

**Report to:** Planning Committee  
**Date:** 25<sup>th</sup> May 2021  
**Application No:** 210108  
**Location:** 36 Broomfield Street, Eastbourne  
**Proposal:** Outline planning permission (Access, Appearance, Layout and Scale) for demolition of existing dwelling and garage block and erection of 4 x detached 3 bedroom dwellings, 2 x semi-detached 3 bedroom dwellings and 2 x semi-detached 2 bedroom dwellings (8 residential units in total following amendments) - resubmission of 200302

**Applicant :** MR H GOACHER  
**Ward:** Old Town

**Recommendation:** Approve with conditions

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**Map Location:**



## 1. **Executive Summary**

- 1.1 This application is referred to the Planning Committee due to the level of representations currently received.
- 1.2 The submission comprises an Outline planning application with Access, Appearance, Layout and Scale under consideration with landscaping details a reserved matter although layout drawings show indicative landscaping arrangements.
- 1.3 The proposal involves the demolition of all existing buildings within the site area and the redevelopment of the site for residential purposes. The scheme as now amended would incorporate 8 no dwellings.
- 1.4 The proposed development would represent the optimisation of the use of a previously developed site to residential. It would ensure that the amenities of neighbouring residents are preserved.
- 1.5 It is acknowledged that that the Council is not, at present, able to substantiate a five-year supply of housing. The development of housing on this previously developed site is considered to accord with the 3 dimensions of sustainable development as set out in paragraph 11 of the NPPF. The proposal will make a welcome contribution to the housing stock in the Borough.
- 1.6 The application is considered to comply with national and local policies and is therefore recommended for approval subject to conditions.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

### 2.2 Eastbourne Core Strategy Local Plan 2006-2027:

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C4 Old Town Neighbourhood Policy
- D1 Sustainable Development

D5 Housing

D8 Sustainable Travel – A2021 Quality Bus Corridor

D10a Design

2.3 Eastbourne Borough Plan 2001-2011:

NE7 Waste Minimisation Measures in Residential Areas

NE28 Environmental Amenity

UHT1 Design of New Development

UHT4 Visual Amenity

UHT7 Landscaping

HO1 Residential Development within the Existing Built-up Area

HO2 Predominantly Residential Areas

HO8 Redevelopment of Garage Courts

HO20 Residential Amenity

TR6 Facilities for Cyclists

TR11 Car Parking

2.4 Eastbourne Employment Land Local Plan (ELLP- adopted 2016).

3. **Site Description**

3.1 The application site comprises a self-contained garage compound with associated hardstanding which has vehicular access from Broomfield Street. The rear gardens of dwellings on Northiam Road, Dillingburgh Road, Broomfield Street and Longland Road back onto the northern, eastern, southern and western boundaries of the site respectively.

3.2 The garages are positioned centrally within the compound in a single block comprising a total of 40 garages (2 rows of 20 positioned back to back). The garages have shallow pitched roofing and would appear to be in good condition. The garages are let out for use for storage purposes and their use is not directly tied to any neighbouring properties for the purpose of car parking.

3.3 The application site also incorporates the existing plot at 36 Broomfield Street which comprises a detached two-storey dwelling along with front and rear garden areas.

3.4 Surrounding development is predominantly residential and in the form of relatively large two-storey dwellings, the majority of which are semi-detached or terraced, that are set back from the road in a uniform building line and have fairly lengthy rear garden space. Due to the surrounding topography, properties to the south of the site are on lower lying ground whilst those to the north and west are on raised ground as are properties to the east at the northern end of Dillingburgh Road.

- 3.5 There is open green space at Old Town Recreation Ground, which is nearby to the west, whilst further to the north west are the fringes of the South Downs National Park, defined by wooded hill slopes.
- 3.6 The site is located within the settlement boundary. There are no specific planning constraints or designations attached to the site or the immediate surrounding area.
- 3.7 The site has been identified within both the 2017 and 2019 Strategic Housing and Economic Land Availability Assessments (SHELAA) as suitable for residential development with up to 9 no dwellings under site reference OL21.

