

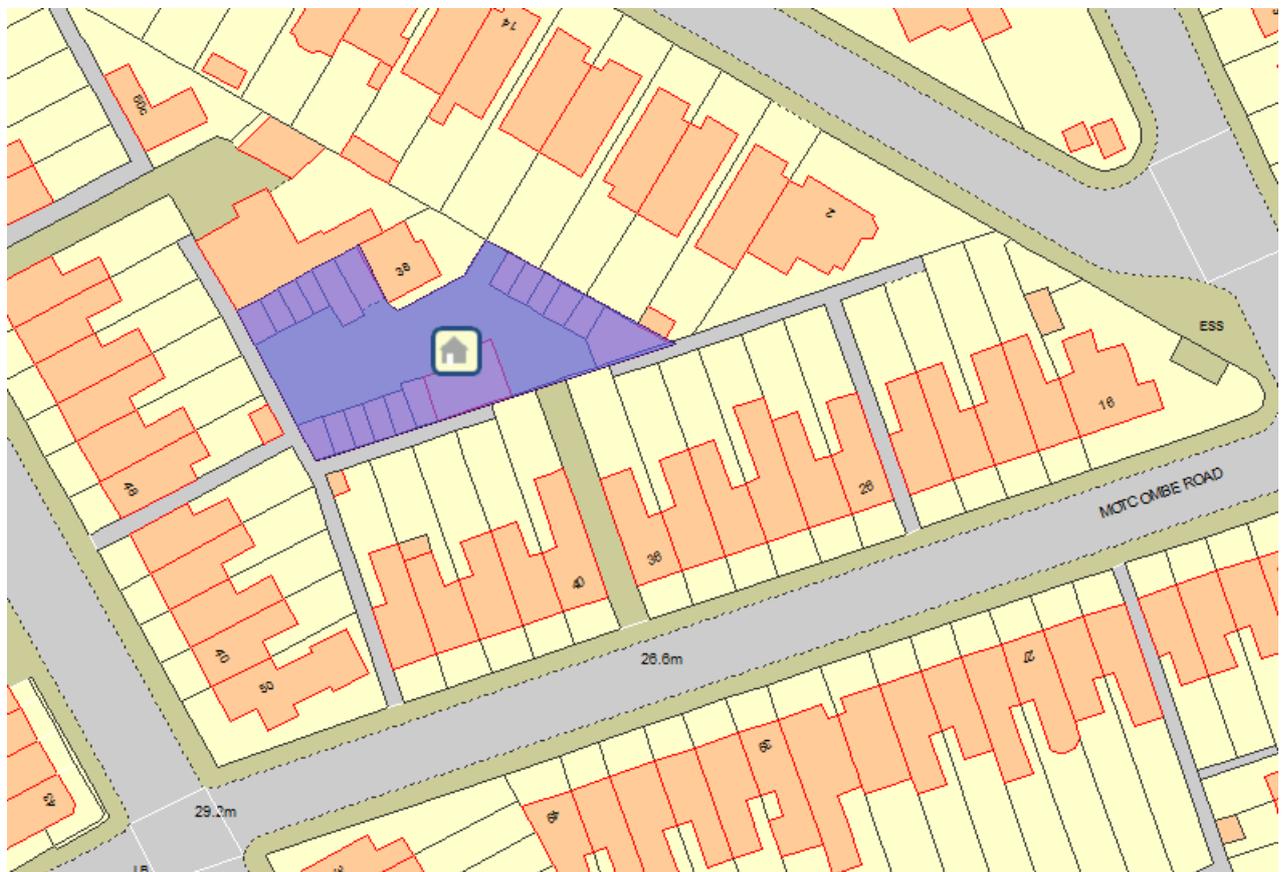
Report to: Planning Committee
Date: 21st September 2021
Application No: 200598
Location: 38a Motcombe Road, Eastbourne
Proposal: Demolition of garages and commercial unit and erection of three dwellings and two Flats, site improvements including new access gate

Applicant: Mr A Knight
Ward: Old Town

Recommendation: Approve subject to conditions.

Contact Officer: **Name:** James Smith
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Map Location:



1. Executive Summary

- 1.1 It is considered that the proposed development represents an appropriate and sustainable use of an underused parcel of land that is embedded in a residential setting within the settlement boundary.
- 1.2 It is considered that the proposed development would integrate well with its surroundings and provide a secure and health living environment for future occupants as well as neighbouring residents.
- 1.3 The site parking and access arrangements are considered to be acceptable in terms of highway safety impact and the needs of future occupants.
- 1.4 It is therefore considered that there are no adverse impacts that would significantly outweigh the benefits of delivery a net gain of 5 residential units on the site.

