

**Report to:** Planning Committee  
**Date:** 24<sup>th</sup> November 2020  
**Application No:** 200260  
**Location:** The Cottage, 2 Wharf Road, Eastbourne, East Sussex, BN21 3UG

**Proposal:** Demolition of existing buildings and erection of block of nine self-contained flats over three storeys

**Applicant :** Mr Kieron Goujon  
**Ward:** Upperton

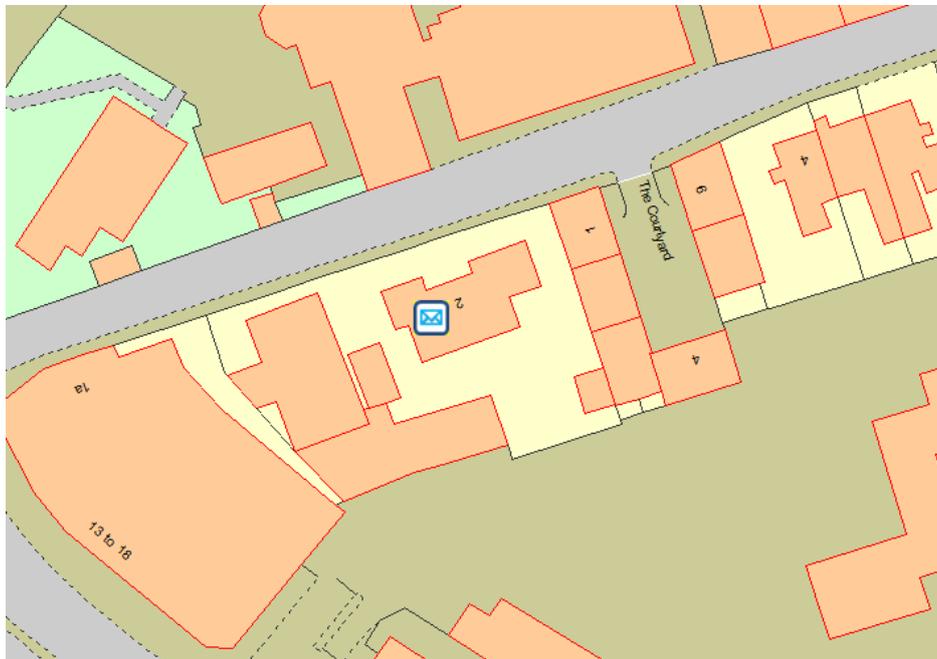
**Deadlines:** **Decision Due Date:** 29 May 2020  
**Neighbour Con. Expiry:** 28 May 2020

**Recommendation:** To approve with conditions.

**Contact Officer:** **Name:** Neil Collins  
**Post title:** Specialist Advisor - Planning  
**E-mail:** [neil.collins@eastbourne.gov.uk](mailto:neil.collins@eastbourne.gov.uk)  
**Telephone number:** 01323 410000

---

**Map Location:**



## 1. **Executive Summary**

- 1.1 This application is brought to the Planning Committee at the discretion of the Head of Planning and the Chair of the Committee, due to the number of objections received.
- 1.2 The application proposes the construction of a three storey building resulting in the net gain of 9 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 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.
- 1.5 The scheme is recommended for approval subject to conditions.

## 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 a rectangular shaped piece of land fronting Wharf Road. It is currently occupied by a single storey residential dwelling with associated soft landscaping.
- 3.2 To the south of the application site is the Enterprise Centre and Eastbourne Train Station, with associated car park. The site is bounded to the south and west by Cobie Veterinary Clinic.
- 3.3 The site is located within the Upperton Ward and the Town Centre Neighbourhood. It is neither located within nor in close proximity to any designated heritage assets.

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 for the application site.

#### 5. **Proposed Development**

5.1 The application seeks permission for the demolition of the existing building and construction of a three-storey residential building. The building would comprise 9 self-contained flats, which would provide a mix of housing between 1 and 2 beds.

5.2 Six of the 9 units would have private outdoor amenity space available to future residents, via either ground floor courtyards or balconies.

5.3 The building would not provide any off-street parking spaces for future residents of the building.

5.4 Enclosed ground floor cycle storage facilities would provide 8 cycle spaces for use by residents. Refuse and recycling storage facilities would be provided at the front of the site within a designated enclosure.

5.5 Level access to the proposed building would be made available via a ramp from street level.

#### 6. **Consultations**

##### **External**

##### 6.1 ESCC Highways -

6.1.1 No comments received.

##### 6.2 Southern Water

6.2.1 Southern Water has raised issue with the location of existing sewer infrastructure in relation to the proposed building, but has advised that if the LPA is minded to grant permission that drainage works should be approved by condition following Southern Water's prior approval.

