

Report to: Planning Committee

Date: 22nd March 2022

Application No: 200968 & 200983

Location: 61-63 Summerdown Road (Pentlow), Eastbourne (200968)
59 Summerdown Road (Summerdown), Eastbourne (200983)

Proposal: **200968** - Demolition of existing Nursing Home and erection of 9no houses (2no x 3bed and 7no x 4bed) and 3no 1bed flats (12no residential units in total)
200983 - AMENDED DESCRIPTION - Demolition of existing Nursing Home and erection of 6no houses (1no x 3bed and 5no x 4bed) and 6no 2bed flats (12no residential units in total)

Applicant: Mr Brian Cooney

Ward: Old Town

Recommendation: **200968** – Refuse
200983 – Refuse

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



1. **Committee Update**

- 1.1 The two applications were originally discussed at planning committee on 21st September 2021. Members raised concerns regarding the height and mass of the scheme, stating that it was out of keeping and unsympathetic towards the surrounding area.
- 1.2 Members were informed that the applicant intended to amend the scheme and members voted to defer the decision in order to allow for revised plans to be considered and brought back to committee.
- 1.3 The applicant has now submitted fresh applications for reduced intensity development on both sites (220225 and 220045). These will be determined independently and brought to committee once an officer recommendation is made.
- 1.4 The applicant has not altered any aspect of application 200968 and 200983 and, therefore, members must vote whether to accept the officer recommendation and refuse the application or to approve the application. Attention is drawn to the suggested reasons for refusal listed in paras 11.2 – 11.8.

2. **Executive Summary**

- 2.1 This report relates to 2 separate applications (200968 and 200983) which have been amalgamated in this single report in the interest of clarity given that they relate to neighbouring sites.
- 2.2 Each application will be assessed on its own merits.
- 2.3 It is considered that the residential re-development of each site is acceptable in principle.
- 2.4 The proposed development would secure a policy compliant provision of affordable housing, allowing for offset because of Vacant Building Credit.
- 2.5 However, it is considered that, whilst the proposed development would provide a benefit in terms of the provision of new dwellings of a variety of sizes, this would be outweighed by the significant harm the development would have upon the prevailing character of the surrounding area and, therefore, it is recommended that the application is refused.

3. **Relevant Planning Policies**

- 3.1 National Planning Policy Framework 2021:
 2. Achieving sustainable development
 4. Decision-making
 5. Delivering a sufficient supply of homes
 7. Ensuring the vitality of town centres
 8. Promoting healthy and safe communities
 9. Promoting sustainable transport
 11. Making effective use of land

12. Achieving well-designed places.

3.2 Eastbourne Core Strategy Local Plan 2006-2027:

B1 Spatial Development Strategy and Distribution

B2 Creating Sustainable Neighbourhoods

C10 Summerdown & Saffrons Neighbourhood Policy

D1 Sustainable Development

D2 Economy

D5 Housing

D7 Community, Sport and Health

D10a Design.

3.3 Eastbourne Borough Plan 2001-2011:

NE4 Sustainable Drainage Systems

NE7 Waste Minimisation Measures in Residential Areas

NE18 Noise

NE28 Environmental Amenity

UHT1 Design of New Development

UHT2 Height of Buildings

UHT3 Setting of the AONB

UHT4 Visual Amenity

UHT7 Landscaping

HO2 Predominantly Residential Areas

HO7 Redevelopment

HO17 Supported and Special Needs Housing

HO20 Residential Amenity

TR6 Facilities for Cyclists

TR11 Car Parking.

3.4 Eastbourne Employment Land Local Plan (ELLP- adopted 2016):

EL1 Economy and Employment Land.

4. **Site Description**

4.1 The 61-63 Summerdown Road site is occupied by a former care home that was accommodated within two former detached residential dwellings that have been connected and extended to the rear. The main building is 2½-storeys in height, the top floor being accommodated within the roof slope, and various single-storey extensions have been added to the rear over time.

4.2 The original buildings both have hipped roofing with the eaves line broken in places by modestly sized gable ends, with the link between the two buildings

having a shallow pitched crown roof, with a clear step down in ridge height. A hard-surfaced parking/turning/servicing area is provided directly to the front of the buildings, which are set back from the road. This area is served by separate entrance and exit points. An approximately 1.2-metre-high flint and brick wall runs along the site frontage whilst the rear of the site is enclosed by timber fencing. Site landscaping provides additional screening.