2. Relevant Planning Policies

2.1 National Planning Policy Framework

- 2. Achieving sustainable development
- 3. Plan-making
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding, and coastal change

2.2 Eastbourne Core Strategy Local Plan 2006-2027

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C4: Old Town Neighbourhood
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D10a: Design

2.3 Eastbourne Borough Plan 2001-2011:

- NE4: Sustainable Drainage Systems
- NE17: Contaminated Land
- NE18: Noise
- NE28: Environmental Amenity

UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT7: Landscaping
HO2: Predominantly Residential Areas
HO8: Redevelopment of Garage Courts
HO20: Residential Amenity
TR2: Travel Demands
TR7: Provision for Pedestrians
TR11: Car Parking
US4: Flood Protection and Surface Water Disposal

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

3. Site Description

- 3.1 The application site occupies a space to the rear of residential properties on Motcombe Road (to the south), Charleston Road (to the north and east) and Green Street (to the west). The site was historically used as a builders yard with ancillary workshop space but has been established as a garage compound since the late 1950's. A total of 18 x flat roof lock up garages are provided in blocks flanking the northern, eastern and southern boundaries. The garages are not directly associated with any of the neighbouring dwellings and are available to hire for storage purposes. All of the garages appear to be in a structurally sound condition.
- 3.2 There is also a two-storey former workshop building on the southern boundary that has been converted for office/storage use and a two-storey building towards the northern boundary that was originally in use as a single dwelling but has since been subdivided into 2 flats. The site is entirely hard surfaced in concrete.
- 3.3 The site has designated access from Motcombe Road in the form of a straight, relatively narrow driveway that passes between numbers 40 and 36 Motcombe Road. The side elevation walls of these properties directly flank the access track. The driveway opens up into the site where a metal gate has been installed to provide security.
- 3.4 A network of unsurfaced alleyways which provide pedestrian access to the rear gardens of the terraced dwellings nearby on Motcombe Road and Green Street. The southern and western site boundaries are flanked by these alleys.
- 3.5 Surrounding development is relatively dense and predominantly residential in nature. This is generally in the form of terraces of two-storey dwellings that line Motcombe Road and Green Street with larger semi-detached dwellings on Charleston Road. There is a small parade of shops on Green Street, approximately 100 metres walking distance from the site. To the north of the site is a similar compound area which is accessed from Green Street and is

occupied by small commercial buildings/workshops as well as a residential dwelling.

- 3.6 The site falls within Source Protection Zone 3 (total catchment area). The site is not subject to any other specific planning designations or constraints.

4. Relevant Planning History

- 4.1 EB/1948/0103 – Erection of builders' workshop – Approved 12th November 1948
- 4.2 EB/1958/0518 – Conversion of workshop into four lock-up garages – Approved 8th December 1958
- 4.3 EB/1959/0070 – 16 additional lock-up garages – Approved 19th February 1959
- 4.4 EB/1987/0469 – Conversion of single private dwelling into two one-bedroom flats – Approved 27th October 1987
- 4.5 190401 - Proposed erection of 3no three-bedroom dwellings (Outline Application - All matters reserved) – Withdrawn 9th September 2019

5. Proposed Development

- 5.1 The proposed development involves the demolition of the existing garage blocks and two-storey office/storage building and the erection of 1 x 1½-storey semi-detached two bedroom dwelling (House 1), 2 x two-storey semi-detached two bedroom dwellings (Houses 2 and 3) dwellings and a 2½ storey building containing a ground floor one bedroom flat and a two-bedroom duplex unit over the first and second floor (second floor would be formed within roof space).
- 5.2 Houses 2 and 3 would be positioned towards the north-western corner of the site. The combined footprint of the dwellings, which are equally sized units that would be connected to each other, measures approx. 10.8 metres in width by 8.65 metres in depth. The building would have a hipped roof with eaves height at approx. 5 metres above ground level and ridge height at approx. 7 metres. Each dwelling would have an L-shaped patio area to the side/rear and a hard-surfaced car parking space to the side. A shed would also be provided to the rear of each dwelling.
- 5.3 House 1 would be connected to the building containing the flats, flanking the southern boundary of the site. The combined footprint of the two structures would be approx. 19 metres in width by 6.1 metres in depth. The first-floor level accommodation within house 1 would be contained within the roof space, with the roof front roof slope incorporating a pitched roof dormer, a roof light and a two-storey gable roof projection. The rear roof slope would incorporate a roof light. The eaves height of the main gable roof would be at approx. 3.2 metres above ground level with the ridge height at approx. 6.2 metres. A patio area would be provided to the side of the dwelling as well as a hard-surfaced parking bay.
- 5.4 The building containing the flats would have a gable roof containing 3 x dormers within the front slope and a single dormer with obscure glazed

window to the rear slope. The eaves of the roof would be at approx. 5.8 metres above ground level with the ridge line at approx. 8.75 metres. A screened external staircase would be provided to the front elevation in order to allow access to the upper floor duplex unit.