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

- 4.1 **EB/200302** - Outline planning permission (Access, Appearance, Layout and Scale) for demolition of existing dwelling and garage block and erection of 2 x 2 bedroom flats, 3 x detached 4 bedroom dwellings, 2 x semi-detached 3 bedroom dwellings and 2 x semi-detached 2 bedroom dwellings (9 residential units in total).
- 4.2 The most recent submission at this site was refused for the following reasons:
- 1) The development, as a consequence of its unsympathetic street frontage and layout when viewed from Broomfield Street, would disrupt the prevailing visual and spatial characteristics of the surrounding area resulting in an incongruous appearance and a poor level of integration within the streetscape. The development is therefore in conflict with para. 122 and para. 127 of the Revised National Planning Policy Framework, saved policies UHT1, UHT4 and HO8 of the Eastbourne Borough Plan and policy D10a of the Eastbourne Core Strategy.
  - 2) The development, as a consequence of the positioning of significant sections of flank walls in relation to neighbouring gardens and windows (in the case of plots 1 and 2) as well as the frequency and distribution of windows and roof lights overlooking rear gardens would result in an unneighbourly, oppressive and overly dominant relationship being generated, to the detriment of the amenities of neighbouring residents in conflict with part 12 of the Revised National Planning Policy Framework, saved policies HO8, HO20 and NE28 of the Eastbourne Borough Plan and policy D10a of the Eastbourne Core Strategy.
- 4.3 The proposal scheme has been amended following the earlier refusal. The submitted details now confirm that there would be 8 no properties proposed and all properties would be two storey with no rooms proposed at second floor level.
- 4.4 In addition, following further consideration Plot 1 has now been amended to form a single 3 bed dwelling, rather than a 2-unit maisonette as initially proposed, and has been reduced in size to remain in keeping with the rear building line of adjacent properties.
- 4.5 **EB/1964/0270** - Erection of a block of 40 lock-up garages, with access from Broomfield Street. - Granted 1964-05-21.

4.6 **EB/1964/0054** - Erection of a block of 40 lock-up garages - Granted, subject to conditions -1964-02-06.

## 5. **Proposed Development**

5.1 This is an outline application. Full details of access arrangements, the layout, scale and appearance of the development have been provided. Site landscaping has been requested to be left as a reserved matter although layout drawings show indicative landscaping arrangements.

5.2 Following amendments to plots 1 and 2 which now combine the units into a single property the development would comprise the following:-

5.3 Plot 1 – Detached 2-storey 3 bed-dwelling. This building would be positioned on the existing plot at 36 Broomfield Street, with the southern elevation facing out towards the street. The building footprint would measure 5.05 metres in width by approx. 13 metres in depth at ground floor including a 3.3 metre single storey extension. The first floor would measure 9.9 metres in depth. The roof would be hipped with eaves height at approx. 5.8 metres to 5.3 metres as the land rises to the rear with a metres and the ridge line at approx. 7.8 metres stepping down to approx. 3.5 metres on the single-storey element.

5.4 Plot 2 – A detached 2 storey 3 bed dwelling with detached garage (with a section of pitched roofing providing a covered link to the main dwelling). The building footprint measures 7 metres in width by 8.5 metres in depth. The roof would be hipped with eaves height at approx. 5.25 metres and the ridge line at approx. 8.4 metres.

5.5 Plot 3 – A detached 2-storey 3 bed dwelling with attached garage. The dwelling footprint would measure 6.2 metres in width by 8.5 metres in depth. The roof would be hipped with an eaves height of approx. 5.25 metres and the ridge line at approx. 8 metres. The attached garage would measure 3.1 metres in width by 6.2 metres in depth. It would have a gable roof with an eaves height of approx. 2.25 metres and a ridge height of approx. 5.2 metres.

5.6 Plot 4 – A detached 2-storey 3 bed dwelling with attached garage and protruding gable element on front elevation. The dwelling footprint would measure 6.9 metres in width by 8.5 metres in depth. The roof would be hipped with an eaves height of approx. 5.25 metres with the ridge line at approx. 8.4 metres. The attached garage would measure 3.2 metres in width by 6.2 metres in depth. It would have a gable roof with an eaves height of approx. 2.25 metres and a ridge height of approx. 5.2 metres.

