

Report to: Planning Applications Committee
Date: 9th June 2021
Application No: LW/20/0799
Location: Elm Court, Blatchington Road, Seaford
Proposal: Erection of 9 new dwellings and associated infrastructure.
Ward: Seaford Central
Applicant: Mr T Brightmore
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** James Smith
E-mail: james.smith@lewes-eastbourne.gov.uk

Map Location:



IMPORTANT NOTE: This scheme is CIL Liable.

1. Executive Summary

- 1.1 It is considered that the proposed development represents an efficient and sustainable use of this allocated housing site. Innovative design solutions have been required in order to overcome the significant surface water flood risk that the site is exposed to.
- 1.2 It is considered that the character and setting of the neighbouring Conservation Area and Area of Established Character would be preserved and that the development would not generate any unacceptable adverse impact upon environmental or residential amenity.

- 1.3 The site can be accessed safely and an appropriate amount of off-street car parking would be provided in order to ensure there is not unacceptable parking pressure on the surrounding highway network.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework 2019

2. Achieving sustainable development
4. Decision making
8. Promoting healthy and safe communities
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
16. Conserving and enhancing the historic environment

2.2 Lewes District Local Plan (Parts 1 and 2)

- LDLP: – CP2 – Housing Type, Mix and Density;
- LDLP: – CP10 – Natural Environment and Landscape;
- LDLP: – CP11 – Built and Historic Environment & Design
- LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage
- LDLP: – CP13 – Sustainable Travel
- LDLP: – CP14 – Renewable and Low Carbon Energy
- LDLP: – DM1 – Planning Boundary
- LDLP: – DM20 – Pollution Management
- LDLP: – DM23 – Noise
- LDLP: – DM24 – Protection of Biodiversity & Geodiversity
- LDLP: – DM25 – Design
- LDLP: – DM27 – Landscape Design
- LDLP: – DM33 – Heritage Assets
- LDLP: – DM34 – Areas of Established Character

2.3 Seaford Neighbourhood Plan

- SNP: – SEA2 - Design
- SNP: – SEA3 – Conservation Areas
- SNP: – SEA5 – Areas of Established Character
- SNP: – SEA14(ix) – Site Allocations
- SNP: – SEA17 - Brownfield Development

3. **Site Description**

- 3.1 The site was previously occupied by a two-storey flat roof building accommodating a youth centre and an adjoining hard surfaced

basketball court. The building was demolished in 2011 and the site has been cleared. A low flint wall, which is broken and damaged in places, runs along the eastern site boundary, which flanks Blatchington Road. A grass bank slopes upwards towards the northern boundary where there is a line of small trees and hedgerow as well as a retaining wall. Glebe Drive from east to west along a ridge formed at the top of this bank.

- 3.2 Glebe Drive is a narrow unmade road which forms a private cul-de-sac. Dwellings are located on the northern side of the road where the ground level rises again. The narrow width of the road, combined with the lack of footpath, the presence of mature landscaping on either side of the road and the mixed design of the dwellings on the road generates a distinctly semi-rural character. This has merited the designation of Glebe Drive and the grass bank on the northern part of the site as an Area of Established Character. East Blatchington Conservation Area extends to the north, incorporating properties on either side of Blatchington Hill. The Conservation Area also encompasses Blatchington Pond to the east of the site and 15 Avondale Road to the south of the site.
- 3.3 To the immediate west of the site is Seaford Bowling Club. Surrounding development is generally residential although there are other educational, commercial and recreational land uses nearby whilst further to the west is Seaford Town Centre and its associated uses.
- 3.4 The site is located within an Archaeological Notification Area. The site does not fall within Flood Zones 2 or 3 but is identified on Government Flood Risk mapping as being at high risk of flooding from surface water. There are no other specific planning designations or constraints attached to the site.
- 3.5 The site is identified within the most recent Strategic Housing and Economic Land Availability Assessment (SHELAA) as being suitable for a yield of 9 new dwellings (site 25SF). An outline approval for the erection of 9 dwellings on the site was approved under LW/09/0092 but has since lapsed. A fresh application for outline approval for 9 dwellings was granted under LW/15/0946, with reserved matters subsequently approved under application LW/18/0404. However, subsequent consultations with the Lead Local Flood Authority (LLFA) have rendered the outline and reserved matters approvals undeliverable due to the impact on the flow of surface water in flooding events and exposure of future occupants and neighbours to flood risk.

4. Proposed Development

- 4.1 The proposed development involves the erection of 9 x 3 bed dwellings configured as a terrace of 5 dwellings aligned with the western boundary of the site and 4 x semi-detached dwellings following the curve of the southern site boundary. Each dwelling would have living space provided over two storeys which would be raised above a car port/undercroft area. The design of each dwelling would be identical with staggered front and rear elevations, first and second floor balconies to the rear and a contemporary stepped flat roof form.