- 5.5 The existing vehicular access would be utilised and would be extended across the centre of the site, providing access to car parking bays and turning space. In addition to the single parking bays provided for each dwelling, a row of 6 parking bays would be provided along the eastern site boundary increasing overall parking capacity within the site to 9 spaces. One of the parking bays would be equipped with apparatus for electric vehicle charging. Cycle parking facilities and bin storage would be provided adjacent to the parking bays.
- 5.6 A pedestrian gate is shown on the western site boundary. This would provide access to the alleyway that passes the site although it should be noted that the applicant does not have any control over the use of this alleyway.

6. Consultations

6.1 Planning Policy

- 6.1.1 No substantive comments to make.

6.2 ESCC Highways (INITIAL RESPONSE)

- 6.2.1 The Design and Access Statement features a contradiction in that the application states that the site should be developed because the 'underused garages [which] are now too small for modern cars and were being used or rented only as storage units for which there is a low demand' yet the proposals will result in 'less vehicular traffic with the proposal than could have been directed under the current arrangement of garages and open yard'. If the existing usage does not generate a lot of traffic (even if it could), the new proposals would generate more traffic than existing.
- 6.2.2 However, I have undertaken a high-level assessment using TRICS to estimate the vehicle trip generation for the proposals, which shows that the new proposal would generate around 3 additional vehicle movements during the peak periods. This is unlikely to have a significant impact on the local highway network in terms of traffic and therefore is acceptable.
- 6.2.3 The visibility for vehicles exiting the development site onto Motcombe Road is hindered by existing residential walls. The applicant has not shown a visibility splay for the site access. While it is understood that the access is currently used the proposals would constitute an intensification of the access and therefore the applicant should show that a visibility splay in line with Manual for Streets can be achieved.
- 6.2.4 Given the concerns regarding visibility potentially being obstructed by existing residential walls, it should also be shown that pedestrian vehicle visibility of 2m x 2m can be achieved.

- 6.2.5 The access route into the development site does not meet the minimum width for access for fire engines which is 3.7m. Additionally, dead-end access routes longer than 20m require turning facilities, as fire tenders should not reverse for longer than 20m.
- 6.2.6 If a fire tender has to stop on the main road, the maximum acceptable distance would be 45m from the furthest residential property. This distance is exceeded in the development site proposals.
- 6.2.7 Based on the above it cannot be determined if adequate access for emergency vehicle is provided as part of the proposals. The applicant should provide additional information.
- 6.2.8 The 'Guidance for Parking at New Residential Development' by ESCC states the minimum dimensions of parking spaces at 5 x 2.5m for standard but require an additional 0.5m for spaces adjacent to a wall or fence. Based on the dimensions on the plan (10712/sk2) there are 9 car parking spaces of sufficient width.
- 6.2.9 The ESCC car parking calculation tool indicates that a development of this size should provide 9 residents car parking spaces and 1 visitor car parking space, totalling 10 spaces. As stated above, the proposed development is proposing to provide 9 car parking spaces of sufficient width, which is less than the ESCC standards.
- 6.2.10 As stated within ESCC 'Local Design Guide for Residential Development', developers must provide a full swept path analysis to prove design layouts can accommodate servicing vehicles. Given the access difficulties shown on the plans provided by the applicant, additional information should be provided to show that the development can be accessed and egressed in forward gear using the most commonly used service vehicle sizes, including a moving van.
- 6.2.11 The planning application does not state how the refuse will be collected from the development site. However, from the plans it is clear a refuse vehicle would not be able to access the site in forward gear and undertake a three-point turn to egress the site in forward gear as well.
- 6.2.12 It is not appropriate for refuse vehicles to enter the site because the 'Refuse & Recycling Storage at New Residential Developments' guidance for Eastbourne states that 'the layout of the access road should not require the collection vehicle to reverse more than 25m'. The access route from Motcombe Road is 35m which would require refuse vehicles to reverse in excess of 25m.
- 6.2.13 The same guidance also states that 'bin stores should be located within 25m of the Collection Point where the collection vehicle will stop'. If refuse vehicles were to stop on Motcombe Road, the bins would need to be collected from a distance of over 25m. Therefore, the proposed refuse collection arrangements are considered not to be in accordance with ESCC guidance and therefore not acceptable.