- 4.3 The 59 Summerdown Road is the neighbouring plot to the north, with the access to Summerdown Close running between them. The site is also occupied by a care home facility that is currently operating at reduced capacity. The original building occupying the site, a 2½-storey detached dwelling has had numerous single-storey extensions made to the side and rear over time. It is set back from the road and there is a relatively large hard surfaced parking area to the front, which is accessed via Summerdown Close. The site frontage is marked by a flint and brick wall with mature hedge planting behind it.
- 4.4 Due to the surrounding topography, the buildings on both sites are on ground that is lower lying than Summerdown Road and, in turn, occupy higher ground than properties on Summerdown Close, which are to the rear of both sites.
- 4.5 The stretch of Summerdown Road on which the sites are located is characterised by residential development, generally in the form of large, detached dwellings that are set back from the road. The design and age of these dwellings is varied although there are common characteristics in scale (2-2½ storey with a sizeable footprint), external materials (red brick, red tile hanging, painted render, timber detailing) and distinctive roof forms that often have high ridge lines and incorporate articulation in the form of gable projections and dormers.
- 4.6 The dwellings to the rear of the site on Summerdown Close are of more uniform appearance, being part of a single development constructed in the 1970's.
- 4.7 The presence of mature landscaping in the form of street trees and garden landscaping contributes towards a verdant character and appearance within the surrounding area. This landscaping includes a greensward that provides a buffer between the northern boundary of 61-63 Summerdown Road and the highway at Summerdown Close. The greensward includes several mature trees that are the subject of a Tree Preservation Order which was issued in 1973 in response to the development of Summerdown Close (TPO19). The order also includes 3 trees positioned to the rear of 61-63 Summerdown Road.
- 4.8 The edge of the South Downs National Park is approximately 275 metres to the south and west of the site, which is partially visible from public footpaths that cross Royal Eastbourne Golf Course.

5. Relevant Planning History

5.1 EB/1972/0380

Demolition of 59-63 Summerdown Road & erection 19 houses.

- Refused 8th June 1972.
- 5.2 EB/1972/0451**
Demolition of 59-63 Summerdown Road & erection 12 houses & construction service road.
Refused 22nd June 1972.
- 5.3 EB/1972/0464**
Demolition of 59-63 Summerdown Road & erection 20 houses.
Refused 6th July 1972.
- 5.4 EB/1972/0506**
Demolition of existing houses 59-63 Summerdown Road & erect 8 detached houses.
Refused 3rd August 1972.
- 5.5 EB/1973/0802**
Single-storey link and change of use from 2 single private dwellings to nursing home and formation of parking area at front (61-63 Summerdown Road).
Approved Conditionally 15th November 1973.
- 5.6 EB/1975/0093**
Change of use from a single private dwelling to a nursing home for a total of 14 patients and 4 staff (59 Summerdown Road).
Approved 17th April 1975.
- 5.7 EB/1986/0028**
First floor addition above existing single-storey link.
Refused 20th February 1986 **Appeal Allowed.**
- 5.8 EB/1986/0552**
3 storey extension at rear.
Refused 23rd December 1986.
- 5.9 EB/1987/0118**
Single-storey rear and side extension.
Approved conditionally 29th April 1987.
- 5.10 EB/1989/0097**
Single storey extension at rear to provide dining and office space.
Refused 6th April 1989 **Appeal allowed.**
- 5.11 EB/1989/0217**
Provision of porch and conservatory at front of nursing home.
Approved Conditionally 25th May 1989.
- 5.12 EB/1990/0127**

Single storey extension at rear of nursing home.

Approved Conditionally 24th April 1990.

5.13 EB/1991/0229

Conservatory at rear.

Approved 17th June 1991.

5.14 980516

Erection of conservatory at rear to increase residents' amenity area.

Approved Conditionally 18th February 1998.

5.15 090551

Erection of single-storey extension and raised decking area in association with removal of existing conservatory.

Approved Conditionally 6th November 2009.

5.16 190019

Outline application for new 64 bed nursing home (Amended description following removal of new building housing residential flats from proposal).

Refused 24th July 2019.

5.17 190794

Demolition of existing Pentlow Nursing Home, partial demolition of adjacent Summerdown Nursing Home at 59 Summerdown Road. Construction of new 62no bed Nursing Home, including relocated entrance/exit on Summerdown Road. Formation of new off-street parking within the 59 Summerdown Road site and reinstating planting, landscaping, and external works.