- 4.2 The site would be accessed via the existing dropped kerb crossover onto Blatchington Road. The access would be widened to allow for 2 way vehicular movements in accordance with ESCC Highway standards. Sections of the existing flint boundary wall either side of the access would be lowered to 0.6 metres to allow for a suitable visibility splay to be formed. The internal road would be T-shaped, with a turning head provided towards the northern end. Each dwelling would be provided with 2 x off streetcar parking space on a hard surfaced area to the front of each dwelling, with additional parking available in the undercroft area beneath each dwelling.
- 4.3 Each dwelling would have a rear garden area with additional outdoor amenity space provided on first and second floor rear facing balconies.

5. Relevant Planning History

- 5.1 **LW/765/CC (Determined by ESCC)** - Provision of an open air paved and floodlit recreation area for Youth Centre including 3.6m high chain link fence – Approved 28th July 1983
- 5.2 **LW/09/0092** - Demolition of existing building and the erection of nine dwellings and associated parking – Approved 22nd June 2010
- 5.3 **LW/3011/CC (Determined by ESCC)** - Installation of temporary mobile library building until October 2013, with ramped access and steps, the provision of thirteen car park spaces (including two disabled parking bays) a lorry loading area and new vehicular access gates – Approved 18th November 2011 (temporary permission extended to 30th September 2014 by variation).
- 5.4 **LW/15/0946** - Erection of nine dwellings with associated infrastructure (outline application) – Approved 7th June 2016
- 5.5 **LW/18/0404** - Application for approval of the Reserved Matters relating to Outline Planning Approval reference LW/15/0946 for the layout of the nine proposed dwellings, their appearance, the highway access arrangements, the finished floor levels, the parking layout and arrangements for cycle parking and bin storage – Approved 7th August 2018

6. Consultations

- 6.1 External Consultations:

ESCC Archaeology

The application site has already been subject to archaeological trial - trench evaluation in association with application LW/15/0946. As no significant archaeological discoveries were made during this evaluation, we do not require any further archaeological work to take place in association with the current application.

Lead Local Flood Authority

Following the submission of additional information by the applicant, received 8 February 2021, we consider the proposals for the management of surface water runoff to be acceptable in principle. Whilst the applicant has not

provided all of the information we would expect for a full application, the proposed development will decrease the amount of impermeable area at the site and we understand that Southern Water have confirmed that the connection to their network is acceptable.

Seaford Town Council

It was RESOLVED to OBJECT to the application for the following reasons:-

The Council acknowledges that the site is allocated in the Local and Neighbourhood Plans for 9 dwellings; the objection is to the design of the dwellings. While there is no objection in principle to contemporary designs in appropriate locations it was felt that this prominent location warranted a less austere development and one more sympathetic to the characteristics of the neighbouring Conservation Area and the area to the east of the site both in the design itself and the nature of the materials used.

ESCC Highways

Following some initial concerns relating to substandard visibility it has been agreed that previously accepted visibility splays will be provided. Although the parking falls below the requirement it is considered that there is scope to amend, on this basis subject to amended plans I have no objection.

OFFICER COMMENT: Amended plans have been received and all parking spaces now meet the minimum dimension required by ESCC Highways.

Waste & Refuse Team

The bin collection bay is acceptable to us,

Neighbour Representations

6.2 A letter of objection has been received from Seaford and Blatchington Bowling Green. A summary of material planning issues raised is summarised below:-

It is unacceptable for surface water from the site to be diverted towards the bowls club;

The flood risk assessment informs residents to await rescue by boat when flood levels would not be deep enough for a boat to operate;

Floodwater from the site may be contaminated by undischarged sewage;

The risk of flooding is downplayed in the Flood Risk Assessment;

The height of the dwellings breaches a limit secured by a covenant and they would negatively impact upon the Conservation Area and Area of Established Character;

The Construction Traffic Management Plan is inadequate.

6.3 OFFICER RESPONSE: The surface water management scheme has been designed in conjunction with the Lead Local Flood Authority. The surface water that crosses the site is not generated solely on the site

but from land to the east. In a storm event the only option is to allow this water to dissipate through the dry valley in order to prevent increased danger to life and property. It should be noted that run-off from the site itself would be reduced by the development (even when factoring in 40% rainfall increase as a result of climate change) which involves the removal of impermeable surfacing and this has been accepted by Southern Water. The Flood Risk Assessment fully acknowledges flood risk at the site. It notes that flood levels could potentially reach 2.7 metres (hence potential need for a use of a boat for evacuation) and includes advice on how to stay safe in a flood event which would be issued to residents. Breach of covenant is a legal rather than planning matter. A planning condition will be used to secure a thorough Construction Management Plan that would be assessed by ESCC Highways. Other matters raised are addressed in the main body of this report.

