

**Report to:** Planning Committee  
**Date:** 26<sup>th</sup> May 2021  
**Application No:** 200855  
**Location:** 1 Elmwood Close, Eastbourne, East Sussex, BN23 8HR  
**Proposal:** Demolition of existing dwelling and erection of 3no three bedroom dwellings with new vehicular access

**Applicant :** Mr D Ashford  
**Ward:** Langney  
**Deadlines:** **Decision Due Date:** 10 May 2021  
**Neighbour Con. Expiry:** 8<sup>th</sup> April 2021

**Recommendation:** Approve with conditions

**Contact Officer:** **Name:** Neil Collins  
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**Map Location:**



## 1. **Executive Summary**

- 1.1 This application is brought to the Planning Committee at the discretion of the Committee Chair and Head of Planning due to the number of objections received.
- 1.2 The application seeks planning permission for the erection of three detached single family dwellings following demolition of the existing single dwelling on the site.
- 1.3 The site has been the subject of a previous outline application for two pairs of semi-detached dwellings, seeking consideration of access and scale. This was refused on grounds of the scale of the dwellings, the site arrangement and safety concerns with the access arrangements. An appeal to the Planning Inspectorate was later dismissed.
- 1.4 This application has been submitted following officer advice and seeks to overcome the reasons for refusal by virtue of a reduced scale and site take up and through improvements to the vehicular access arrangements.
- 1.5 Officers consider that the revised scheme overcomes the previous reasons for refusal and, in balancing the planning considerations, weighs in favour of the provision of good quality sustainable housing on an underused site. The proposal would therefore be considered sustainable development in the context of NPPF policy and would make a positive contribution to housing delivery in the Borough.
- 1.6 The application 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
- C8: Langney 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 roughly rectangular shaped plot located on the corner of Elmwood Close and Sorrel Drive, which form the north west and north east boundaries of the site, respectively.

- 3.2 The site currently accommodates a single bungalow dwelling, which is centrally placed on the plot. Together with another bungalow on the opposite side of Elmwood Close, the existing building on the application site is noticeably different to the other dwellings in the vicinity. Dwellings in the vicinity of the site are predominantly two storey with pitched roofs.
- 3.3 To the south of the site is New College Close, with numbers 6 and 7 sharing the south western and south eastern boundaries, respectively.
- 3.4 The site is located within a Predominantly Residential Area and the Shinewater & North Langney Neighbourhood.
- 3.5 The site falls within the Environment Agency's Flood Risk Area 1 (Low Risk).

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

##### 4.1 190500

- 4.2 Outline application for residential development of land requesting consideration of access and scale.

Refused, 22<sup>nd</sup> August 2019.

Appeal, dismissed 22<sup>nd</sup> October 2020.

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

- 5.1 The application seeks planning permission for demolition of the existing dwelling on the site and the construction of three detached single-family dwellings on the site, together with landscaping and off-street parking for 5 vehicles.

#### 6. **Consultations**

##### 6.1 External

##### 6.2 ESCC Highways

- 6.2.1 No comments to make

##### 6.3 Southern Water

- 6.3.1 No comments

##### 6.4 ESCC SUDs

- 6.4.1 No comments

##### 6.5 Internal

- 6.5.1 Specialist Advisor (Arboriculture) – landscaping condition recommended to obtain details of the planting, including species, numbers and specifications.
- 6.5.2 Specialist Advisor (Quality Environment) – Construction and Environmental Management mitigation measures to be approved.

## 7. Neighbour Representations

7.1 7 letters of objection and 1 letter of support have been received regarding the application. Objections are lodged on the following grounds:

- Development overscale for the site
- Design and appearance
- Safety concerns regarding access
- Out of character with surrounding property
- Loss of privacy
- Parking provision

## 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 18 residential units.
- 8.1.5 Policy C8 (Langney Neighbourhood Policy) of the Eastbourne Core Strategy 2013 states that the Langney neighbourhood will be promoted through the redevelopment of underused sites and, as

such, it is considered that this planning proposal would meet this policy objective.

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

## 8.2 Design and appearance

### 8.2.1 Scale, bulk and massing

- 8.2.2 The previous proposal for four dwellings on the site was considered overly dominant in terms of scale, largely because the building heights were taller than that of the existing neighbouring properties, but also because of the site take-up and the resulting discordance with the established character and urban grain in the vicinity.