##### 6.3 ESCC SUDs

6.3.1 No comments received.

##### **Internal**

##### 6.4 Specialist Advisor – Planning Policy

6.4.1 No principle objections on policy grounds.

##### 6.5 Specialist Advisor – Environmental Health

6.7.1 Conditions are advised requiring submission of details of hours of working, prevention of pollution and prevention of burning material on site during the construction period.

## 7. Neighbour Representations

7.1 15 letters of objection have been received regarding the application. Objections are lodged on the following grounds:

- On street parking stress
- Construction related traffic
- Out of character with surrounding property
- Overdevelopment
- Noise
- Loss of light
- Loss of privacy
- Loss of existing building
- Prevention of emergency services accessing Wharf Road
- Loss of trees

## 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 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 9 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 for the Town Centre Neighbourhood and is considered to be acceptable in principle.

## 8.2 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 (3 x 1-bed units and 6 x 2-bed units). Taking into account the location and the constraints of the site, the proposed housing mix is considered to be acceptable.

## 8.3 Design and the impact upon the surrounding area

### Building Design

- 8.3.1 The application proposes the construction of a three-storey building. The site is located within an area of diverse architectural styles and building heights and forms. Buildings in Wharf Road comprise from one to three storeys and there is no continuity in the building heights within the street. The proposed building would be taller than the neighbouring buildings forming 'The Courtyard' and the veterinarian clinic. However, the proposed three storeys would sit in the context of the wider area, which would include three storey buildings in Wharf Road and Station Parade. Taking this into account, it is considered that the building would harmonise with the prevailing character of the area in terms of its height and bulk.

8.3.2 The proposed elevational design would also be similar to existing buildings in Wharf Road. The applicant has submitted details of the proposed material treatment of the external surfaces of the building. This would include facing brick and powder coated metal cladding and windows/doors. The application has been amended to revise the treatment of the third floor to break down the material treatment of the elevation and the perceived scale of the building. This is considered to be acceptable and a condition is recommended to ensure that the materials closely match the submitted details.

#### Soft Landscaping features

8.3.3 The existing site comprises a significant degree of soft landscaping features, which provide both a verdant appearance and habitats for wildlife. The existing soft landscaping features on the site are not protected. There are also no protected trees within the application site.

8.3.4 The proposal includes the provision of a green roof and soft landscaping at the front of the site. Taking into consideration the site constraints, this level of soft landscaping provision is considered to be acceptable. A condition has been added to ensure that full details of the planting of the site are submitted for approval and implemented prior to first occupation to ensure that suitable level of soft landscaping is achieved in the interest of the appearance and ecology of the site.

#### 8.4 Impact upon the amenity of neighbouring occupants:

##### Noise and disturbance

8.4.1 A number of objections received in relation to the application pick up the issue of noise and disturbance during construction. This is not a material planning consideration in the determination of planning applications. However, a condition has been added requiring a Construction Environmental Management Plan, which would require details of the management of environmental pollution resulting from construction works, such as dust and other emissions, together with the construction working hours. It is considered that this would control the relevant potential impact upon neighbouring occupiers from environmental pollution.

##### Daylight

8.4.2 The proposed building would be set away from the nearest neighbouring residential buildings at The Courtyard. Therefore, it is not considered that the taller height of the building would amount to a significant loss of light to neighbouring roof lights at the Courtyard. However, it is also noted from planning records that the velux windows at the Courtyard do not serve habitable rooms and loss of light is only considered in respect of habitable rooms in accordance with BRE standards. Taking this into account, it is not considered that the proposed building would result in any unacceptable loss of light to neighbouring windows.

### Privacy

- 8.4.3 The proposed building would provide an outlook on all elevations of the building, including towards neighbouring residential buildings at The Courtyard. The aforementioned velux windows on the western roof slope of The Courtyard, facing the site, would be overlooked by second floor windows on the eastern elevation of the proposed building without further restrictions. Therefore, a condition is recommended to ensure that the second floor windows on the eastern elevation would be obscure glazed and non-opening to at least 1.7m above internal finished floor level.
- 8.4.4 Proposed first floor windows would be at a level that would not allow views into neighbouring property, such that no further measures are considered necessary.
- 8.4.5 Screening is proposed to a height of 2m above balcony floor level to prevent views from the proposed balconies to neighbouring sensitive windows.
- 8.4.6 To the west of the building, upper floor windows would have a view back to neighbouring residential windows on the upper floors of the Station Parade buildings. However, the minimum separation distance from proposed to existing windows would be approximately 24m and this is considered to be sufficient that privacy would be protected for existing occupiers.
- 8.4.7 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
- 8.5.1 Standard of proposed accommodation:  
The proposal would create 9 units in total, comprising 6 x two-bed units and 3 x one-bed units.  
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.
- 8.5.2 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 6 of the 9 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 rear elevation 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 directly adjacent to the site and the amenities of the town centre just a short walk from the site. The site is also served by a number of bus routes in the vicinity.
- 8.8.4 The site is considered to be in a highly sustainable location from a transport perspective and that the transport needs of the development could be adequately met by walking and cycling alone.
- 8.8.5 The proposed building would be set down from street level and would include a ramp for disabled access from the street, together with a lift within the building, meaning that all units would be accessible.

