exceeding the required provision. This includes the 2no. accessible units at ground floor that will help meet the need for Disabled Ready Units required by Eastbourne Borough Council.
- 8.2.9 The 8 units will either be all affordable rent or a mix of affordable rent and shared ownership, to be agreed by the Council. In either scenario, the ground floor will be affordable rent.

8.3 Design and the impact upon the surrounding area

- 8.3.1 The application proposes the construction of a five storey building, which is a reduction in height of a storey from a previously submitted scheme. The height would be taller than the neighbouring Southfields Court, but lower than Allingham Lodge. It is considered that overall height, scale and bulk of the building is sympathetic to the layout, pattern and scale of existing development in the vicinity and would be a positive addition to landscape in Southfields Road.
- 8.3.2 The building adopts a contemporary design aesthetic and would utilise modern metal cladding elements alongside traditional facing brick. It is considered that the palette of materials would harmonise with the surrounding context and would be high quality finish to the external envelope of the building.

8.4 Impact upon the amenity of neighbouring occupants

Noise and disturbance:

- 8.4.1 It is not considered that there would be any significant noise related issues with the proposal.

Daylight:

- 8.4.2 The proposed building would be set well away from neighbouring buildings and it is not considered that existing habitable room windows would suffer from any significant loss of light as a result.

Privacy:

- 8.4.3 The building would provide an outlook on all elevations of the building, including towards neighbouring residential buildings, Southfield Court and Allingham Lodge.
- 8.4.4 The impact upon the privacy for occupiers of each neighbouring building has been carefully considered. The outlook from the proposed building would be secondary to the primary outlook from living spaces to the front and rear. However, the outlook would also be set at an oblique angle to neighbouring sensitive windows at

Southfields Court and Allingham Lodge, such that direct views between windows would be slight.

8.4.5 Further to this, there is an established level of privacy between the two existing buildings and the proposal would not provide any significant reduction in the level of privacy currently enjoyed by existing neighbouring occupants.

8.4.6 It is considered that the proposal complies with Policy HO20 of the Eastbourne Borough Plan Saved Policies (2007).

8.5 Living Conditions of future occupants

Standard of proposed accommodation:

8.5.1 The proposal would create 19 units in total, comprising 2 one-bed units and 17 two-bed units.

8.5.2 The 'Technical housing standards - nationally described space standards', adopted by central Government in March 2015 defines the requirements for internal space standard for new residential units, including both the Gross Internal Area (GIA) of each unit and the internal floor area of individual rooms and storage space.

8.5.3 All proposed flats meet the respective floor space standards required by the nationally described space standards.

8.6 Outlook and privacy

8.6.1 The proposed units would comprise a good level of outlook for future occupants, with adequate daylight levels within habitable rooms. As such, the scheme is considered to be acceptable in respect of these elements, in accordance with Policy HO20 Residential Amenity.

8.7 Outdoor Amenity Space

8.7.1 The proposal would provide private outdoor space for all dwellings. In the case of the ground floor units, private amenity space would be made available by way of enclosed courtyard spaces, accessed directly from the ground floor units. On the upper floors, dwellings would have private Balconies located on the front and rear elevations of the building.

8.7.2 Taking the above considerations into account, the proposal is considered to offer a good standard of accommodation for future occupants of the units and would meet the objectives of adopted policy.

8.8 Accessibility and impacts upon highway networks

8.8.1 Policy TR2 of the Eastbourne Borough Plan states that development proposals should provide for the travel demands they create and shall be met by a balanced provision for access by public transport, cycling and walking. Additionally, Policy D8 of the Core Strategy recognises the importance of high quality transport networks and seeks to reduce the town's dependency on the private car.

Accessibility:

- 8.8.2 The site is located within the Town Centre Neighbourhood, which is considered one of the most sustainable neighbourhoods in the borough.
- 8.8.3 The site is well served in terms of public transport, amenities and public services with Eastbourne train station and the town centre just a short walk from the site. The site is served by a number of bus routes in the vicinity.
- 8.8.4 The site comprises existing vehicular access from Southfields Road and this would be retained to provide access to disabled parking for disabled blue badge holders within the site.
- 8.8.5 The site is considered to be in a highly sustainable location from a transport perspective.

Parking:

- 8.8.6 The existing car park provides 25 car parking spaces, which have until recent changes to working arrangements from the pandemic, provided in the week days for Council staff working at the Grove Road site.
- 8.8.7 The proposal would result in the loss of parking for staff, but this has been provided at the Tennis Centre at Devonshire Park. As such, daytime demand resulting from displacement of the 25 car park spaces is not considered to be significantly different as a result of the proposal.
- 8.8.8 The ESCC Car Parking Calculator indicates that the proposed development would generate an additional demand for 12 car parking spaces. An overnight on-street parking survey was undertaken in March 2020, which identified that there is additional capacity for 5 car parking spaces. Together with the proposed provision of two on-site car parking spaces for disabled Blue Badge holders, the resulting shortfall would be 5 spaces.
- 8.8.9 This is a highly sustainable location and provides excellent access to public transport, amenities and services. It is considered that the shortfall would be acceptable provided mitigating measures to dissuade vehicle ownership and encourage the uptake of sustainable methods of transport.
- 8.8.10 It is therefore recommended that a S106 agreement secures the delivery of a Travel Plan, which includes the following:
- An on-street car club vehicle that would include entitlement to 3 years free membership to each first time occupant household and be open to wider membership to existing residents in Eastbourne;
 - 12-month season ticket for Eastbourne bus network;
 - £100 cycle voucher per first occupant;

- Householder information pack (walking, cycling, public transport routes / distances to local schools, doctors, dentists, hospitals, public buildings, leisure facilities, timetables, etc); and
- Cycle Maintenance support scheme.