5.7 Plots 5 & 6 – A pair of semi-detached 2-storey 3 bed dwellings with a staggered frontage. Each dwelling would have a footprint of 5.6 metres in width by 9.3 metres in depth. The roof would be hipped with eaves height at approx. 5.25 metres and a ridge height of approx. 7.9 metres. Plot 5 would be provided with a detached garage, linked to the main dwelling by a section of roof, which would measure 3.2 metres in width by 6.2 metres in depth. The roof would be part gable and part hipped and have an eaves height of approx. 2.4 metres with the ridge line at approx. 4.2 metres.

- 5.8 Plots 7 & 8 – A pair of semi-detached 2-storey 2 bedroom dwellings. Each dwelling would have a footprint of 4.65 metres in width by 9 metres in depth. The roofing would be hipped with an eaves height of approx. 5.25 metres and a ridge height of approx. 8.65 metres.
- 5.9 The dwellings would be configured in a cul-de-sac arrangement with the existing site access being widened to 4.5 metres and a spinal road formed along the eastern site boundary. A turning head would be provided roughly halfway into the site with the road beyond that leading into a car parking area.
- 5.10 Plots 1, 2, 3 and 4 would have 2 spaces. Plot 5 would have a single allocated parking bay and a garage. Plots 6, 7 and 8 would not have any allocated parking but 6 unallocated bays would be provided in the car parking area adjacent to them.
- 5.11 All dwellings would have access to private amenity space to the rear whilst the ground floor flat would have access to an enclosed courtyard area. Cycle and bin storage areas would be provided within the rear gardens of each dwelling with the flats sharing facilities that would be provided to the sides of the building.
- 5.12 The submitted plans show landscaping throughout the site however this is indicative and not a matter to be considered as part of this outline application.

## 6. Consultations

- 6.1 The consultation responses refer to the original 9 units proposed; this reflects the scheme as originally submitted prior to amendments. The amendments to the scheme have seen a reduction of units and a reduced level of built form to plot 1. As the changes do not bring about a greater level of impact the relevance of the comments provided remain valid.

### 6.2 External

#### 6.3 ESCC Highways – 12.04.2021

**No objection** - subject to the imposition of conditions relating to provision of adequate visibility splays, ensuring compliance with approved plans, and provision of parking spaces, cycle spaces and turning space for vehicles has been provided.

#### 6.4 ESCC SuDS – 25.03.2021

**No objection** - subject to the imposition of conditions relating to the submission of a detailed surface water drainage system, management and maintenance provision, measures to manage flood risk and confirmation of construction in accordance with approved plans.

### Internal

#### 6.5 Specialist Advisor (Waste)

No comments received.

6.6 Specialist Advisor (Environmental Health)

No comments received.

6.7 Specialist Advisor (Planning Policy)

**No objection** – No affordable housing requirement. No comments from previous application other than at 1<sup>st</sup> October 2020 the 5-year housing land supply is 1.8 years.

7. **Neighbour Representations**

7.1 A number of representations have been received in respect of this proposal comprising:

- 65 letters of objection
- 1 letter of support
- 1 Petition with 213 signatures.

The following is a summary of the main themes and issues raised by the objectors:

- Issues from parking
- Issues created by additional traffic and congestion
- Out of character;
- Loss of privacy and overlooking
- Overbearing;
- Safety implications from increased vehicles;
- Excessive density of development – overdevelopment
- Loss of Daylight and Sunlight
- Ecological impacts – Bats have been sighted;
- Biodiversity impacts;
- Loss of residential amenity;
- Potential noise impacts;
- Reasons on previous refusal remain valid and have not been addressed;
- Potential surface water drainage issues
- No changes to the previously refused scheme
- Demolition of 36 Broomfield Street is not justified;
- Would not be in keeping with the character of the area;
- Loss of garaging would be detrimental to the area;
- Impact on rear amenity areas of surrounding properties.