### Parking

- 8.8.6 The proposal would not include any on-site parking for future occupants.
- 8.8.7 The site is in a highly sustainable location and provides excellent access to public transport, amenities and services within the Borough.
- 8.8.8 It is considered that the location can provide for the transport needs of future occupants without private car ownership. However, it is anticipated that the proposal would lead to a degree of car ownership and parking on-street by future occupants.
- 8.8.9 However, additional demands for on-street parking capacity would be a dissuasive factor in car ownership. The Council is committed to dissuading car use, particularly within sustainable location where adequate alternative methods of transport exist. Taking this into

account and on balance it is considered that the additional on street demand is acceptable in this location.

#### Cycle storage facilities

- 8.8.10 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 8 cycles, which exceeds the ESCC adopted standards of 0.5 spaces per unit in communal facilities.
- 8.8.11 A condition will be attached to ensure cycle parking is provided on site prior to first occupation.
- 8.8.12 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

#### Energy

- 8.9.1 The building would include solar voltaic and water heating panels on the roof for renewable energy provision.

#### Drainage

- 8.9.2 A condition has been attached requiring that the applicant meets the agreement of ESCC Suds and Southern Water regarding any drainage design and this would be approved prior to commencement and implemented in accordance with the approved design prior to first occupation.

#### Refuse/Recycling storage facilities

- 8.9.3 The application proposes refuse/recycling storage within a dedicated enclosure on the Wharf 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.

#### Construction Management

- 8.9.4 A Construction and Environmental Management Plan would be required by condition to ensure that construction related traffic would be suitably managed in relation to the site, including delivery times, parking, types of vehicles, construction traffic movement. The plan would also include the previously mentioned pollution mitigation measures.

#### 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 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).

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

Location Plan: 06-0220-10

Block Plan as proposed: 06-0220-09 Rev A

Proposed Ground Floor Layout: 06-0220-01 Rev A

Proposed First Floor Layout: 06-0220-02

Proposed Second Floor Layout: 06-0220-03 Rev A

Proposed Roof Layout: 06-0220-04 Rev B

Proposed Front and Rear Elevations: 06-0220-05 Rev B

Proposed Side Elevations: 06-0220-06 Rev B

Sample Materials Sheet

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 details, 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 8 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 Landscaping and Planting - Notwithstanding what is shown on the approved plans, prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of the treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.

Details shall include:

- a) a scaled plan showing all hard and soft landscaping;
- b) details of all hard surfaces;
- c) details of the green roof;
- d) all boundary treatments;
- e) a schedule detailing sizes, species and numbers of all proposed plants;
- f) sufficient specification to ensure successful establishment and survival of new planting.

Any new planting that dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be implemented in the next planting season in accordance with the approved details, unless agreed otherwise with the Local Planning Authority.

Reason: To safeguard and enhance the character and amenity of the area.

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

Reason: In the interests of accessibility.

- 10.10 Construction Environmental Management Plan - No development shall take place, including any ground works or works of demolition, until a Construction Environmental 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 on or around the site.
- hours of construction;
- details of all mitigating measures to ensure protection of neighbouring occupants from environmental pollution; and
- assurance that no burning of material will take place on site.

Reason: in the interest of the amenity of the area and highway safety.

- 10.11 Obscure glazing - Notwithstanding the approved drawings, the second floor windows in the eastern elevation of the development, hereby approved, shall be obscurely glazed and non-opening to a minimum height of 1.7m above internal finished floor level and shall be installed prior to first use of the development and retained as such for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of neighbouring residents and future occupiers.

- 10.12 Balcony Screening - The balcony privacy screens shown on the approved drawings shall be installed prior to first use of the development, hereby approved, and shall be retained in accordance with the approved details for the lifetime of the development.

Reason: To protect the amenity of neighbouring properties and future occupiers.

- 10.13 Drainage - No above ground works shall commence until the detailed drainage design, including any relocation of drainage, has been submitted to and agreed in writing by the Local Planning Authority. Surface water run off to the surface water sewer network shall be limited to a rate agreed with Southern Water and shall incorporate any required mitigation measures.

Thereafter, approved drainage works shall be carried out or supervised by an accredited person prior to first occupation of the development, hereby approved. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM).

Prior to submission of the details, the applicant shall first make contact with ESCC SuDS Team and Southern Water to ensure their prior agreement.

Reason: To reduce the risk of flooding, both on and off site

10.14 Prior to occupation of the development, hereby approved, evidence (including photographs) shall be submitted showing that drainage works approved pursuant to condition 12 (drainage) has been constructed in accordance with the final agreed detailed drainage designs.

Reason: To reduce the risk of flooding, both on and off site.

## 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.