Cycle storage facilities:

- 8.8.11 The Council's policy TR2 (Travel Demands) seeks a balance between public transport, cycling and walking to meet the transport demands of proposed development. The application includes the provision of cycle storage facilities within a dedicated internal area with accommodation for 38 cycles, which significantly exceeds ESCC adopted standards of 0.5 spaces per unit in communal facilities.
- 8.8.12 A condition will be attached to ensure cycle parking is provided on site prior to first occupation.
- 8.8.13 Taking the above considerations into account, it is considered that the proposed development complies with Policy TR11 of the Eastbourne Borough Plan Saved Policies (2007).

8.9 Other matters

Drainage:

- 8.9.1 ESCC SUDs Team has been consulted regarding the application, who has identified that the site level is lower than the highway in Southfields Road. This means that the site currently takes on surface water discharged from the public highway.
- 8.9.2 The submitted drainage information confirms that the site would be built up so that the ground level would prevent surface water entering the site from the highway. Therefore, surface water discharging from the highway would no longer use the site by the public sewers. Management of surface water on the public highway is a matter for ESCC.
- 8.9.3 In terms of the surface water and foul sewerage requirements for the site itself, the proposal would incorporate a SUDs scheme on-site, which would include a below ground tank to attenuate surface water discharge rates in the main sewer. Southern Water has agreed that there is capacity for both foul and service water

Refuse/Recycling storage facilities:

- 8.9.4 The application provides details of refuse/recycling storage facilities within dedicated facilities on the Southfield Road Frontage. The proposed facilities would be large enough for the intended occupancy and suitably sited for collection and a condition has been attached to ensure that they are provided prior to first occupation of the building.

Community Infrastructure Levy:

8.9.5 The development is not liable for CIL, as it is a development of flats, which are not included under the current charging schedule.

9. Human Rights Implications

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

10. Recommendation

10.1 Grant planning permission subject to a S106 legal agreement to include the following:

- Affordable Housing:
- Local Labour Agreement
- Travel Plan

and the following conditions:

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

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

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

Site and Location Plan: 2779/01

Proposed Plans Sheet 1: 2779/02

Proposed Roof Plans Sheet 1: 2779/03

Proposed Elevations Sheet 1: 2779/04

Proposed Elevations Sheet 2: 2779/05

Bay Study and Materials: 2779/06

Visuals Sheet 1: 2779/07

Visuals Sheet 2: 2779/08

Sustainable Drainage & Flood Risk Assessment, by HOP, dated March 2020

Proposed Drainage Strategy: 15744-HOP-ZZ-XX-DR-C-10001 Rev 1

Design and Access Statement, by Felce and Guy Partnership LLP

Transport Statement, by Motion, dated 24/03/2020

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

- 10.4 External Materials - The external surfaces of the development, hereby approved, shall be finished in accordance with the approved Design and access Statement, unless otherwise approved in writing by the Local Planning Authority.

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

- 10.5 Parking spaces - No part of the development shall be occupied until the disabled car parking has been constructed and provided in accordance with the approved plans. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide disabled car-parking spaces for the development.

- 10.6 Cycle Parking - Secure covered cycle parking facilities for a minimum of 38 bicycles shall be provided in accordance with the details approved prior to first occupation of the development, hereby approved, and shall thereafter be retained in accordance with the approved details for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory facilities for refuse and the parking of cycles are provided and to encourage travel by means other than private motor vehicles.

- 10.7 Refuse and Recycling - Refuse and recycling facilities shall be provided in accordance with approved plans prior to first occupation of the development, hereby approved, and retained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory facilities for refuse and the parking of cycles are provided and to encourage travel by means other than private motor vehicles.

- 10.8 Vehicular Access - The development, hereby approved, shall not be occupied until the vehicular access serving the development has been constructed in accordance with the approved drawings.

Reason: In the interests of road safety.

- 10.9 Green Roof and Micro Generation - No development shall commence until details of the green roof have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the green roof shall be implemented in accordance with the approved details, the development, hereby approved, shall not be occupied until the green roof and renewable energy equipment has been constructed in accordance with the approved drawings.

Reason: of the amenity of the area and sustainability.

- 10.10 Level Access - The development, hereby approved, shall not be occupied until level access from the car parking spaces and the public highway to the dwellings has been constructed in accordance with the approved drawings.

Reason: In the interests of accessibility.

10.11 Construction Management Plan - development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and egress and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors;
- the loading, unloading and storage of plant, materials and waste;
- the times of any deliveries related to the development, which should avoid peak travel times;
- the erection and maintenance of security hoarding;
- details of wheel washing, or any other measures to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- details of public engagement both prior to and during construction works;
- details of any temporary structures or hoarding on or around the site.

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

11. **Appeal**

11.1 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.

12. **Background Papers**

12.1 None.