- 6.4 Comments have been received from East Blatchington Pond Conservation Society. A summary of material planning issues raised is summarised below:-

It is important that land is not concreted over and that gardens and paving are provided to assist drainage;

It is important that the houses are of good design and do not detract from the beauty of the area;

The houses should be freehold not leasehold;

How will the solar panels look?

Will impact upon an important leisure area at the bowls club;

- 6.5 OFFICER COMMENT: Full details of solar panels would be secured by planning condition. Panels would be angled so as to minimise impact. It is important that renewable energy generation is incorporated into the development in order to assist carbon reduction. The houses would be on the open market and the Council is not able to dictate ownership arrangements.

- 6.6 22 letters of objection have been received and summarised below:-

Area not suitable for development of this scale;

Redirection of flood water onto Bowls club is not acceptable;

Road is narrow and heavily used;

Drainage infrastructure cannot cope;

Out of keeping with surrounding development;

Access is unsuitable and dangerous;

Negative impact on Conservation Area;

Insufficient parking;

External materials are not appropriate;

Would not provide affordable homes;

Loss or privacy to occupants on Glebe Drive;

Intrusive views over bowling club;

Would appear oppressive when viewed from bowling club;

Construction delivery arrangements and holding areas are inappropriate;

Construction traffic would be disruptive;

Danger to pedestrians;

A wall should be built between the site and the bowls club to prevent surface water run off;

6.7 One letter of support received, the content of which is summarised below:-

The development looks fresh and modern;

Support the provision of electric vehicle charging points;

7. **Appraisal**

7.1 Key Considerations

7.1.1 The main considerations relate to the principle of the development; the impact upon the character and appearance of the area and neighbour amenities, impacts upon highway/pedestrian safety and flood risk and the overall merits of the scheme in terms of the balance of economic, environmental and social objectives that comprise sustainable development.

7.2 Principle

7.2.1 This site is allocated for housing in the adopted development plan for the area. Development is therefore acceptable in principle.

7.2.2 Para. 118 of the NPPF which maintains that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Development of under-utilised land and buildings should be promoted and supported, especially where this would help to meet identified needs for housing. Para. 123 of the Revised NPPF encourages the efficient and sustainable use of sites for housing development, stating 'where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

7.2.3 From a housing delivery perspective, para. 68 of the NPPF acknowledges the important contribution that small and medium sized sites, such as the application site, can make towards meeting the housing, particularly as development on such sites is often built-out relatively quickly.

7.2.4 The use of site allocations in neighbourhood plans is recognised in the LDC Housing Delivery Test Action Plan (2019) as a means to bring forward development sites whilst also empowering the local

community to identify how and where housing will be delivered within their area. The site is allocated for residential development in the Seaford Neighbourhood Plan under policy SEA14, with an anticipated yield of 9 new dwellings. The site is also identified in the 2018 Strategic Housing and Economic Land Availability Assessment (SHELAA).

- 7.2.5 The proposed development is therefore considered to be acceptable in principle and, as such, should be approved provided its specific characteristics and attributes align with the wider policies of the NPPF. Development Plan policies that are consistent with the NPPF will also be referred to. A full assessment against these relevant policies is provided in the main body of the report below.

7.3 Design and Impact upon Character of Surrounding Area

- 7.3.1 Although the bulk of the site is not subject to any special designation in terms of character, the northern embankment falls within the Area of Established Character that encompasses development along Glebe Drive. In addition, East Blatchington Conservation Area, whilst not directly flanking the site, extends to the northern side of part of Glebe Drive to the north of the site and to the opposite side of Blatchington Road to the east and south of the site.
- 7.3.2 Para. 127 (c) of the NPPF states that planning decisions should ensure that are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 7.3.3 Whilst the site itself is not within the Conservation Area, para. 190 of the Revised National Planning Policy Framework makes it clear that impact upon the significance of a heritage asset, including its setting, should be assessed when considering a proposal. Para. 194 goes on to state that ‘any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.’ Whilst para. 195 states that ‘where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...’
- 7.3.4 The Area of Established Character, which the northern part of the site falls within, is a non-designated heritage asset. Para. 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.3.5 The site is positioned at a point where Blatchington Hill, Blatchington Road, Sutton Drove, Avondale Road and Glebe Drive converge. As a result it has a prominent street scene presence although this is

slightly diminished by the low lying ground level in comparison to surrounding residential development. The proposed scheme is considered to represent a contemporary design which is not directly comparable to the appearance of surrounding development.