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 Eastbourne can currently only demonstrate a 1.8 year supply of housing land. The application site is identified in the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) as site OL21. It is assessed as being potentially developable for a provision of up to 9 dwellings. The application, if members were minded to approve, would result in a net gain of 7 units. It is important to note that this is based on a general overview of the site rather than the full gamut of relevant planning considerations.
- 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 The presumption of approval will therefore need to take into account the balance between the 3 overarching objectives of sustainable development, (these being social, economic and environmental benefits), as well as other matters identified within the NPPF, such as safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 117), ensuring development is of suitable design and sympathetic to the character of the surrounding area (para. 127) and ensuring development does not compromise highway safety (para. 109).
- 8.1.5 The shortfall in the supply of housing land is a material consideration that weighs heavily in favour of allowing the proposed development.
- 8.1.6 The site is within the Old Town Neighbourhood and policy C4 of the Core Strategy Plan sets out the vision of the area, which includes *'Delivering some housing through infill and redevelopment of commercial premises.'*
- 8.1.7 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 Neighbourhood and is considered to be acceptable in principle.

## 8.2 Housing Supply:

- 8.2.1 The proposed development would result in a net gain of 7 residential units (due to the existing dwelling at 36 Broomfield Street being demolished). It is considered that the unit sizes across the development provides for a mixed and balanced community as required by policy D5 of the Eastbourne Core Strategy, with small and



larger family homes being incorporated as well as para. 122 a) of the Revised National Planning Policy Framework which maintains that *'Planning policies and decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development...'*

### 8.3 Loss of Garage Facilities:

8.3.1 The site currently provides a single block of 40 garages. These garages are not directly associated with car parking for neighbouring dwellings on Broomfield Street, Longland Road, Northiam Road and Dillingburgh Road and are let out primarily for storage purposes. The applicant states that demand for the use of the garages is on the decline.

8.3.2 The saved policies of the Eastbourne Borough Plan include a specific policy, HO8, to encourage the redevelopment of garage plots for residential purposes where a submitted scheme represents:-

- a) a well designed development in terms of siting, scale and materials;
- b) no significant harm to residential, visual or environmental amenity;
- c) no adverse effect on road safety;
- d) provision of adequate car parking.

8.3.3 The redevelopment of such sites is also encouraged by para. 118 d) of the Revised National Planning Policy Framework. As such, it is considered the redevelopment of the garage site is acceptable in principle subject to these criteria, against which the development will be fully assessed in the main body of this report.

### 8.4 Design issues

8.4.1 The previously refused scheme included 2 reasons of refusal which considered design along with impact on the amenities of adjoining dwellings. As will be discussed in this report the concerns in respect of residential amenity have now been removed leaving the design reason alone to be assessed. It therefore falls to assess the design of the proposal as currently tabled against the previous design concerns raised.

8.4.2 The properties that back onto the site comprise a mix of terraced, semi-detached and detached dwellings. That mix is partially reflected in the scheme proposed with the inclusion of semi detached units. It is noted that the previously refused submission under 200302 incorporated larger dwellings which included rooms within the roof and higher ridgelines. The design approach now tabled has taken account of the previous reasons for refusal, primarily in respect of the scaling back of units backing onto Longland Road and Northiam Road so that

the dwellings better match the form of those existing two storey units surrounding the site.