- 6.2.14 Given the town centre location of the site, and the potential for construction vehicles to impact the flow of traffic and pedestrian safety in the surrounding highway network, a Construction Traffic Management Plan should be secured via condition, with details to be agreed.
- 6.2.15 **The applicant provided a Technical Note in response to the comments above. This document was circulated to ESCC Highways, East Sussex Fire and Rescue and the Eastbourne Borough Waste and Refuse Team.**
- 6.2.16 **The Highway Officer reviewed the technical note and provided the following comments. Details provided in the technical note are expanded on in section 8.6 of this report.**
- 6.2.17 'Regarding fire safety, the argument that the pump appliance could drive 20 into the site means that it stops in the alleyway, which doesn't seem like a logical place to stop just to meet the standards. With that being said, Manual for Streets does expand, stating that where 'an authority or developer wishes to reduce the running carriageway width to below 3.7m, they should consult the local Fire Safety Officer.' With this in mind, I would defer to any comments from the local Fire Safety Officer on this matter.'
- 6.2.18 'Similarly, regarding refuse collection, I would defer to you waste collection team for their comments, as they would ultimately service the proposed development.'
- 6.2.19 I'm happy that the applicant has addressed my other comments satisfactorily.

6.3 East Sussex Fire & Rescue

- 6.3.1 Unfortunately I am unable to comment on the proposed access to the site, 38a Motcombe Rd Eastbourne as this will be considered by local Authority Building Control who enforce the access requirements for fire appliances under Building Regulations and the East Sussex Act. The Building Control do consult with the Fire Authority when they are satisfied Building Regs are met or if there are issues which may require agreement on relaxation of requirements. This will certainly be the case if the access road is less than 3.7 m and there are no turning facilities for a fire appliance if the footprint of the premises exceeds a distance of 45m.
- 6.3.2 Standing Advice was referred to, which includes the following comments.
- 6.3.3 Where it is either not possible or reasonably practical to achieve vehicle access requirements for a pumping appliance to within 45 metres of all points within a dwelling-house, a relaxation may be acceptable if a domestic sprinkler system conforming to BS 9251 (or equivalent) or a water mist system conforming to BS 8458 (or equivalent) is installed.
- 6.3.4 The fitting of a sprinkler system will enable fire appliance access to be extended to a maximum of 90 metres from all points within the

dwelling-house. The 90 metre distance will be achieved by the use of four lengths of 25 metre hose. The extra 10 metres provides some safety margin to allow for the hose to be run around objects or obstructions between the appliance and the fire.

7. Neighbour Representations

7.1 A total of 18 letters of objection have been submitted by members of the public. A summary of material matters raised is provided below:-

- A total of 18 letters of objection have been submitted by members of the public. A summary of material matters raised is provided below:-
- Applicant has not discussed with community or requested party wall agreement;
- No safe access for pushchairs and wheelchairs;
- Use of alleyways for rear access is unsuitable as they are unlit and unsurfaced;
- Use of alleyways will present a security risk to neighbouring dwellings;
- Increase in traffic;
- Unsuitable access;
- Poor visibility at site access;
- Insufficient parking;
- No evidence that the garage use is redundant;
- Overdevelopment/too dense;
- Out of keeping with appearance of surrounding buildings;
- Dormer windows are out of character with surrounding area;
- Overlooking;
- Loss of light;
- Increase in noise and light pollution;
- No turning circle provided;
- Loss of parking provided by existing garages;
- No meaningful garden space provided for occupants;
- Climate crisis not taken into account;
- Bin store positioned adjacent to neighbouring property will result in unpleasant odours;
- Nowhere for bins to be stored on collection day;
- Increased pressure on existing infrastructure/services;
- Would not provide affordable housing;
- Leaseholders of garages have not been notified;

- Loss of charming existing building;
- Fails to comply with local and national planning policies;
- Potential access issues were noted when the site was considered in the SHELAA;
- Parking bays should incorporate green infrastructure;
- Obscure glazing would not be sufficient to prevent overlooking as windows open;