- 7.3.6 The design of the development has been dictated to a significant extent by the constraints of the site. The susceptibility of the site to surface water flooding means that ground floor accommodation is unsuitable due to exposure to flood risk along with the need to allow for floodwater to permeate through the site with no obstruction to the flow. The flat roof form has been chosen so as to minimise the overall height of the three-storey dwellings.
- 7.3.7 It is noted that para. 127 (d) of the NPPF states that development should establish or maintain a strong sense of space. The site itself is currently devoid of any notable character, having been cleared of previous buildings which themselves were somewhat nondescript in terms of design. It is not directly flanked by other residential buildings and is clearly divorced from the rows of dwellings on Glebe Drive to the north and Avondale Road and Stafford Road to the south which are on higher ground and follow a fairly uniform building line. This lends the site a self-contained character which is considered to justify the development having its own distinct character. This is consistent with para. 58 of the National Design Guide which states that 'where the scale or density of new development is very different to the existing place, it may be more appropriate to create a new identity rather than to scale up the character of an existing place in its context.
- 7.3.8 Notwithstanding the above, existing features such as the flint boundary wall and the landscaped embankment along the northern site boundary would be retained, albeit a section of the flint wall would be lowered to allow for visibility splays at the site access. The palette of external materials, comprising blue and grey facing brick, picks up on colours present in the flint boundary wall, ensuring a sense of integration with this original feature. Wood effect cladding would also be used in the recess areas around the main entrance. The overall variety in finishes, combined with the articulated design of the dwellings which includes stepped elevation walls, tiered roof tops, recesses and protrusions in the form of balconies would help to break up the mass of the dwellings and prevent them from appearing monotonous or overly imposing.
- 7.3.9 Turning to impact upon designated and non-designated heritage assets, due to the topography of the site as well as intervening landscaping, it is not considered that the site currently has any significant impact upon the setting of the East Blatchington Conservation Area and it is considered that this would remain the case should the proposed development be implemented. Due to being on lower lying land, the proposed development would also have minimal impact upon the character and setting of the Area of Special Character on Glebe Drive whilst the landscaped embankment on the northern fringe of the site, which falls within the

Area of Established Character, would be maintained and enhanced by additional planting, thereby preserving the verdant nature of the southern side of Glebe Drive and providing a sympathetic screen to the development.

- 7.3.10 The site area is approx. 0.25 hectares and, therefore, the density of the proposed development equates to 36 dwellings per hectare. This falls below the optimum density for residential development in towns (47-57 dph) as defined by policy CP2 of the Lewes District Local Plan part one. It is considered that this lower density development is acceptable in this instance as the site is located in an area where density of surrounding residential development is lower than the heavily developed nature of the surrounding parts of Seaford.
- 7.3.11 It is therefore considered that the proposed development would align with NPPF objectives to secure innovative design that has a strong sense of identity whilst not having an unacceptable impact of the prevailing character of the surrounding area. The design attributes address the susceptibility of the site to surface water flooding, which could not be achieved if a conventional form of dwelling was provided, and enable development of this site to be brought forward. It is considered that the setting of the adjacent Conservation Area and Area of Established Character would be preserved.

7.4 Impact upon Amenities of Neighbouring Residents:

- 7.4.1 The nearest neighbouring dwellings to the development are on Glebe Drive to the north and Avondale Road/Stratford Road to the south, these dwellings all occupy higher ground and are afforded a degree of sympathetic screening in the form of mature trees and hedging. For context, the proposed dwellings would be on land between 2-3.5 metres above ordnance datum (AOD) whereas dwellings on Glebe Drive are on land at approx. 5.7 metres AOD (at the entrance from Blatchington Hill, rising to 7.5 metres AOD towards the west).
- 7.4.2 Due to the topography of the surrounding area as well as the degree of separation between them and neighbouring two-storey dwellings, it is not considered that the proposed three-storey dwellings would appear overbearing towards surrounding properties. For the same reason, it is not considered that undue levels of overshadowing would be generated.
- 7.4.3 With regards overlooking, the dwellings closest to neighbouring development on Glebe Drive (units 3-5) would be orientated east to west, with side facing windows (that would face towards Glebe Drive) omitted and front and rear facing windows looking towards the road and the bowling club respectively. The rear facing windows on units 6-9 face out towards Blatchington Road whilst those to the front are no closer than 25 metres to neighbouring dwellings on Glebe Drive, a distance that is considered sufficient to prevent intrusive views towards those properties, particularly when factoring in intervening topography and landscaping.
- 7.4.4 The access road and parking and turning areas are concentrated towards the interior of the site and are not positioned adjacent to any

neighbouring dwellings. As such, it is not considered that neighbouring residents would be exposed to any unacceptable level of noise, light or air pollution.