- 8.2.3 This proposal seeks to overcome these concerns through a reduced building height and scale and rearrangement of the buildings on their respective plots. In terms the proposed height, this would now be commensurate with neighbouring buildings, both in terms of the total height and the eaves height of the dwellings. The proposed height is considered to be acceptable and would accord with the general scale of development in the vicinity and would site well within the street scene, reducing the dominance of the previous proposal.

- 8.2.4 The dwellings would also have pyramidal roof forms, which would be different to the dual pitches of neighbouring buildings, but would further reduce the scale, bulk and massing, particularly when viewed by neighbouring occupants to the rear of the site. The departure from the predominant dual pitches of neighbouring properties is therefore considered to be acceptable in the context of the site constraints.

### 8.2.5 Materials

- 8.2.6 The proposed dwellings would comprise materials that would be sensitive to the palette of materials in the local area. The dwellings would be faced in brick, with tiled roofs. It is noted that buildings in the vicinity comprise predominantly buff and red brick, but render is also present. Buildings on this side of Sorrel Drive comprise mainly red brick and, as such, the proposed red brick is considered to harmonise with the existing built form.

### 8.2.7 Landscaping

- 8.2.8 The existing site comprises a significant degree of soft landscaping features around the existing dwelling, which is centrally placed on the plot.

- 8.2.9 The submitted plans demonstrate that a suitable level of soft landscaping features can be accommodate within the scheme to soften the development in the street scene of Sorrel Drive and Elmwood Close. This would include planting to the corner of Elmwood Close and Sorrel Drive, which is the main point of appreciation of the site when viewed in the Sorrel Drive street scene.

- 8.2.10 Landscaping features, such as the species and numbers of planting would be required by condition of permission and to ensure their survival or replacement within a five-year period following consent.
- 8.2.11 Taking the above considerations into account, proposed landscaping is considered to be acceptable.

### 8.3 Amenity

#### 8.3.1 Privacy

8.3.2 Directly behind the application site is number 6 New College Close, which is arranged perpendicular to the rear facing outlook of the proposed dwellings. As such, upper floor windows would not be directly facing and would result in privacy being maintained between the properties.

8.3.3 Number 2 Elmwood Close does have front windows facing the rear of the proposed dwellings, although the nearest proposed dwelling would retain an approximately 22m from number 2, which is sufficient to prevent undue loss of privacy.

#### 8.3.4 Daylight

8.3.5 The separation distances between the proposed dwellings and neighbouring properties, together with the orientation of the site, would not result in any significant loss of light to existing neighbouring habitable room windows.

8.3.6 The proposed dwellings would be dual aspect and would received suitable levels of light for future occupants of the development.

#### 8.3.7 Outlook

8.3.8 Outlook from neighbouring windows would be adequately preserved by way of the separation distances and would not have an overly dominant or oppressive impact upon neighbouring occupants.

8.3.9 The proposed units would also comprise a good level of outlook for future occupants, with adequate daylight levels within habitable rooms.

8.3.10 As such, the scheme is considered to be acceptable in respect of these elements, in accordance with Policy HO20 Residential Amenity

### 8.4 Outdoor Amenity Space

8.4.1 The proposal would provide private outdoor space for each of the dwellings in the form of rear garden areas. Plot 3 would have a reduced amount of rear garden space when compared to the other dwellings, due to the location of parking accessed from Elmwood Close. However, the space would remain useable for the intended number of occupants and it is not considered that this would amount to a reason for refusal of the application.

8.4.2 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.

## 8.5 Accessibility and impacts upon highway networks

8.5.1 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.

### 8.5.2 Accessibility

8.5.3 The site is located within the Town Centre Neighbourhood, which is considered one of the most sustainable neighbourhoods in the borough.

8.5.4 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.

8.5.5 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.

8.5.6 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.

### 8.5.7 Access and Parking

8.5.8 This proposal comprises 3 three-bed detached dwellings on the site. The submitted information proposes off-street parking associated with the proposed dwellings. This would be in the form of two spaces for two of the dwellings, with the third having a single parking space; a total of 5 spaces. Three of the proposed spaces would be accessed from Sorrel Drive and the remaining two spaces from Elmwood Close. Each of the parking spaces would meet the size required by ESCC parking standards.