8. Appraisal

8.1 Principle of Development

- 8.1.1 Para. 74 of the Revised National Planning Policy Framework (NPPF) instructs that ‘Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. As the Eastbourne Core Strategy is now more than 5 years old, local housing need is used to calculate the supply required.
- 8.1.2 The most recently published Authority Monitoring Report shows that Eastbourne can only demonstrate a 1.43 year supply of housing land. The proposed development would boost housing land supply, contributing a net gain of 5 x residential units.
- 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. This approach effectively adopts a ‘tilted balance’ in favour of development.
- 8.1.4 The site is identified in the 2019 Strategic Housing and Employment Land Availability Assessment (SHELAA) as site OL08. It is noted as being suitable for housing development of up to 6 units, albeit with potential issues around access. At the time of the assessment the availability of the site was unknown, and the site was therefore recorded as ‘potentially developable’. Para. 69 of the NPPF notes the contribution small and medium sized sites can make towards housing requirement, particularly as they are often built out quickly.
- 8.1.5 Para. 120 of the NPPF instructs Local Planning Authorities to ‘promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively’ Car parks/lock ups and service yards are

specifically identified as areas that may be suitable for redevelopment for residential use.

- 8.1.6 The above is echoed in policy C4 of the Eastbourne Core Strategy, which relates specifically to the Old Town neighbourhood which commits to 'delivering some housing through infill and redevelopment of commercial premises' as well as saved policy HO8 of the Eastbourne Borough Plan.
- 8.1.7 The presumption of approval will therefore need to be balanced against potential impacts relating to the safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 119), ensuring development is of suitable design and sympathetic to the character of the surrounding area (para. 130) and ensuring development does not compromise highway safety (para. 110) as identified within the NPPF as well as any development plan policies that are consistent with considerations set out within the NPPF.

8.2 Loss of Garages/Commercial Unit

- 8.2.1 The proposed development would involve the removal of the existing garages and office/storage unit within the site. It is noted that the garages are not directly associated with neighbouring dwellings and their use is wholly under the control of the applicant. The garages are in a structurally sound and usable condition and the site is secure. Whilst this would support ongoing use, the value of a relatively small amount of garages, which are located within a predominantly residential area, has to be balanced with the clear benefit of providing much needed housing on a brownfield site within an established community.
- 8.2.2 Likewise, the office/storage building is relatively small and it is considered that there is sufficient capacity provided by better equipped commercial stock within town and district centres to absorb any demand created by the loss of this unit, particularly following the recent changes to the use class order which introduce greater flexibility in the use of commercial buildings.
- 8.2.3 The NPPF is clear that in situations where there is a significant shortfall in supply of housing land, planning decisions should weigh in favour of new housing provision other than in situations where the benefit would be outweighed by a harmful adverse impact. Given the observations above, it is not considered that the loss of a small amount of garage and office space would justify refusing permission for much needed housing. It should also be noted that the office/storage building could be converted to residential use at any time under prior approval legislation.

8.3 Impact upon amenities of neighbouring residents

- 8.3.1 Houses 2 and 3 would be positioned towards the north-western corner of the site, with the rear of the dwellings facing towards the two-storey flat roof commercial building at 60a Green Street, As such, rear facing windows would not directly overlook any residential

property. The flank (western) elevation of house 2 would face towards the rear of numbers 50 and 52 Green Street with the side elevation wall being approx. 15 metres from the rear elevation of the two-storey outriggers at these properties and approx. 5.5 metres from the rear boundaries of their respective plots. It is considered that a sufficient distance would be maintained between the flank elevation and neighbouring property to prevent an overbearing or overly dominant relationship arising. It is noted that the roof line of the proposed dwellings pitches away from the site boundary, helping to reduce visual impact. It is also noted that the building at 60a Green Street is of similar height to the proposed dwellings and is positioned closer to the site boundary. It is therefore considered that the relationship between the proposed dwellings and neighbouring properties would be consistent with established spatial characteristics. It is also considered that no invasive views towards neighbouring properties would be introduced as views from ground floor windows would be interrupted by site boundary treatment whilst the only side facing upper floor window would serve a balcony and could reasonably be obscurely glazed without compromising living conditions within the dwelling. A planning condition will be used to secure the use of obscure glazing for this window.

- 8.3.2 In relation to the existing flats at 38 Motcombe Road, which are positioned to the east of houses 2 and 3, the proposed dwellings are of similar height to the building housing the flats, a suitable degree of separation is maintained between buildings and no windows or amenity areas would be directly overlooked. As such, it is not considered that the proposed dwellings would result in unacceptable degradation to the amenities of the occupants of the flats.
- 8.3.3 House 1 and the building containing the 1 bed flat and 2 bed duplex unit would be positioned directly adjacent to the southern boundary of the site, which backs on to an alleyway and the rear gardens of number 40 to 48 Motcombe Road. The proposed flats would be accommodated within a building that would occupy a the same footprint as the existing office/storage building and would be of similar height, with the ridge height being approx. 0.15 metres higher and the eaves height being approx. 0.7 metres lower. It is therefore considered that, from an overbearing and overshadowing perspective, the proposed building would have a similar relationship towards neighbouring residential properties as the existing structure. A single dormer window would be incorporated within the rear roof slope. This window would serve a bathroom and would be obscurely glazed. It is therefore considered that it would not allow for invasive views towards neighbouring residential properties.
- 8.3.4 House 1 would occupy the footprint of an existing block of flat roof garages. Whilst the house building, at approx. 6.2 metres to ridge line, would be of greater height than the existing garages, which is approx. 2.6 metres, the eaves height would be relatively low, at 3.2 metres, with the roof then pitching away from neighbouring properties. It is therefore considered that, whilst the impact of the