Refused 26th February 2020.

5.18 210135

Demolition of existing 59no person (53no bed) Pentlow Nursing Home -part demolition of adjacent Summerdown Nursing Home, both located at 59-63 Summerdown Road, Eastbourne, BN20 8DQ. Construction of new 60no bed Nursing Home, including relocated entrance/exit on Summerdown Road. Formation of new off-street staff parking within the Summerdown site and reinstating planting, landscaping, and external works.

Withdrawn.

6. Proposed Development

6.1 200968 – 61-63 Summerdown Road:

6.2 This application involves the demolition of the existing nursing home and all associated structures and its replacement two rows of 2 and 3-storey buildings accommodating a mix of single dwellings and flats. The buildings would be arranged in an L-shape, with one row facing west towards Summerdown Road and the other facing north onto Summerdown Close. The residential mix would be as follows:

- 6.3 The southern facing row would comprise 1 x 2-storey 3 bed dwelling, 4 x 3-storey 4 bed dwellings, 1 x 3-storey building containing 3 x 2 bed flats (1 per floor). The western facing row would incorporate 1 x 2-storey 3 bed dwelling and 3 x 3-storey 4 bed dwellings. The overall development would therefore provide 12 new residential units. The south-eastern corner of the site would be used as a courtyard parking area, with a total of 21 x car parking bays provided.
- 6.4 The tallest part of the development, the 3-storey flatted element, would be positioned at the corner of Summerdown Road and Summerdown Close. Height of this element to the roof ridge line would be approx. 11.15 metres. This steps down to approx. 10.2 metres over the 3-storey dwellings whilst the 2-storey dwellings that bookend the two rows of buildings would have a ridge height of approx. 8.2 metres.
- 6.5 Vehicular access would be provided via a new dropped kerb crossover formed on Summerdown Close to the rear of the site. Pedestrian footways would be provided along both frontages and would be accessible from the existing footway network as well as from the proposed courtyard parking area.
- 6.6 The overall footprint of the development would be approx. 565 m² with the hard-surfaced courtyard parking accounting for another approx. 515 m².
- 6.7 200983 – 59 Summerdown Road:
- 6.8 The layout of the proposed development would broadly mirror that at No. 61-63, with a row of 2 and 3-storey buildings facing west onto Summerdown Road and a row facing south onto Summerdown Close.
- 6.9 The composition of the development would be different to that of the neighbouring site. The southern facing row would comprise 2 x 3-storey buildings, each incorporating 3 x 2 bed flats and 2 x 3-storey 4 bed dwellings. The eastern facing row would comprise 3 x 3-storey 4 bed dwellings and 1 x 2-storey 3 bed dwelling. The overall development would therefore provide 12 new residential units.
- 6.10 As with the development at No. 61-63, the tallest parts of the development would be the flatted elements, one block of which would be positioned at the corner of Summerdown Road and Summerdown Close with the other being on the western end of the southern row, adjacent to No. 57 Summerdown Road. A courtyard parking area providing a total of 14 bays would be positioned in the north-eastern corner of the site.
- 6.11 Vehicular access to the site would be obtained by way of a new dropped kerb crossover formed to the rear of the site on Summerdown Close. A new public pedestrian footway would be formed along the southern boundary, providing a link from Summerdown Road to the vehicular access and properties on Summerdown Close. A private footway would also be provided along the western site frontage and this would include connectivity with the courtyard parking area.
- 6.12 The overall footprint of the development would be approx. 492 m² with the coverage of the hard-surfaced parking area being approx. 346 m².

7. Consultations

7.1 Specialist Advisor (Regeneration)

- 7.1.1 In 2019, planning application 190019 identified the Pentlow nursing home employed the equivalent of 62 full time staff. The nursing home is owned by the Canford Healthcare who provide a range of nursing and care services. The demolition of existing provision and development of private residential dwellings will result in the loss of a long-standing employer and nursing care provider for Eastbourne residents. Due to the Covid-19 pandemic Eastbourne has seen many businesses close and a rise in unemployment rates. The loss of a care provider and associated jobs will have a significant economic impact locally.
- 7.1.2 Regeneration acknowledges there will be employment opportunity during the construction of the residential development. However, this will be short term during the build only and will not balance against the loss of long-term employment. The loss of jobs including those in the supply chain together with a reduction in local care provision will have a significant economic impact in Eastbourne.
- 7.1.3 The Local Employment and Training Supplementary Planning Document, adopted November 2016, confirms this planning application qualifies for a local labour agreement as it meets the threshold for a residential development.
- 7.1.4 Considering the above, Regeneration has reservations regarding this proposal. If the planning application receives approval it should be subject to a local labour agreement in accordance with local policy.