- 8.4.3 The proposed scheme is made up of a group of dwellings positioned around an access road in a typical cul-de-sac arrangement. Given the position of the site to the rear of existing properties fronting on to Northiam Road, Dillingburgh Road, Broomfield Street and Longland Road the proposed properties within the centre of the site do not necessarily have to fit into an existing street scene. Whilst the design of the dwellings does not replicate that of neighbouring buildings it is considered that the more relatable two storey scale of the development, as well as the self-contained nature of the site, is such that it is reasonable for it to possess its own character, which is a positive factor in creating a new development with a strong sense of identity.
- 8.4.4 The dwelling buildings are considered to be well articulated, engaging in appearance and the variance in design between buildings (whilst maintaining elements of commonality) is considered to create an interesting and distinctive environment within the centre of the proposed development.
- 8.4.5 The design, size and massing of the proposed buildings and the palette of materials, also take their cue from the surrounding properties. This is acceptable and helps to assimilate the dwellings into the landscape as well as tying them to the surrounding area with the use of traditional forms and materials.
- 8.4.6 An area of concern within the previously refused submission was the proposed 2 no flats facing onto Broomfield Street which was considered an incongruous and disruptive feature within the street scene that would compromise the established visual and spatial characteristics of the surrounding environment. Whilst the overall form and massing of the property when seen from Broomfield Road would appear similar to the previous scheme the unit has now been amended to become a 3 bed dwelling rather than flats. A single dwelling fronting Broomfield Road is considered to be more inkeeping with neighbouring properties.
- 8.4.7 The depth of the property has also been reduced to better match the rear building line of adjoining dwellings although the width remains less than that of other properties at this point along Broomfield Street. It is noted that the reduced width is required to enable sufficient access to the remainder of the development.
- 8.4.8 With regard to impact on the wider surrounding area, given the proximity of the site to the South Downs National Park, it is not considered that the proposed scheme would have a negative impact. This was also the conclusion reached in the previous submission.

8.4.9 The visual gap currently afforded by the low level development of the site does not provide any key outlook towards the Downs and the presence of two storey buildings would not be any more disruptive to such views than surrounding residential development. Whilst a certain level of light spillage may be generated it is noted that the proposed development would be embedded in a developed area with an established presence of street lights as well as windows at ground and first floor height and it is not considered that any light generated would appear pronounced or isolated when viewed from the downs nor would it compromise the overall tranquillity of the downland, which is designated as a dark sky reserve.

#### 8.4.10 Summary of design issues

8.4.11 With regard to Plot 1 notwithstanding the amendments made to this submission, the conclusions reached in the previous refusal in respect of prevailing visual and spatial characteristics of the surrounding area have not been adequately addressed. The form and scale of the property would not align with that of other properties in the streetscene.

8.4.12 However, the harm attributed to this aspect must be assessed against the context of the presumption in favour of sustainable development. The harm attributed to this element of the proposal is not considered to outweigh the benefits provided through the provision of housing within the wider site. Therefore, it is not considered that an objection to the scheme could be sustained for the design reason alone for plot 1 when assessed against the policies in this Framework taken as a whole.

8.4.13 In respect of plots 2 to 8 it is considered there would be no conflict therefore, with the thrust of policies UHT1, UHT4, HO6 and HO8 of the Eastbourne Borough Plan which, together, seek to ensure that new residential development is well designed in terms of siting, scale, design and materials, and that it reflects the local townscape/ local distinctiveness whilst making the most effective use of the site.

### 8.5 Impact of proposed development on amenity of adjoining occupiers and surrounding area:

8.5.1 The proposed dwellings will occupy an area that currently appears to be a largely open space when viewed from neighbouring properties on account of the only built form present being a low-rise garage block. Its redevelopment with 8 no two storey properties would inevitably have a greater impact on adjoining residents. However, this is not a reason for refusal; very many developments have an effect. The issue is whether those impacts are unreasonable in terms of, for example, the overbearing nature of the properties, loss of light or overlooking.