proposed building towards neighbouring residents would increase over that of the existing garages, it would not be to the extent that would result in it appearing oppressive or overly dominant and would not result in an unacceptable increase in overshadowing, particularly as it would be positioned to the north of properties on Motcombe Road. The flank elevation of the dwelling would be relatively narrow. It would face towards the rear of 46 Green Street but would be stepped in from the site boundary, allowing for approx. 10 metres separation between the proposed house and the rear boundary of 46 Green Street and approx. 19.6 metres between the dwelling occupying the plot. It is considered that the modest width of the flank elevation combined with the degree of separation maintained between neighbouring properties would be sufficient to prevent it from appearing overbearing, from causing undue levels of overshadowing and to prevent intrusive views from the upper floor bedroom window that would be installed in the flank elevation of house number 1.

- 8.3.5 Six car parking bays would be provided adjacent to the eastern boundary of the site in an area currently occupied by a block of garages. These parking spaces would directly abut the rear boundaries of residential gardens at numbers 6 to 10 Charleston Road meaning there is a particular sensitivity in regards to emissions of air, light and noise generated by vehicles. It is considered that emissions can be adequately controlled through the use of sympathetic screening and a planning condition will be utilised to ensure suitable screening is provided. For similar reasons, it is important that the bin storage area is secure and covered in order to control odour and to discourage vermin.
- 8.3.6 Due to the relatively narrow site access and the amount of works associated with the development (including a significant amount of demolition) a condition will be used to secure a Construction Management Plan (CMP) prior to the commencement of development/demolition. The plan will need to include, but not be limited to, details of pollution control measures, hours of working, access and parking for construction vehicles and contractors, secure storage facilities for materials and a timetable of works.
- 8.3.7 It is considered that the proposed residential use is entirely compatible with the surrounding area, which is predominantly residential use, and that the density of development is consistent with the relatively high density of surrounding residential development and can be achieved without an unacceptable compromise to existing residential amenities as demonstrated in the paragraphs above.

8.4 Design

- 8.4.1 The site is of a recessive nature due to it being surrounded by dwellings fronting neighbouring roads. However, it is not considered that the proposed development would represent a secluded form of backland development as the number of units provided would ensure

all dwellings would enjoy a good level of natural surveillance and would engage with their neighbours, fostering a sense of community and acting as a deterrent to crime and anti-social behaviour.

- 8.4.2 The design of the buildings does not directly mimic any neighbouring properties, but this would not be expected as the scale and self-contained nature of the site justify the development having an identity of its own. Notwithstanding this, general characteristics such as the use of red brick and the use of pitched roofing with strong gable elements are incorporated in order to assist visual integration within the wider surrounding area. The use of architectural features such as dormers and gable ended projections helps break up the mass of the proposed buildings and prevent them appearing monotonous or visually unsympathetic.
- 8.4.3 The height and mass of the proposed buildings would be comparable to that of surrounding residential development. It is therefore considered that the development would integrate well with the general prevailing characteristics of the surrounding area and would not appear unduly prominent or overbearing.
- 8.4.4 The density of the development would equate to approx. 67.5 dwellings per hectare. It is considered that, whilst less intensive than the proposed development, surrounding development is of relatively high density resulting in a relatively intimate built environment, with buildings generally being positioned close together. Although the site currently appears relatively open due to the low profile of the garages it does not offer any sense of openness that can be appreciated within the street scene due to being entirely enclosed by residential development. It is therefore considered that the proposed development is therefore consistent with the spatial characteristics of the surrounding built environment. The density of the proposed development also sits comfortably within the suggested density of development in Old Town which is 13-122 dwellings per hectare as set out in policy B1 of the Eastbourne Core Strategy.