- 7.4.5 Whilst planning policies CP11 of LLP1 and DM25 of LLP2 seek to preserve the privacy of the occupants of neighbouring properties. A distance of approx. 10 metres would be retained between the rear elevations of units 1-5 and the eastern edge of the bowling green. The clubhouse/pavilion is approx. 28 metres from the nearest dwelling. As such, it is not considered that the proposed development would appear overbearing or cause significant overshadowing towards the bowling club.

7.5 Living Conditions for Future Occupants

- 7.5.1 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.' This is echoed in policy CP11 of the Lewes District Joint Core Strategy.
- 7.5.2 All habitable rooms are served by clear glazed openings allowing for a good level of natural sunlight permeation. The open plan, multi-aspect layout of the ground floor would help further enhance access to natural light and ventilation. The layout of each dwelling is considered to be clear, with hallway lengths kept to a minimum and awkwardly sized and shaped rooms being avoided, thereby enhancing functionality, accessibility and adaptability.
- 7.5.3 The Department for Communities and Local Government has produced the Technical housing standards - nationally described space standard. This document sets out minimum recommended Gross Internal Area (GIA) for new residential units, based upon number of bedrooms provided, number of storeys and number of occupants. Each of the proposed dwellings exceed these National Space Standards.
- 7.5.4 Each dwelling would have access to a private outdoor amenity area. Garden sizes generally be approx. 52 m² across the development with the exception of a larger garden of approx. 90 m² at unit 9 and a smaller garden of approx. 30 m² at unit 6. Although the size of the garden for unit 6 is considered to be modest due to the need to provide adequate sight lines from the access, it is considered acceptable in this instance as additional outdoor space would be provided on first and second floor balconies whilst a large area that could be used for garden storage would be available in the undercroft space. It should also be noted that additional green space would be provided on the northern side of the site. This space is well overlooked and could provide a certain level of communal amenity function.
- 7.5.5 Due to the orientation of the development, rear gardens at units 6-9 would back onto Blatchington Road. A condition will be used to

secure details of suitable boundary treatment which will be required in order to maintain privacy and security. The appearance of this boundary treatment must not detract from the street scene and it would need to be stepped back from the existing flint wall which flanks Blatchington Road in order to prevent it from overwhelming this feature.

- 7.5.6 Overall, the amount of garden space provided across the development would be broadly consistent with higher density residential development nearby to the west on Blatchington Road, Chichester Road, Richmond Terrace and Brooklyn Road.

7.6 Parking Demand and Highway Impact

- 7.6.1 The development would be accessed from Blatchington Road by way of utilising the existing dropped kerb crossover which would be appropriately widened to allow for two way vehicular movements. The height of the existing flint wall along an approx. 16 metre section either side of the site access would be reduced to 0.6 metres in order to allow for suitable visibility splays to be maintained. The internal road includes a turning head that would enable cars and service vehicles to enter and leave the site in forward gear, thereby preventing hazard to motorists and pedestrians on Blatchington Road. These access arrangements match those approved under application LW/18/0404.
- 7.6.2 Off street parking would be accessed directly from the internal road serving the development. Each dwelling would have access to 2 x off street car parking spaces which is considered an adequate quantum to prevent the risk of any significant or disruptive parking overspill on to the surrounding highway network. The undercroft area provides additional parking capacity if required in order for the suggested quantum of 21 parking spaces (18 for occupants of the development and 3 for visitors). A condition will be used to ensure that a minimum of 1 x electric vehicle charging point will be provided for each dwelling in accordance with the Lewes District Council Electric Vehicle Charging Points Technical Guidance Note and the Sustainability in Development Technical Advice Note (TAN).
- 7.6.3 Tracking plans have been provided for a 7.9 metre long refuse vehicle. The Council is moving towards the use of longer wheelbase vehicles and it is therefore considered more suitable for refuse vehicles to remain on Blatchington Road and for residents to place bins in a designated store within 25 metres of Blatchington Road which is considered an acceptable distance for refuse crews to travel to collect bins. The position of the store is shown on the submitted site plan. Full details of the design will be secured by condition.
- 7.6.4 The site is considered to be in a sustainable location where there is good access to public transport with bus stops served by the frequent 'Coaster' service between Brighton and Eastbourne being within approx. 150 metres walking distance on Avondale Road. This bus service also provides connectivity with the rail service at Seaford which provides access to destinations further afield. The shops and services at Seaford Town Centre are within approx. 350 metres

walking distance from the site and are also accessible by public transport. Each dwelling would be provided with secure and covered bicycle storage facilities in the undercroft area. It is considered that the sustainable location of the site and provision of cycle storage facilities would encourage uptake in use of alternative modes of transport to the private car.