8.5.9 According to the East Sussex County Council Car Ownership Parking Demand Calculator, there would be a need for 6 car parking spaces to meet the demand generated by the development. Therefore, there is a small shortfall in the proposed provision. However, at the time of the site visit the planning officer observed that there was sufficient on street parking to accommodate an additional vehicle and, together with the amount of soft landscaping that this would afford the development, is considered acceptable.

8.5.10 The previous application was refused on grounds of an excessive width of vehicle crossover at the front of the site, which was considered to prejudice the safety of pedestrians using the pavement in front of the crossover. This has been reduced and the width of

crossover is now considered to be acceptable from a safety perspective, whilst allowing for a suitable level of soft landscaping to soften the development in the street scene.

8.5.11 Cycle storage facilities

8.5.12 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 dedicated facilities located within the rear garden. This would provide the required quantum of cycle spaces for the proposal development. The rear garden location remains unchanged from the previous application and was not considered to be a convenient location for use by occupants together with the resulting reduction in amenity space provision. However, in balancing the planning considerations and the improvements to other areas of the scheme, this arrangement is considered to be acceptable.

8.5.13 A condition will be attached to ensure cycle parking is provided on site prior to first occupation.

8.5.14 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).

8.6 Other matters

8.6.1 Drainage

8.6.2 A drainage scheme has been submitted with the application, which details onsite surface water attenuation measures, to mitigate the impacts upon the public surface water sewer. This demonstrates that the system would result in manageable surface water run-off from the site. However, two conditions have been attached requiring confirmation that the applicant meets the agreement of Southern Water regarding the discharge rates into the public sewer and for submission of a maintenance and management plan to ensure that the efficacy of the system is maintained over the lifetime of the development. It is noted that an example maintenance plan is included within the drainage strategy, but this is not sufficient given the choice of equipment/products has not yet been made.

8.6.3 Refuse/Recycling storage facilities

8.6.4 The application proposes refuse/recycling storage within a dedicated enclosures. The proposed facilities would be large enough for the intended occupancy and suitably sited for occupants' use. A condition has been attached to ensure that they are provided prior to first occupation of the building.

8.6.5 Construction Management

8.6.6 A Construction and Environmental Management Plan has been submitted with the application and is considered to ensure that construction related traffic and environmental impacts of construction

would be suitably managed, including delivery times, parking, types of vehicles, construction traffic movement, wheel washing and dust suppression.

8.6.7 Community Infrastructure Levy

8.6.8 The development is CIL liable.

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). Approved Plans

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

Location and Block Plan: 2993 31

Proposed Site Layout: 2993 34 Rev A

Proposed Elevations: 2993 39 Rev A

Proposed Ground Floor: 2993 36 Rev A

Proposed First Floor: 2993 37 Rev A

Proposed Elevations: 2993 38 Rev A

Construction and Environmental Management Plan, dated 11<sup>th</sup> March 2021

Site Management Plan: 2993 40 Rev C

Ground Reports, dated 15<sup>th</sup> February 2021

Outline Drainage Scheme: 20021-DR-D-0200-S4-P02

Outline Drainage and External Works Details: 20021-DR-D-0200-S4-P01

Flood Risk Assessment and Drainage Strategy, by BPS, dated February 2021: 20021-RP-D-2100-S4-P01

Drainage Strategy Appendices, by BPS: 20021-RP-D-2100-P01

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 car parking spaces have been constructed and provided in accordance with the

approved plans. The spaces 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 6 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** - 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, including their porosity;
- c) all boundary treatments;
- d) a schedule detailing sizes, species and numbers of all proposed plants;
- e) 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 **Construction Environmental Management** - The development, hereby approved, shall be constructed strictly in accordance with the approved Construction Environmental Management Plan, dated 11<sup>th</sup> March 2021.

Reason: in the interest of the amenity of neighbours and highway safety

- 10.10 **Drainage system** - Prior to first occupation of the development, hereby approved, the drainage system shall be completed in accordance with the

approved details. The 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 Southern Water to ensure their prior agreement to surface water discharge rates.

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

10.11 **Drainage management and maintenance** - Prior to first occupation of the development, hereby approved, a Maintenance and Management Plan for the entire drainage system to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:

- a. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
- b. Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.

Maintenance of the drainage system shall be in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

10.12 **Drainage (evidence of construction)** - Prior to occupation of the development, hereby approved, evidence (including photographs) shall be submitted showing that drainage system has been constructed in accordance with the approved 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.