8.5 Living Conditions for Future Occupants

- 8.5.1 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.'
- 8.5.2 All habitable rooms are served by clear glazed openings allowing for a good level of natural sunlight permeation and natural ventilation. All dwellings and flats would be dual aspect, ensuring increased exposure to natural light throughout the day as well as more effective ventilation. The layout of each unit is clear and uncluttered with hallway lengths kept to a minimum and awkwardly sized and shaped rooms being avoided, thereby enhancing functionality, accessibility, and adaptability.

- 8.5.3 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. The proposed 2 bed semi-detached dwellings would each have a GIA of 79.04 m², thereby exceeding the minimum 70 m² set out in the space standards. The proposed 2 bed detached dwelling would have a GIA of approx. 87 m² which, again, exceeds the 70 m² threshold. The proposed 2 bed flat would have a GIA of approx. 53.13 m², exceeding the 50 m² minimum. The proposed 2 bed flat is in a duplex configuration and so minimum GIA will be based on a two-storey 2 bed property. The GIA of 88.68 m² would exceed the 70 m² minimum. Therefore, all units comply with, and exceed, the minimum standards set out in the technical housing standards.
- 8.5.4 Each dwelling would have access to a private outdoor space in the form of a patio which is considered of a sufficient size to support the day to day amenity needs of a 2-bedroom household. The proposed flats would not have access to any designated amenity space but, given the small household size they would support and the availability of nearby public amenity space in the form of Motcombe Gardens, Old Town Recreation Ground and the South Downs National Park, it is considered that the lack of designate outdoor space is sufficient in this instance. It is also noted that the two-bedroom duplex flat is comfortably larger than required by technical housing standards, thereby allowing for a degree of indoor amenity function.
- 8.5.5 Access to all units would be gained from the building frontage and would be subject to a good level of natural surveillance from other properties within the development as well as surrounding properties. The car parking areas would also benefit from a good level of natural surveillance. It is therefore considered that occupants arriving and leaving their properties would not be placed in a secluded or isolated environment where they may feel at risk of crime and anti-social behaviour. All ground floor windows have defensible space provided in the form of landscaping and/or boundary treatment.

8.6 Highways and Access

- 8.6.1 The site has existing access from Motcombe Road via a dropped kerb and vehicular route that runs between 36 and 40 Motcombe Road. ESCC Highways initially raised concerns over the suitability of this access due to its width (approx. 3.7 metres) and the level of visibility offered to motorists emerging from the site.
- 8.6.2 In response to this, the applicant submitted a Technical Note outlining how the access could function safely. With regards to the width, the Technical Note states that Manual for Streets allows for short sections of shared access road to be narrower over short

sections provided the street is appropriate for particular context and users.

- 8.6.3 In this instance, the access road is straight, allowing for good levels of visibility of oncoming traffic, and, upon entering the site, the width of the road increases, allowing for passing points to be provided for vehicles heading in opposite directions. There is suitable space within the site to allow for vehicles to turn, ensuring they can enter and leave the site in forward gear. The Technical Note also maintains that conflict between vehicles would be relatively uncommon due to the access serving only 6 dwellings.
- 8.6.4 Although the access road is relatively narrow it does open up where it reaches the site, and it is considered that this would allow safe movement of pedestrians within the developed area. The narrow section of road between the site and Motcombe Road is narrow and it is considered that this would allow motorists good visibility of pedestrians using the road for access. Importantly, there is alternative pedestrian only access to the site via the existing network of alley ways running to the rear of properties on Motcombe Road and Green Street.
- 8.6.5 In addressing concerns over visibility, the Technical Note draws attention to the existing use of the access, which currently serves garages, two flats and business uses. It also quotes para. 7.8.3 of Manual for Streets which states that “Vehicle exits at the back edge of footway mean that emerging drivers will have to take account of people on the footway. The absence of wide visibility splays at private driveways will encourage drivers to emerge more cautiously.’
- 8.6.6 The Technical Note goes on to confirm that, whilst pedestrian visibility splays of 2 metres x 2 metres as recommended by ESCC Highways cannot be provided, splays of 2 metres x 1.83 metres can be achieved. It is argued that these splays are suitable for the site access given its relatively low predicted frequency of usage, the site not being in an area of high pedestrian activity and the width of the footway which, at 2.4 metres, is regarded as above average.
- 8.6.7 The Technical Note confirms that visibility splays of 2.4 metres x 4.3 metres could be achieved over the public highway, in accordance with the suggested dimensions for splays at junction with a 30-mph road. However, these splays are incorporated areas which provide on street car parking and so would be obstructed by parked cars at times.
- 8.6.8 Para. 7.8.5 of Manual for Streets states that ‘parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice. Ideally, defined parking bays should be provided outside the visibility splay. However, in some circumstances, where speeds are low, some encroachment may be acceptable.’ This is echoed in ESCC Highways standing advice which maintains that ‘some on street parking within visibility splays is

acceptable provided it does not obstruct sightlines completely and spaces are not occupied all of the time.'

