

Report to: Planning Committee
Date: 21st September 2021
Application No: 210339
Location: Land at 57 - 63 Cavalry Crescent and 25 - 31 North Avenue, Eastbourne
Proposal: Demolition of 8no houses (Cavalry Crescent and North Avenue) and erection of 6no houses and 14no apartments with associated landscaping, parking and sustainability measures
Applicant: Mr B Kitchener
Ward: Upperton
Deadlines: **Decision Due Date:** 16th June 2021
Neighbour Con. Expiry: 10th June 2021
Recommendation: Delegate to Head of Planning to conclude consultation with ESCC Highways regarding revised parking space dimensions and following agreement, to approve with conditions subject to s106 legal agreement to secure local labour agreement, affordable housing provision, travel plan, TRO contribution and car club contribution.
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Map Location:



1. **Executive Summary**

- 1.1 This application is brought before the Planning Committee as it is a major application, in line with the Council's adopted Scheme of Delegation.
- 1.2 The application seeks planning permission for the demolition of the 8 existing dwellings on the site and redevelopment of the site to provide 18 residential units comprising 6 houses and 14 apartments, together with associated parking and landscaping.
- 1.3 Officers consider that the scheme would offer sustainable residential development of a brownfield site, including 100% affordable housing.
- 1.4 The proposal would meet adopted national and local planning policy and guidance and is therefore recommended for approval subject to conditions and a S106 legal agreement to secure local labour agreement, car club, S278 for public transport improvements, travel plan, TRO contributions (£5000) and affordable housing provision.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework 2019

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment

2.2 Eastbourne Core Strategy Local Plan 2006-2027

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C4: Old Town Neighbourhood Policy
- D1: Sustainable Development
- D5: Housing
- D7: Community Sport and Health
- D8: Sustainable Travel
- D9: Natural Environment
- D10: Historic Environment
- D10A: Design

2.3 Eastbourne Core Strategy Local Plan 2001-2011:

- UHT1: Design of New Development
- UHT4: Visual Amenity

UHT6: Tree Planting
UHT7: Landscaping
HO1: Residential Development Within the Existing Built-up Area
HO6: Infill Development
H07: Redevelopment
H09: Conversions and Change of Use
HO20: Residential Amenity
TR1: Locations for Major Development Proposals
TR2: Travel Demands
TR5: Contributions to the Cycle Network
TR8: Contributions to the Pedestrian Network
TR11: Car Parking
NE4: Sustainable Drainage Systems
NE23: Nature Conservation of Other Sites
LCF4: Outdoor Playing Space Contributions
NE14: Source Protection Zone

2.4 Supplementary Planning Documents and other relevant documents

Affordable Housing SPD
Sustainable Building Design SPD
Trees and Development SPG
Eastbourne Townscape Guide SPG

3. **Site Description**

- 3.1 The application is located in the Old Town Neighbourhood and comprises a corner plot with street frontages onto Cavalry Crescent and North Avenue. The site is owned by Eastbourne Borough Council and currently comprises eight semi-detached houses.
- 3.2 Two of the dwellings on Cavalry Crescent are vacant and require considerable upgrading to meet current residential standards. As a result, Eastbourne Borough Council have considered options to redevelop the site, which would provide much needed additional accommodation, designed to a much higher standard, with sustainability as a key design factor.
- 3.3 The site sits within a residential area which is close to local amenities and close to transport links to the town centre and Eastbourne Train Station.
- 3.4 The topography of the site falls from west to east. As such, existing properties fronting North Avenue are higher than those on Cavalry Crescent.
- 3.5 The site falls within the Environment Agency's Flood Risk Area 1 (Low Risk).

4. **Relevant Planning History**

4.1 No relevant planning history.

5. **Proposed Development**

5.1 The application seeks planning permission for demolition of the existing dwellings on the site and the redevelopment to provide a total of 18 residential units. This would comprise 6 houses and a separate block of 14 flats.

5.2 The houses would be formed of two terraces of three dwellings at the southeastern-most and northwestern-most edges of the site. They would comprise three floors of accommodation, the third of which would be set within the roof space, therefore comprising two storeys and a roof, incorporating front dormer-style designs.