- 8.5.2 It is recognised that the development proposed may increase the perception of overlooking for adjoining occupiers. Moreover, the distances of the proposed dwellings to the rear garden boundaries would not be substantial. However, whilst there may well be some mutual intervisibility, this is not uncommon in urban settings and the separation distance would be sufficient to ensure that there would be no materially harmful overlooking or loss of privacy for adjoining occupiers. In terms of overlooking the rear facing windows at plots 2 to 8 would face towards garden areas on Longland Road (to the west) and Northiam Road (to the north). These neighbouring properties are on land that is raised in comparison to the application site level. As such, first floor windows would offer a fairly level view over the gardens. To the east, the land falls very gradually towards the rear of the properties on Dillingburgh Road. The combination of the changes in levels, and the separation between the rear facing elevations of the existing and proposed buildings, some 24-30 metres, would be sufficient to ensure that the scheme proposed would not appear unduly cramped in its context and there would be no harm to the established amenities of neighbouring properties.
- 8.5.3 As with the previous scheme in order to accommodate the number and scale of dwellings proposed, the buildings have also had to be configured in such a way that the flank elevation walls of a number of units, particularly those at plot 2, plot 5 and plot 8, are within close proximity of the rear boundaries of dwellings on Broomfield Street, Longland Road and Dillingburgh Road.
- 8.5.4 Whilst the outlook for occupiers would change, that is not, necessarily, the same as causing harm. The dwellings proposed are now all two storey and this fact combined with the separation from adjoining properties would be sufficient to ensure that they would not be seen as unduly overbearing on the rear amenity areas of adjoining properties. The alignment of the proposed development, which is on a roughly north/south axis, in combination with the separation from surrounding properties would also serve to minimise any potential for loss of daylight/overshadowing of the adjoining properties and their gardens.
- 8.5.5 In respect of plot 1 the revised scheme now ensures that rear building line of this dwelling does not extend beyond the rear elevation of 38 Broomfield Street at two storey level. The previous extent of built form here was a significant concern in the previous refusal and this has now effectively been removed from the scheme. The relationship of Plot 1 with the adjoining property of 38 Broomfield Street would effectively remain as existing and as such no concerns are raised in terms of overbearance or overshadowing. Notwithstanding, conditions restricting permitted development rights at the dwellings are included to preserve amenities of neighbouring properties.

8.5.6 It is therefore considered that the proposed development as now amended would not generate unacceptable adverse impact upon the amenities of neighbouring residents, in conflict with saved policies HO20 and NE28 of the Eastbourne Borough Plan and paras. 117 and 127 of the Revised National Planning Policy Framework.

8.6 Living Conditions for Future Occupants:

8.6.1 Para. 126 of the National Design Guide (2019), which is a companion to the Revised National Planning Policy Framework, states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.'

8.6.2 Nationally described space standard define the minimum levels of Gross Internal Area (GIA) that should be provided for new residential development, based on the amount of bedrooms provided and level of occupancy. Each of the dwellings meets the required floor space provision in accordance with the national standards.

8.6.3 All primary habitable rooms across the development are served by clear glazed openings. The level of access would be improved due to the dual aspect nature of all dwellings. Awkwardly shaped rooms and long corridors are avoided, thereby ensuring that the functionality and accessibility of the internal space within each property is maximised.

8.6.4 All dwellings have direct access to private amenity space whilst a private courtyard area is provided at the block of flats. Whilst garden sizes are smaller than those at neighbouring properties within immediate vicinity of the development they are consistent with higher density and more contemporary development within the wider surrounding area. Overall, it is considered that an acceptable balance is struck between the need for functional private amenity space and the need to develop brownfield sites at a suitable density to represent an efficient use of the land.

8.7 Impacts on highway network or access:

8.7.1 The site layout and access arrangements have been assessed by ESCC Highways. It is noted that the demolition of 36 Broomfield Street enables the widening of the access road to 4.5 metres, thereby meeting Highway standards for the width of a two way vehicular access. Vehicles entering and leaving the site will therefore be able to pass each other safely.

8.7.2 The access from Broomfield Street is the sole means of access to the site and, as such, would be used by any pedestrians making trips to plots 2 to 8 on foot. Whilst a designated footpath would be preferable, it is considered that this arrangement is acceptable in this instance

due to the good levels of visibility on the access road, which is straight and level and the availability of refuge spaces on most parts of the road save a relatively short section directly adjacent to the side elevation of unit 1.