7.7 Flooding and Drainage

- 7.7.1 The site is located in Flood Zone 1 and is not at any significant risk from tidal and fluvial flooding. However, the entire site is considered to be at risk of surface water flooding, and surface water flood maps indicate that surface water flows on site have depths in excess of 1.20m during the 1 in 30 year event. Flood hazard is indicated to be 'danger for most' during the 1 in 30 year event and 'danger for all' during the 1 in 1000 year event. Modelling, carried out by the applicant, has identified the reason for this build-up of surface water being the fact that the site lies in a dry valley which has no gravity outlet due to the presence of the road and railway embankment to the west. The drainage of this valley relies on a Southern Water pumping station to take water away.
- 7.7.2 This susceptibility to surface water (pluvial) flooding has rendered the previously approved scheme for two-storey dwellings on the site undeliverable due to the risk of flooding of ground floor areas as well as forming an obstruction to the flow of surface water. The Lead Local Flood Authority (LLFA) discounted the possibility of raising ground floor levels as insufficient height would have been added and the raising of the land was also discounted as this would result in increased flood risk to surrounding sites. As such, the provision of 3-storey structures, with the undercroft level having 'hit and miss' brick walls which would provide security but would also allow flood water to permeate, is considered to represent the only viable way for this allocated site to be developed.
- 7.7.3 The applicant worked with the LLFA in revising the scheme, using models of anticipated surface water flood levels and flow. This modelling suggested flood levels of 2.7 metres in a 1 in 100 year storm event, accounting for 40% climate change increase. With the ground floor area being devoid of living space and designed to flood, the finished floor level of the first floor of the dwellings would be a minimum of 645mm above the anticipated worst-case flood level. The site is currently largely covered by impermeable surfacing, a major contributor to pluvial flood risk. The proposed development would incorporate permeable hard surfacing where possible which would increase drainage capacity. The western boundary of the site, which adjoins the bowling club, would remain permeable to water as a failure to do this would alter the existing flow of water during flood events and could increase flood risk to properties elsewhere.
- 7.7.4 Para. 80 of the Planning Practice Guidance for Flood Risk and Coastal Change identifies a hierarchy of drainage options based on sustainability, these being 1: Infiltration, 2: Use of a surface water

body, 3: To a surface water sewer, highway drain or another drainage system and 4: To a combined sewer.

- 7.7.5 Ground investigations on the site have confirmed that the use of infiltration drainage is not suitable due to groundwater levels being close to the surface of the site. There is no surface water body that could be used for discharge nor is there a surface water sewer. As such, the proposed development would connect to the existing combined sewer on Blatchington Road utilising an existing connection to the south of the site. Southern Water have reviewed calculations for surface water discharge from the development and have stated that the combined sewer can be used for foul/surface water drainage provided discharge rates do not exceed existing levels. The submitted figures confirm the impermeable area of the site would reduce from the current level of 70% to 48% and that discharge would be reduced, even when factoring in 40% increase in rainfall as a result of climate change.
- 7.7.6 All occupants of the proposed development would be issued with a Flood Action Plan which would draw attention to flood risk, provide information on signing up to flood alerts, instructions on how to react in response to flood warnings. This document would be reviewed every year.
- 7.7.7 It is therefore considered that the proposed development would not result in any unacceptable increase in flood risk to surrounding residents and property and that a suitable drainage system would be incorporated into the scheme.

7.8 Sustainability in Development

- 7.8.1 The proposed development has been designed to reduce the level of surface water discharge from the site as well as to be resilient to the likely increase in frequency and intensity of surface water flooding as a result of climate change. A condition will be used to secure further details on how water efficiency will be maximised, including a demonstration that water consumption would not exceed 110 litres per person per day.
- 7.8.2 The site is largely hard surfaced although there are trees of various ages scattered around site boundaries, particularly to the north of the site. A tree survey has been submitted, with 13 individual trees/groups identified. Of these, 2 trees and 2 groups are elm trees, a number of which have succumbed to Dutch Elm disease with the only suitable course of action being their removal. Since this survey, a number of the elm trees have already been removed. An elder towards the north-west of the site was found to be suffering from dieback and is also recommended for removal.
- 7.8.3 Remaining trees including the groups of elder that mark the northern boundary and the distinctive sycamore trees in the north-eastern corner of the site would be retained. A large sycamore positioned towards the north-western corner of the site that was initially identified for removal will now also be retained. The submitted site plan shows compensatory planting being provided in the landscaped

area on the northern side of the site. A condition will be used to ensure this new landscaping uses appropriate native species that are suited to the conditions on the site and that would provide habitat and a food source for wildlife, contributing to biodiversity net gain. It is noted that additional planting would shore up the bank, improving soil retention.