5.3 Between the two terraces, a centrally placed apartment block would front the corner of Cavalry Crescent and North Avenue. The block would also be three storeys, which would comprise three floors of accommodation, with the third set within a mansard roof space. The apartments are served by two cores, the block of nine units being served by a lift and staircase, and the block of five being served by a staircase only.

5.4 Around the building will be landscaped gardens to the front of the buildings and private drives to the front of the houses. To the North West corner there will be food growing space for residents of the development, private gardens to the houses and drying, parking and recreation space for the apartments.

6. **Consultations**

6.1 External

6.2 ESCC Highways

6.2.1 ESCC Highways have highlighted that the car parking spaces do not meet adopted standards in terms of their dimensions. However, they have stated that they consider there is scope for amendment to meet the standards given the land available.

6.3 Southern Water

6.3.1 No comments.

6.4 ESCC SUDs

6.4.1 ESCC SuDS have raised concerns due to a lack of information to demonstrate that the proposed on-site infiltration would be possible and that soakaways may not be possible at the site.

6.5 Internal

6.5.1 Specialist Advisor (Regeneration) – The proposal would require a Local Labour Agreement in line with the requirements of adopted policy.

7. Neighbour Representations

7.1 25 letters of objection have been received regarding the application. Objections are lodged on the following grounds:

- Development overscale for the site
- Design and appearance
- Increased traffic generation
- Safety concerns through increased traffic
- Out of character with surrounding property
- Loss of privacy
- Parking provision
- Potential for housing vulnerable individuals

8. Appraisal

8.1 Principle of Development

- 8.1.1 Para. 73 of the Revised National Planning Policy Framework (NPPF) instructs that 'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. As the Eastbourne Core Strategy is now more than 5 years old, local housing need is used to calculate the supply required.
- 8.1.2 The presumption of approval will therefore need to take into account the balance between the 3 overarching objectives of sustainable development, (these being social, economic and environmental benefits), as well as other matters identified within the NPPF.
- 8.1.3 Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 8.1.4 Eastbourne can currently only demonstrate a 1.8 year supply of housing land. The development would result in a net gain of 12 units. The application site is not identified in the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) or on a brownfield register. It therefore represents a windfall site that would boost housing land supply.
- 8.1.5 Policy C4 (Old Town Neighbourhood Policy) of the Eastbourne Core Strategy 2013 states that the vision for the 'Old Town

Neighbourhood' is *'Old Town will maintain its position as the most sustainable neighbourhood in town, protecting and enhancing its important local services and facilities and improving opportunities for sustainable transport alternatives'*. This includes, *'the delivering of new housing through redevelopment and conversion of existing properties'*.

- 8.1.6 The Core Strategy states that Old Town is the most sustainable neighbourhood in the town (Policy B2). Policy B1, as referred to in the Spatial Development Strategy, explains that higher residential densities will be supported in these neighbourhoods. This site would be considered a brownfield site and the strategy states that 'in accordance with principles for sustainable development, it will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land'.
- 8.1.7 Taking account of the above policy position, the proposed residential use of the site is considered to accord with the objectives of the Development Plan and is acceptable in principle.

8.2 Design and appearance

- 8.2.1 Layout, siting, scale, bulk and massing
- 8.2.2 As previously stated, Core Strategy Policy B1, Spatial Development Strategy and Distribution, explains that higher residential densities will be supported in the Old Town Neighbourhood. Together with paragraph 124 of the NPPF, higher density is key to making full and efficient use of land, particularly in the context of the shortfall in housing land supply in the Borough.
- 8.2.3 This is supported by the Government's recently adopted National Design Guide, which explains (at paragraph 65) that *'well designed new development makes efficient use of land with an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context'*.
- 8.2.4 The existing spatial arrangement of the area is generous, with dwellings placed on large plots with significant space around the buildings. The National Design Guide advises that compact forms of development contribute positively to well-being and placemaking.
- 8.2.5 Therefore, the proposal seeks to increase the existing density of the site in line with adopted policy for the efficient delivery of housing. As such, increases in scale, bulk and massing are important design considerations in the assessment of the proposed scheme.
- 8.2.6 The scheme would comprise three main elements; two terraces of three dwellings, which would sit at the northwest and southeast corners of the site adjacent to the neighbouring dwellings, and a more substantial building, centrally placed between the terraces, occupying the corner between the two roads.
- 8.2.7 The proposed houses would comprise a lesser scale than the apartment block and sit adjacent to neighbouring buildings. Whilst the buildings would comprise three storeys of accommodation including a front dormer style roof form, the change in materials

effectively reduces the perceived scale in the street scene and it is noted that the height of the houses would be similar to that of existing neighbouring dwellings.