7.2 Specialist Advisor (Planning Policy)

- 7.2.1 The submission does not appear to provide any justification in relation to the loss of the existing care home. There have been several large Care Home developments across Eastbourne in recent years, the trend being for new purpose-built provision with smaller existing care homes, generally in older converted buildings, struggling with financial viability. The care home provides an economic and social benefit to the neighbourhood however given the lack of five-year housing land supply and the presumption in favour of sustainable development there is no in principle objection to the redevelopment of the care home. Therefore, this development is supported by policy, providing the affordable housing is provided.

7.3 ESCC Highways

- 7.3.1 Application 200968 - I do not wish to restrict grant of consent subject to highway conditions.
- 7.3.2 Application 200983 - As submitted, there are several amendments required. I therefore object to this application.

7.4 Lead Local Flood Authority

- 7.4.1 We understand that the proposal is to discharge surface water into the public surface water sewer in Summerdown Avenue at 8.0 l/s for all rainfall events. This approach is acceptable in principle. However, in terms of sizing the required on-site attenuation, consideration has only been given to higher probability, more frequent events (i.e. rainfall intensity of 50mm/hr). The on-site attenuation should be sized for the 1 in 100 year, including 40% climate change, event. We request that the proposals and calculations are updated to allow for this.
- 7.4.2 It is unclear how much, if any, of the existing drainage infrastructure including connections is intended to be re-used. If a new connection is proposed, the applicant may also be required to apply for permission from Southern Water to establish a new connection into its system.
- 7.4.3 We note that a drainage layout has been provided indicating the locations of the proposed pipes and drainage features including the tank and the grasscrete. The LLFA requests that this is amended to include cover levels, invert levels and pipe sizes. If necessary, this could be delayed until the detailed design.

7.5 Design Review Panel

- 7.5.1 The Panel were concerned that the density of the housing schemes is high for this area in contrast to that of the surrounding buildings. From a quick assessment it appears that the two housing schemes would result in the creation of an additional 24 residential units (many of 4 and 3 bed size) in a street that currently has a total of 55 existing residential units, representing an increase of approximately 43%.
- 7.5.2 The Panel felt that this high-density approach to the planning of the schemes had resulted in the houses being pushed far closer to the boundary with Summerdown Road than was the case with existing dwellings in the street. There is a strong impression that most of the remaining site areas are being used to accommodate the parking provision, and this is resulting in the removal of many of the mature trees.
- 7.5.3 This has resulted to the sites feeling cramped by comparison to the neighbouring sites and losing much of what provides their existing character.
- 7.5.4 Questions were raised about the extent of the parking proposed. 34 spaces are shown on the housing schemes and it is assumed that from the proposed unit sizes, there will be many houses with more than one car. Has any assessment been made of how this will impact on on-street parking on Summerdown Road? The panel was not shown how the parking provision had been arrived at. Given the Council's commitment to carbon neutrality by 2030, we would expect to see a serious effort in proposals of this scale to address sustainable transport issues, with for example cycle parking being clearly shown. This could not be seen on the plans although it was

assumed that the designs are developed in some detail as they appear to show soakaways for example.

- 7.5.5 The Panel was concerned that the approach to the housing site layouts has resulted in the traffic movements generated by the proposed parking areas taking place in the quietest ends of the cul-de-sac behind the site, which they felt had an unreasonable impact on neighbouring properties.
- 7.5.6 It was felt that the care home proposal provided little useful amenity space considering the number of bed spaces, and again showed the mature trees on the site being removed. The Panel was concerned that all the proposals prioritise maximising the yield of the sites rather than responding to the site constraints and opportunities in a creative way to make an enjoyable and positive place.
- 7.5.7 General concern was expressed about the impact the proposals would have on traffic in Summerdown Road, which is already very heavily used at commuting and school run times. Given the impact of additional residential traffic on an already busy street, the panel would strongly urge the Council to seek S106 funds to improve the local infrastructure for pedestrians and cyclists if this proposal goes forward.
- 7.5.8 While the current buildings on 63 Summerdown Road are connected and in a single use, the forms of the two original separate houses are still evident and maintain the scale and rhythm of the other houses along the street. By comparison the Panel felt that the current proposals present a high and monolithic mass of building to the street that feels out of place. The panel expressed concern about the height and vertical emphasis of both proposals.
- 7.5.9 While sympathetic to designs for the sites in a contemporary idiom, the Panel felt that the architectural language proposed (particularly for the housing schemes) was alien to the character of the surrounding buildings, neither responding sensitively to these nor proposing a convincing foil to set against them. The problem is exacerbated by the scale and positioning on site of the proposals, but it was also felt that the choices of brick and fenestration for the housing schemes had no sense of being either rooted in the local distinctiveness of the place or responding to it.
- 7.5.10 The panel expressed concern about how close the buildings are to Summerdown Road compared with the existing structures, which are set well back and shielded by shrubs and trees. Both proposals show a reduction in tree cover and greenery – the panel questioned how this would fit with local targets for biodiversity? There was a suggestion that ecological considerations are given more attention in Lewes than Eastbourne and that shouldn't they be aligned, given that the Borough Councils themselves are?