- 8.6.9 On being presented with the additional information contained within the Technical Note, the Highways Officer removed their objection to the use of the access, subject to confirmation that accessibility was suitable for emergency services and refuse teams.
- 8.6.10 The proposed development would incorporate 9 x off-street allocated car parking spaces. ESCC Highways consider this to be a sufficient quantum to serve the needs of future occupants. The parking spaces are of suitable dimensions and adequate space for turning and manoeuvring is provided. It is anticipated that the development would generate demand for a single visitor parking space. Whilst no visitor parking would be provided within the site, the applicant argues in their Technical Note that on-street parking would have the capacity to provide visitor parking and ESCC Highways have agreed with this position.
- 8.6.11 The proposed development would incorporate a storage and collection area for refuse and recycling. The adopted Good Practice Guidance for waste and refuse states that bin stores should be provided within 30 metres of the properties they serve and within 25 metres of the nearest point accessible to a refuse collection vehicle. The Council's waste service team have confirmed that occupants of the existing flats at 38 Motcombe Road currently place their bins out on Motcombe Road, approximately 53 metres away.
- 8.6.12 The proposed bin storage area would be within 30 metres of the majority of the proposed dwellings although house No. 3, which is in the north-western corner of the site, would be approx. 35 metres away. The distance from Motcombe Road would also be approx. 35 metres. As such, the location of the proposed store does not comply with best practice guidance. However, given the existing refuse arrangements, the relatively low amount of bins that would be stored, the fact that the recommended distances are not significantly exceeded and the lack of sufficient space for an alternative location, it is considered that the proposed arrangements are acceptable in this instance. The provision of a bin store would prevent excessive clutter on the pavement on Motcombe Road that may otherwise result if occupants have no alternative other than to leave bins on the street.
- 8.6.13 East Sussex Fire and Rescue Service have made no objection to the application, subject to full details of fire safety measures being assessed at the building regulations stage. The Technical Note maintains that a fire appliance can reverse partially up the site access route and that there is sufficient width (3.7 metres) to allow for fire crews to unload equipment within 45 metres of any property within the development. It is also noted that alternatives measures, in the form of sprinkler and misting systems, could potentially be used if East Sussex Fire and Rescue consider it necessary.

8.7 Flooding and Drainage

- 8.7.1 The site is not located in an area identified as being susceptible to tidal or fluvial flooding. The existing hard standing and access road is identified as being at medium risk of surface water flooding. It is noted that this is reduced from the high-risk classification attached to the highway on Motcombe Road and other surrounding roads. The site is currently hard surfaced in its entirety and it is noted that the proposed development includes modest permeable areas in the form of soft landscaping. It is therefore considered that surface water runoff from the site is unlikely to increase. A condition will be attached to any given approval to ensure that details of a suitable drainage system that would protect future occupants as well as neighbouring properties and the public highway, are provided.
- 8.7.2 As the site falls within a Source Protection Zone (zone 3) any drainage scheme would also need to demonstrate how contaminants would be prevented from entering groundwater.

8.8 Sustainability

- 8.8.1 A planning condition will be attached to any approval given to ensure that the occupants of each property have access to a designated electric vehicle charging point. Details of measures to reduce carbon and nitrogen oxide emissions will also be required.
- 8.8.2 The proposed works would involve the demolition of existing buildings on the site and a condition will be used to secure a waste minimisation statement in order to obtain details of how waste materials will be recycled or re-used where possible as well as how any hazardous details encountered will be removed safely from the site.

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 Approve subject to the conditions listed below:-
- 10.2 Standard Time Limit.
- 10.3 Approved Plans.
- 10.4 External Materials in compliance with plans.
- 10.5 No occupation until car parking provided and maintained.
- 10.6 Minimum of 1 x electric vehicle charging point per unit.
- 10.7 No demolition/development until Construction Management Plan provided.

- 10.8 No occupation until secure and covered bin and bike stores provided.
- 10.9 Hard landscaping to be provided prior to occupation. Soft landscaping in first planting season.
- 10.10 No occupation until sustainability measures installed in accordance with details to be provided.
- 10.11 No commencement of development until drainage scheme and maintenance plan approved.
- 10.12 Waste minimisation statement (including procedure for dealing with contaminants)
- 10.13 Permitted Development Rights removed (including windows)
- 10.14 All windows marked obscure glazed to be maintained as such and also fixed shut at all times.

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.