- 8.7.3 Adequate turning space for motor cars as well as servicing vehicles is provided within the site, thereby enabling vehicles to enter and leave the site in forward gear. The only exception to this would be the parking bay serving plot 1 but it is considered that this is acceptable due to it applying to a single bay only and is a similar arrangement to other bays nearby.
- 8.7.4 The quantum of parking provided is considered acceptable to serve the development without resulting in unacceptable parking pressure on the surrounding highway network, provided 6 of the parking spaces remain unallocated. All parking spaces are of suitable dimensions, are close to dwellings and benefit from high levels of surveillance from properties within the development as well dwellings on neighbouring streets.
- 8.7.5 The Highway Authority raises no objection in terms of safety or in terms of access for emergency or refuse vehicles.
- 8.7.6 It is noted that the provision of a parking bay to serve plot 1 would require the formation of a new dropped kerb crossover. This would result in a reduction in on-street car parking capacity on Broomfield Street. However, this is considered to be acceptable as only one parking space would be removed and it is noted that the existing dwelling at 36 Broomfield Street has no off-street parking facilities. As such, the demolition of 36 Broomfield Street would result in a decrease in demand for on street parking that would mitigate the loss of parking capacity.
- 8.7.7 If members were minded to approve, a condition requiring a minimum of one electric vehicle charging point per dwelling to be provided and maintained in operational order would be attached. This is to encourage the uptake in the use of electric vehicles as a means to combat emissions.

## 8.8 Landscaping

- 8.8.1 While landscaping is a reserved matter, the amount and positioning of it would be dictated by the site layout (if approved) and, as such, the indicative drawings provided are considered to represent a realistic option for site landscaping. They also demonstrate that the development has the capacity to incorporate landscaping.
- 8.8.2 It is observed that the existing garage compound is hard surfaced in its entirety and, as such, its redevelopment would not result in the loss of any significant landscape features.

8.8.3 The rear garden space at 36 Broomfield Street is lawned and includes a small amount of ornamental planting but no trees or hedging that possesses any significant amenity value either as a specimen example or as a contributor to the character and amenity of the surrounding area. The proposed development would incorporate new lawns and the layout plan also shows grass verges and planting as being provided. It is therefore considered that whilst the proposal would result in the loss of a modest amount of greenery this would be mitigated and, more importantly, enhanced by landscape planting throughout the subsequent development as a whole.

8.8.4 It is recommended that a planning condition can be used to secure the use of suitable species in order to enhance the ecological value of new planting.

## 8.9 Drainage:

8.9.1 The garage compound is entirely hard surfaced and, therefore, generates a relatively high level of surface water. Although an area of permeable garden land would be lost at 36 Broomfield Street this would be mitigated by new landscaping provided throughout the development that would increase the overall permeability of the site.

8.9.2 The existing site benefits from a connection to the public surface water sewer that follows the course of Broomfield Street. The applicant has provided a CCTV survey of the connection and this has been reviewed by the Lead Local Food Authority who have stated that they would expect it to have the capacity to provide surface water drainage for the site given that it currently serves a largely impermeable area. This is subject to detailed drainage designs, including attenuation measures to control run-off to close to greenfield rates, being secured by a planning condition in the event that the application is approved.

8.9.3 As well as a detailed drainage scheme, a planning condition requiring a management and maintenance plan for the site drainage would also be applied to any approval in order to ensure the site drainage continues to function effectively throughout the lifetime of the development.

## 8.10 Ecology

8.10.1 Upon taking note of a number of representations from local residents the applicant was requested to undertake a preliminary bat roost assessment to determine the likely presence of bat roosts at the site. The report provided by The Mayhew Consultancy Ltd confirms that the *'garages at Brookfield Street are considered to be of 'Negligible' potential for roosting bats. This is due to:*

- no obvious signs of bats;

- very limited internal features for roosting bats;
- poor quality foraging habitat in the surrounding suburban gardens;
- poor habitat connectivity with the nearest areas of good quality habitat.

Consequently, no further surveys are required.'

8.10.2 As such a Protected Species Mitigation License with regard to bats would not be required from Natural England before site clearance or other works which would impact on the dwelling, may commence.

## 8.11 Other Matters

8.11.1 Construction Management.

8.11.2 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 and environmental pollution from construction.