7.6 South Downs National Park Authority

- 7.6.1 No comments to make.

7.7 The Eastbourne Society

7.7.1 Summerdown Road is a wide thoroughfare that offers an attractive leafy route into the town from East Dean Road, leading to Paradise Drive around the Royal Eastbourne Golf Course. Most properties are fine detached houses widely spaced from each other. Therefore, the siting of a large block of flats amongst these properties is not only considered inappropriate but will also cause disharmony to the balance of the street scene when viewed from the public realm.

7.7.2 Design: The modernist style, bulk, and height, of the proposed development really does not harmonise with the residential character and design of the surrounding properties in Summerdown Road and would be far better suited to an inner town location.

7.7.3 Vehicles: Combined with Planning Application 200983, up to a total of 44 vehicles would be coming and going from Summerdown Close, and I believe that this will cause noise and disruption to the residents of the close and add greatly to traffic congestion at this point where Old Camp Road (opposite) also joins Summerdown Road.

Heritage: With the possibility that the site may be redeveloped, the loss of the existing property will be disappointing. It was originally built as a fine detached house in keeping with the neighbouring properties. In recent years its unsightly adaptation for commercial use is wholly unattractive in the public realm, but despite this it would still be worthy of restoration back to its former glory.

8. **Neighbour Representations**

8.1 Application 200968 – Letters of objection received from 61 individuals, some of whom have written on more than one occasion.

8.2 Application 200983 – Letters of objection have been received from 89 individuals, some of whom have written on more than one occasion.

8.3 Material planning matters raised in relation to both schemes are summarised below. All letters are visible, in full, on the Council's website. Comments on the two schemes as many comments apply to both.

- Application should not have been validated due to insufficient detail.
- Inconsistencies in street scene drawings in terms of representation of height of neighbouring properties.
- Unsympathetic to the character of the surrounding area.
- Loss of existing attractive and historically important buildings.
- Loss of care home facilities.
- Building line will be breached.
- Overdevelopment of the site.
- Height is out of keeping with surrounding development.
- Not an appropriate location for flats.

- Loss of privacy on neighbouring sites.
- Unacceptable overbearing impact.
- Unacceptable overshadowing impact.
- Disruption to residents on Summerdown Close due to increase in traffic and location of access.
- Lack of sufficient parking.
- Insufficient space for vehicles to use access.
- Additional traffic causing congestion and risk to pedestrians.
- Loss of landscaping and ecology.
- Disruption caused by construction works and traffic.
- Increased light pollution.
- Harmful impact upon setting of the South Downs National Park.
- Concern local infrastructure will be overloaded.
- Increase in surface water flooding.
- Does not respond to climate crisis.
- Buildings should be re-used not demolished.
- Lack of affordable housing.
- Does not respond to NPPF objective to build better build beautiful.
- Public consultation was rushed, and residents' concerns have not been responded to.

9. **Appraisal**

9.1 Principle of Development

- 9.1.1 The site is located within the built-up area boundary. Development is therefore acceptable in principle.
- 9.1.2 Para. 8 of the Revised National Planning Policy Framework (NPPF) defines sustainable development as comprising three overarching objectives, these being to respond positively to economic, environmental, and social needs. Para. 10 goes on to state that there should be a presumption in favour of sustainable development.
- 9.1.3 Para. 11 of the NPPF states that decision taking should be based on the approval of development proposals that, where a five year supply of housing land cannot be demonstrated, as is the case within Eastbourne Borough, permission should be granted for development unless there is a clear reason for refusing based on impact on areas or assets of particular importance (as defined in the NPPF) or if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, with relevant Local Plan

policies also taken into account. Ultimately this approach results in a 'tilted balance' in favour of development.