- 7.8.4 The buildings and fenestrations have been orientated to allow for good access to natural light. The submitted plans show solar pv panels on the roof of each building. A condition will be used to obtain further details of the amount of power these panels could generate and to ensure that they are installed prior to the occupation of any dwelling. Energy efficient lighting and appliances would be provided as would electric vehicle charging points.
- 7.8.5 The general appearance of the proposed external materials is listed but the exact specifications are not confirmed. A condition can be applied to secure details of the exact materials to be used with an emphasis being placed on the use of locally sourced materials.
- 7.8.6 It is therefore considered that the proposed development would fulfil the aims and objectives of the Sustainability in Development TAN.

7.9 Biodiversity:

- 7.9.1 The Technical Advice Note (TAN) for Biodiversity Net Gain states that there is an expectation for minor development (9 new dwellings or less) to incorporate some biodiversity net gain. As stated above, the additional landscaping associated with the development can be utilised to provide biodiversity net gain. Habitat in the form of bat and bird boxes could also be provided in appropriate locations. This approach is in line with para.023 of the Planning Practice Guidance for the Natural Environment which states that 'planning conditions or obligations can, in appropriate circumstances, be used to require that a planning permission provides for works that will measurably increase biodiversity.'

7.10 Circular Economy:

- 7.10.1 The proposed development involves the use of an existing brownfield site for the construction of 9 new dwellings utilising modern, energy efficient materials. There are no buildings currently occupying the site that could be recycled as these were moved some years ago. A condition for a waste management plan can be used to secure details of how construction waste, including existing hard surfacing to be removed from the site, will be processed and recycled/re-used where possible.
- 7.10.2 Although the constrained nature of the site limits opportunities for the dwellings to be extended in the future it is considered that there is significant 'future proofing' offered in their ability to withstand increased surface water flood risk that is likely to result from climate change.

- 7.10.3 A condition requiring full details of external materials can be attached in order to secure the use of locally sourced materials where possible.
- 7.10.4 The site is in a sustainable location close to Seaford Town Centre and it is therefore expected that future occupants would provide custom for a range of nearby shops, services and other commerce.

8. Human Rights Implications

- 8.1 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.

9. Recommendation

- 9.1 It is recommended that permission is granted subject to the conditions listed below.

9.2 Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved drawings:

PLAN TYPE	DATE RECEIVED	REFERENCE
Existing Block and Location Plan	23 rd November 2020	9076 P 100 01
Site Plan	12 th May 2021	9076 P 103 06
Contextual Elevations	23 rd November 2020	9076 P 105 01
Contextual Elevations	23 rd November 2020	9076 P 106 01
Contextual Elevations	23 rd November 2020	9076 P 107 01
Proposed Unit Plans	12 th May 2021	9076 P 108 03
Proposed Unit Elevations	23 rd November 2020	9076 P 109 01
Proposed Drainage Plan	23 rd November 2020	9076 SK 1 01
Flood Risk Assessment	23 rd November 2020	Z2258 Version 2
Geotechnical Assessment Report	23 rd November 2020	R18-13123
Archaeological Report	23 rd November 2020	
Transport Statement	23 rd November 2020	9076/H Rev 00

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

2. Prior to commencement of any works above slab level, details of all external materials shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with those approved details.

Reason: To safeguard the appearance of the building and the character of the area in accordance with policy CP11 of the Lewes District Local Plan Part 1 and policies DM25 of the Lewes District Local Plan Part 2 and policy SEA2 of the Seaford Neighbourhood Plan.

3. The development shall be carried out in full compliance with the submitted Flood Risk Assessment Z2258 Version 2. All mitigation measures set out in section 4.2 shall be applied and maintained in place throughout the lifetime of the development. The ground floor elevation walls shall remain permeable to surface water at all times and the ground floor area of each dwelling shall not be converted to or used to provide habitable rooms at any time.

Reason: In order to prevent future occupants and the wider public from being exposed to unacceptable risk as a result of surface water flooding in accordance with policy CP12 of the Lewes District Local Plan Part 1 and para. 163 of the NPPF.

4. The development shall be carried out in accordance with the approved drainage scheme shown on plan 9076 SK 1 01 and the drainage scheme shall be maintained in place thereafter.

Reason: In order to control surface water generated by the development is controlled within and does not result in run off onto neighbouring land or the public highway in the interest of the amenities of the occupants of the development as well as its neighbours and road safety in accordance with policy CP12 of the Lewes District Local Plan, policy SEA2 of the Seaford Neighbourhood Plan and para. 163 of the NPPF.

5. No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- means of reusing any existing materials present on site for construction works,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,

- the provision of wheel washing facilities and other works required 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.
- address noise impacts arising out of the construction;
- demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- include details of the use of protective fences, exclusion barriers and warning signs;
- provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- details of any external lighting.

Reason: In order to safeguard environmental and residential amenity and in the interests of highway safety and the wider amenities of the area having regard to Policy CP11 of the Lewes District Local Plan part one, policies DM20 and DM23 of the Lewes District Local Plan part 2 and the Circular Economy Technical Advice Note.