- 8.2.8 The tapered nature of the building heights towards the edges of the site frontages would allow the more substantial built form of the development as a whole to integrate with the established character of the area, being sympathetic to the neighbouring context.
- 8.2.9 It is also noted that the variation in building heights would add to the interest in the street scene, which is a key design recommendation in the Government's recently adopted National Design Guide.
- 8.2.10 The apartment block would occupy the corner position of Cavalry Road and North Avenue. The wide junction at this point of the site allows for the accommodation of more articulated built form. As such, whilst the building would comprise three floors to match the houses, the third floor would be bolstered by brick faced front dormer windows set into bulkier mansard roofs.
- 8.2.11 The buildings would retain a building line that re-enforces the defined street frontages, whilst allowing for soft landscaped areas to border the street. To the rear, the building would allow for in-built parking and amenity space without encroaching upon neighbouring property.
- 8.2.12 The elevational treatment would include balconies and recessed elements to provide depth and relief on the frontage, adding visual interest to the facades.
- 8.2.13 Taking the above into account, the proposed building design would be high quality and would contribute to a making-of-place, would make full and efficient use of the land and contribute to building sustainable communities whilst being sympathetic to the surrounding context.
- 8.2.14 Materials
- 8.2.15 The proposed buildings would comprise high quality materials that would be sensitive to the palette of materials in the local area. The buildings would be faced in brick with feature panels and slate hung roofs. It is noted that buildings in the vicinity comprise predominantly buff coloured facing materials and the proposed materials would be sensitive to the existing character.
- 8.2.16 Landscaping and trees
- 8.2.17 The existing site comprises a significant degree of soft landscaping features around the existing dwellings, which comprise large plot to dwelling ratios. This includes trees that would be removed as part of the proposal.
- 8.2.18 Existing trees on the site are generally of low quality and their proposed removal is considered to be acceptable in line with the submitted Arboriculture Assessment, on the basis that the replanting of the site would be high quality and biodiverse.
- 8.2.19 The submitted plans demonstrate that a suitable level of soft landscaping features can be accommodated at the site to soften the

development in the street scenes of Cavalry Crescent and North Avenue. Buildings would be set back from the highway and would allow for a suitable degree of front planting features to maintain the verdancy of the site.

- 8.2.20 Landscaping features, such as the species and numbers of planting would be required by condition of permission and to ensure their survival or replacement within a five-year period following consent.
- 8.2.21 Details are also required regarding planting either side of the accesses in the interest of maintaining adequate visibility for vehicles using the site.
- 8.2.22 Taking the above considerations into account, proposed landscaping is considered to be acceptable.

8.3 Amenity

8.3.1 Privacy

8.3.2 To the rear the application site are dwellings in Royal Sussex Crescent, the rear gardens of which back on to the site. There is a significant separation distance between the rear elevations of the proposed buildings and existing neighbouring dwellings to the rear. The houses would be of a similar scale to the existing and would also provide a similar rear outlook, thereby preserving the current relationship between the buildings and views from the proposed buildings to the nearest neighbouring dwellings.

8.3.3 Daylight

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

8.3.5 The majority of proposed dwellings would be dual aspect, and all would receive suitable levels of light for future occupants of the development.

8.3.6 Outlook

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

8.3.8 The proposed units would also comprise a good level of outlook for future occupants of the proposed development.

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

8.4 Outdoor Amenity Space

8.4.1 The proposal would provide private outdoor space for each of the houses in the form of rear garden areas, with a communal space provided for residents of the flats. It is considered that future residents of the scheme would be provided with good quality usable outdoor amenity space for the intended number of occupants.

8.4.2 Taking the above considerations into account, the proposal is considered to offer a good standard of accommodation for future occupants of the units and would meet the objectives of adopted policy.