## 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 conditions listed below:

10.2 **Reserved Matters** a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- i. Landscaping
- ii. Construction and environmental management
- iii. Drainage

b) The development shall be implemented strictly in accordance with the approved reserved matters.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing prior to commencement of development or tree works.

d) The development shall be commenced no later than five years from the date of this permission or two years following the final approval of the reserved matters, whichever is the later.



Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

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

- 25849 21C
- 25849 18B
- 25849 04L
- 25849 17E
- 25849 22C
- 25849 23C
- 25849 24D
- 25849 25C
- 25849 26C
- 25849 27D
- 25849 28D
- 25849 29C
- 25849 30C
- 25849 31B
- 25849 32B

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

10.4 **Landscaping** - An application for Reserved Matters shall be accompanied by a Landscaping Plan, which shall provide details of the treatment of all parts of the site not covered by buildings. Details shall include:

- a) a scaled plan showing all hard and soft landscaping, including vegetation to be retained and planting of trees and plants;
- b) details of all hard surfaces, including facing material specifications;
- c) all boundary treatments, including facing material specifications;
- d) a schedule detailing sizes, species and numbers of all proposed trees/plants;
- e) sufficient specification to ensure successful establishment and survival of new planting; and
- f) visibility splays adjacent to the vehicular access on Broomfield Road;

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.

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

- 10.5 **Materials** – Written details of all facing materials used in the external surfaces of the development, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement and shall thereafter be implemented in accordance with the details approved and maintained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

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

- 10.6 **PD Removal (alterations to approved dwellings)** - 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 enlargement or extension, window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority to the dwellings hereby approved.

Reason: To safeguard the amenities of the occupiers of nearby properties.

- 10.7 **PD Removal (Other alterations within the curtilage)** - 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 outbuildings, raised platforms or hardsurfacing shall be erected within the curtilage of the dwelling houses hereby approved other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area.

- 10.8 **Construction Environmental Management Plan** - An application for Reserved Matters shall be accompanied by a Construction and Environmental Management Plan. The Plan shall provide details as appropriate and shall include, 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;
- other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders, road closures, hoarding licences, traffic management);
- 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;
- assurance that no burning of material will take place on site; and
- A survey of the condition of the surrounding public highway network prior to commencement of development.

Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. Any damage caused to the highway as a direct consequence of the construction traffic shall be rectified at the applicant's expense.

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

10.9 **Surface Water Drainage Scheme** - An application for Reserved Matters shall be accompanied by a Surface Water Drainage Scheme. The surface water drainage scheme shall include the following:

- a. Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to 10 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.
- b. The details of the outfall of the proposed drainage system and how it connects into the sewer shall be submitted as part of a detailed design including cross sections and invert levels.
- c. The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
- d. The detailed design of the surface water drainage features shall be informed by findings of groundwater monitoring between autumn and spring at the location of the proposed tank. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided.

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

The implementation of the surface water drainage scheme shall thereafter be carried out in accordance with the approved details prior to the occupation of the dwelling hereby approved, by or supervised by an accredited person. 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).

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

10.10 **Drainage Maintenance and Management** - An application for Reserved Matters shall be accompanied by 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.

10.11 **Refuse** - The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: In the interest of visual amenity and serviceability in accordance with saved policy UHT1 of the Eastbourne Borough Plan and para. 110 of the Revised national Planning Policy Framework.

10.12 **Highways** - Prior to occupation of the development hereby permitted, the new accesses shall be in the positions shown on the submitted plan 25849.05E and laid out and constructed in accordance with the diagrams below and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

10.13 **Vehicular Turning space** - The development shall not be occupied until turning spaces for vehicles has been provided and constructed in accordance with the approved plan, 25849 04L and the turning spaces shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

- 10.14 **Parking provision** - The development shall not be occupied until parking areas have been provided in accordance with the approved plan, 25849 04L, details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

- 10.15 **Cycle Provision** - The development shall not be occupied until cycle parking has been provided in accordance with the Highway Authority's specifications and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development

- 10.16 **Provision of electric charging points** - Details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the facilities shall be provided prior to first occupation and retained in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide electric charging points in accordance with current sustainable transport policies.

## 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.