6. If, during development, contamination not previously known is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with.

Reason : To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with para. 178 of the NPPF.

7. The reconstructed access shall be in the position and laid out as shown on the submitted plan 9076 P 103 Rev 06 and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted.

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

8. No part of the development shall be occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority, to prevent surface water draining onto the public highway.

Reason: In the interests of road safety.

9. The access shall have maximum gradients of 2.5% (1 in 40) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.

Reason: In the interests of road safety.

10. No part of the development shall be first occupied until visibility splays of 2.4 metres by 22 metres to the south and 33 metres to the north have been provided at the proposed site vehicular access onto Blatchington Road [UC5497] in accordance with the approved details. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety.

11. No part of the development shall be occupied until the car parking has been constructed and provided in accordance with details to be submitted to the Local Planning Authority in consultation with the Highway Authority. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking space for the development.

12. No part of the development shall be occupied until cycle parking spaces have been provided in accordance with details shown on the approved plans. The areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

13. Prior to the first occupation of any part of the development hereby permitted, an electric vehicle charging point shall be provided for each dwelling and shall be maintained in an operable condition thereafter for the lifetime of the development.

Reason: To encourage alternative, more sustainable modes of transport and to reduce local contributing causes of climate change in accordance with Policies CP13 and CP14 of Lewes District Local Plan, para. 110 of the Revised National Planning Policy Framework, policy SEA2 of the Seaford Neighbourhood Plan the LDC Electric Vehicle Charging Points Technical Guidance Note and the LDC Sustainability in Development Technical Advice Note.

14. Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- Details of all hard surfacing;
- Details of all boundary treatments (including provision of mammal gates to allow for foraging animals to cross the site);
- Details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees;
- Details of green roof planting;
- Ecological enhancements;

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the development incorporates sympathetic landscaping that amalgamates with surrounding landscaping, is appropriately and sympathetically screened and provides a secure and safe environment for future occupants in accordance with section 12 of the revised NPPF, policies CP10 and CP11 of the Lewes District Local Plan part one and policies DM25 and DM27 of the Lewes District Local Plan part two, policy SEA2 of the Seaford Neighbourhood Plan and the Biodiversity Net Gain Technical Advice Note (TAN).

15. Prior to the first occupation of any part of the development hereby approved, the bin storage facilities shown on the approved plans shall be installed in accordance with details to be submitted to and approved by the Local Planning Authority and maintained in place thereafter throughout the lifetime of the development.

Reason: In the interest of environmental amenity and in order to encourage the use of sustainable modes of transport in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part 1, policy DM26 of the Lewes District Local Plan Part 2 and para. 104 of the Revised National Planning Policy Framework.

16. The proposed development shall not be occupied until full details of all renewable/carbon saving/energy and water efficiency measures to be incorporated into the scheme have been submitted to and approved by the Local Planning Authority. All measures approved shall thereafter be provided prior to the occupation of any dwelling and maintained in place thereafter throughout the lifetime of the development.

Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with section 14 of the Revised National Planning Policy Framework, policy CP14 of the Lewes District Core Strategy and LDC Sustainability in Development Technical Advice Note.

17. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works (including the formation of new windows) as defined within Part 1 of Schedule 2, classes A-F inclusive of that Order, shall be erected or undertaken on the site unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interest of visual and residential amenity in accordance with policy CP11 of the Lewes District Local Plan Part 1 and policy DM25 of the Lewes District Local Plan Part 2.

18. Prior to the commencement of development a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Waste Management Plan shall demonstrate how the procurement of materials for the development would promote sustainability, including by use of low impact, sustainably sourced, reused and recycled materials, including reuse of demolition waste, use of local suppliers.

Reason: In the interest of achieving sustainable development in accordance with section 14 of the Revised National Planning Policy Framework, policy CP14 of the Lewes District Core Strategy, policy SEA2 of the Seaford Neighbourhood Plan and LDC Sustainability in Development Technical Advice Note.

19. Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours having regard to Policy DM25 of the Lewes District Local Plan.

Informatives

1. The applicant will be required to enter into a Section 171 Licence with East Sussex County Council, as Highway Authority, for the minor off-site highway works. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place.
2. The applicant will be required to obtain a permit for any highway works in accordance with the requirements of the Traffic Management Act, 2004. The applicant should contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the permit being in place.
3. The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant should contact the Transport Development Control Team (01273 482254).
4. The applicant is advised that the erection of temporary directional signage should be agreed with Transport Development Control Team prior to any

signage being installed. The applicant should be aware that a Section 171, Highways Act 1980 Licence will be required.

10. **Background Papers**

10.1 None.