8.5 Accessibility and impacts upon highway networks

8.5.1 Policy TR2 of the Eastbourne Borough Plan states that development proposals should provide for the travel demands they create and shall be met by a balanced provision for access by public transport, cycling and walking. Additionally, Policy D8 of the Core Strategy recognises the importance of high-quality transport networks and seeks to reduce the town's dependency on the private car.

8.5.2 Accessibility

8.5.3 The site is located within the Old Town Neighbourhood and is within walking distance of several local amenities including shops, pharmacies, primary schools and post office. The nearest bus stops are located on Central Avenue within 250m from the site access providing a limited hourly service which runs Monday to Saturday daytime. Additional bus stops are available on Victoria Drive which provide a high frequency service (every 10 minutes during the day and a service up to every 15 minutes evenings/Sundays) providing connections to Eastbourne Station. Regular train services are available from Eastbourne Railway Station to Lewes, Brighton and Hastings which provide connections for onward journeys. The site is approximately 2.9km from the railway station but considering the proximity to local goods and services, this site offers travel choices other than that of the private car.

8.5.4 The site is considered to be in a sustainable location from a transport perspective and that the transport needs of the development could be adequately met by walking, cycling and public transport.

8.5.5 The development has been designed for compliance with Building Regulations Approved Document M, Access to and Use of Buildings Volume 1: Dwellings Category 1 Visitable Dwellings. In addition, four ground floor apartments and one house have been designed to the Category 3 Wheelchair User Dwellings.

8.5.6 Site Access

8.5.7 The scheme would include a new access off North Avenue serving the rear parking court. The access is 5m in width which is suitable to accommodate two-way flows. Additional private accesses are also proposed serving units 1,2,3 via North Avenue and 15,16,17 via Cavalry Crescent.

8.5.8 The stretch of road serving the site is subject to a 30mph speed limit, in accordance with Manual for Streets any access should be provided with visibility splays of 2.4m x 43m. At present parking either side of the proposed access serving the rear parking court off North Avenue could considerably reduce the visibility sightlines as such it was raised as a concern within the Stage 1 Road Safety Audit. The recommendation was to implement parking restrictions

either side of the access to ensure adequate visibility is maintained. To implement parking restrictions a Traffic Regulation Order (TRO) is required. A contribution of £5000 would be secured by S106 agreement in agreement with ESCC Highways. Planting within the visibility splays either side of the individual access points will also need to be maintained below 600mm to ensure suitable pedestrian/driver intervisibility and this would be secured by condition.

8.5.9 Parking

8.5.10 The East Sussex Residential Parking Demand Calculator has been designed to calculate the number of parking spaces required at a new residential development on a site-specific basis. The calculator predicts levels of car ownership using information relating to the site location (ward), unit type, size and the number of allocated spaces.

8.5.11 The Parking Demand Calculator indicates that the parking provision required for a development of this type in this location is 15 spaces, if 1 space allocated per 3 bed house, 2 spaces per 4 bed house and unallocated parking for the flats. The 18 on-site parking spaces proposed are therefore adequate in number.

8.5.12 However, not all proposed spaces original met the required dimensions of 2.5m x 5m. Seven disability spaces were original proposed at the site as part of the parking scheme. These spaces also fell short of the required dimensions (3.6m x 5.5m).

8.5.13 ESCC has requested revision and recommends that 2 of the 5 disability spaces maintain the additional size but only 3 are specifically dedicated as disability spaces to allow greater flexibility within the site.

8.5.14 Revised parking dimensions have since been received and approval of the revised layout is being sought from ESCC Highways. Members will be updated at the time of the meeting with regard to this issue.

8.5.15 Cycle storage facilities

8.5.16 The Council's policy TR2 (Travel Demands) seeks a balance between public transport, cycling and walking to meet the transport demands of proposed development.

8.5.17 Cycle storage would be provided with 2 cycle spaces provided per unit 2 and 3 bed house with 28 communal spaces for the flats, this number exceeds the requirement and is considered adequate.

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

8.5.19 Taking the above considerations into account, it is considered that the proposed development complies with Policy TR11 of the Eastbourne Borough Plan Saved Policies (2007).

8.5.20 Affordable Housing

8.5.21 Any application submitted which results in a net increase of 10 or more residential units requires provision of affordable housing as per

Eastbourne Borough Council's Affordable Housing SPD (2017). As such, this proposal for 19 dwellings will require the provision of affordable housing in line with adopted policy.

- 8.5.22 Eastbourne is divided into two Market Value Areas, as defined by the Eastbourne Affordable Housing SPD 2017, which reflect dwelling prices across Eastbourne. The Town Centre Neighbourhood is identified as being a 'Low Value Market Area'. Developments within Low Value Areas require 30% provision of affordable housing on all sites.
- 8.5.23 However, EBC as applicant proposes that the scheme would comprise 100% affordable housing. This includes the five accessible units that will help meet the need for Disabled Ready Units required by Eastbourne Borough Council.

8.6 Other matters

8.6.1 Sustainability and Energy

8.6.2 The proposals adopt a 'fabric first' approach, giving priority to the quality in the performance of the building envelope for reduction in energy requirements. The development has been designed as an electric only scheme to eliminate the use of Gas and help reduce CO2 emissions.

8.6.3 In addition to this, renewable technologies have been designed into the scheme. A communal Air Source Heat pump would be contained in an acoustically designed enclosure at the rear of the site to serve the apartment block and individual Air Source Heat pumps to the houses. The use of Photovoltaic Panels on the roof will also generate renewable energy.

8.6.4 The use of sustainable technology and a fabric first approach will result in greatly reduced CO2 emissions (compared to current building regulation standards) and reduced running costs for future residents.

8.6.5 The flat roofs of the apartment building would also comprise green roofs.

8.6.6 Drainage

8.6.7 A drainage scheme has been submitted with the application, which includes surface water disposal via infiltration, including soakaways.

8.6.8 ESCC SuDS has raised concerns with regard to the proposed infiltration at the site due to a lack of hydrological calculation information. It is considered that the imposition of a condition would be sufficient to ensure that a SuDS scheme can be approved by ESCC and implemented at the site, including if additional measures are required other than infiltration and agreed with Southern Water if discharged to the public sewer.

8.6.9 In addition to the required details, a planning condition would secure a management and maintenance plan for any site drainage features to ensure the site drainage continues to function effectively throughout the lifetime of the development.

8.6.10 Refuse/Recycling storage facilities

8.6.11 The application proposes refuse/recycling storage within a dedicated enclosure. The proposed facilities would be large enough for the intended occupancy and suitably sited for occupants' use. The plans indicate that refuse collection points will be provided fronting the individual units with communal storage for the flats. Kerbside collection will take place on via North Avenue and Cavalry Crescent as such there is no requirement for onsite turning for a refuse vehicle.

8.6.12 A condition has been attached to ensure that facilities are provided prior to first occupation of the building.

8.6.13 Demolition, Construction and Environmental Management

8.6.14 A Demolition, Construction and Environmental Management Plan would be required by condition of permission, to ensure that construction related traffic and environmental impacts of construction would be suitably managed, including delivery times, parking, types of vehicles, construction traffic movement, wheel washing and dust suppression.

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 Delegate to Head of Planning to conclude consultation with ESCC Highways regarding revised parking space dimensions and following agreement, to approve subject to s106 legal agreement to secure local labour agreement, affordable housing provision, travel plan, TRO contribution and car club contribution and the following conditions:

10.2 Standard Time Limit.

10.3 Approved Plans.

10.4 External Materials in compliance with submitted details.

10.5 No occupation prior completion of the vehicular access and turning areas.

10.6 No occupation until car parking provided and maintained.

10.7 Minimum of 1 x electric vehicle charging point per unit.

10.8 No demolition/development until Demolition, Construction and Environmental Management Plan provided.

10.9 Hard landscaping to be provided prior to occupation. Soft landscaping in first planting season.

- 10.10 Refuse and recycling storage facilities in accordance with approved details prior to first occupation.
- 10.11 Cycle storage facilities in accordance with approved details prior to first occupation.
- 10.12 No occupation until sustainability measures installed in accordance with details to be provided.
- 10.13 No commencement of development until SuDS scheme and maintenance plan approved.
- 10.14 SuDS Verification Statement demonstrating completion of works prior to first occupation.
- 10.15 Waste minimisation statement (including procedure for dealing with contaminants).
- 10.16 Permitted Development Rights removed.
- 10.17 Renewables provision prior to first occupation.
- 10.18 Visibility splays at access – prior to first use.

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.