- 9.1.4 Para. 120 of the NPPF 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. 125 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.
- 9.1.5 From a housing delivery perspective, para. 69 of the NPPF acknowledges the important contribution that small and medium sized sites, such as the application site, can make towards meeting the housing needs for an area, particularly as development on such sites is often built out relatively quickly.
- 9.1.6 The redevelopment for residential purposes is therefore considered to be acceptable in principle and will be assessed on the balance of its economic, social and environmental merits in full accordance with the principle of supporting sustainable development as set out in paras 8, 11 and 12 of the Revised National Planning Policy Framework as well as development plan policies relating to design, carbon reduction, landscaping, pollution control and ecological enhancements.

9.2 Planning Obligations

- 9.2.1 As the development would result in a net increase of over 10 dwellings, there would be a requirement for provision of affordable housing as per Eastbourne Borough Council's Affordable Housing SPD (2017). The Summerdown and Saffrons neighbourhood is identified as a high value market neighbourhood and, as such, the ratio of affordable housing required would be 40% of the overall development, amounting to 4.8 units on each site. The tenure mix should be 70% rented, 30% Shared Ownership. This would be expected to be delivered as 4 units on each site with the remaining 0.8 provided as a commuted sum.
- 9.2.2 However, para. 026 of the Planning Practice Guidance for Planning Obligations states that, 'where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.'

- 9.2.3 As a result, affordable housing requirements would be based on the increase in floor space on both sites only. The applicant states that this increase equates to 372 m² additional floor space at the site of 59 Summerdown Road and 42 m². Affordable housing contributions would therefore be based on 40% of the increase in floor space. This would be 148.8 m² at 59 Summerdown Road, which is considered sufficient to secure a single dwelling or 2 flats, and 16.8 m² at 61-63 Summerdown Road which would not provide sufficient floor space for any dwelling and would therefore be obtained as a commuted sum.
- 9.2.4 A section 106 agreement would be used to secure these contributions if the application were to be approved. This would be subject to checks on the exact amount of floor space increase and the eligibility for vacant building credit.
- 9.2.5 The section 106 agreement would also be used to secure a local labour agreement for the construction and demolition works on each site.
- 9.2.6 Highway improvements identified in the road safety audit would be secured by way of a section 278 agreement where required.

9.3 Loss of Care Home Facility

- 9.3.1 Para. 93 c) of the NPPF states that planning decisions should 'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;'. This is echoed in policy D7 of the Eastbourne Core Strategy which states 'the loss of any community, sports or health facilities will be resisted unless it can be demonstrated that the facility is no longer required to meet current needs, or where alternative and improved provision can be made elsewhere in Eastbourne in a location that is accessible to local people.'
- 9.3.2 In balance to the above, the development of under-utilised buildings is supported by para. 120 d) of the NPPF.
- 9.3.3 In response to concerns over the loss of nursing home facilities, the applicant has stated that the homes are struggling to meet modern standards for nursing homes due to the age and size of the buildings, their convoluted layout and their lack of adaptability. A recent application to rationalise the two homes into a modern facility was refused by planning committee under application 190794. The applicant has stated that the care homes have been running at a loss and that they are not viable in their current form, nor are they suitable for further extensions to be made.
- 9.3.4 A number of smaller and older nursing homes have recently closed in Eastbourne for similar reasons whilst a number of recent approvals for large, purpose built care homes have been granted, examples being 282 Kings Drive (planning ref: 181178) and 46-48 East Dean Road (planning ref: 160443).

- 9.3.5 In light of the viability of ongoing use of the existing buildings, the failure to obtain planning permission for a new, and suitably sized, purpose built nursing home and the presence of new nursing home development nearby, it is considered that the loss of the nursing home use at the two sites is acceptable in this instance, particularly when balancing with the benefits provided by the delivery of new housing units.
- 9.4 Impact of the proposed development on amenity of adjoining occupiers and the surrounding area:
- 9.4.1 The two sites subject of the development are positioned to the front of existing residential development on Summerdown Close which is built on land that was formerly part of the rear gardens of number 59-63 Summerdown Road. The topography of the surrounding area results in the Summerdown Close properties being on lower lying ground than buildings fronting Summerdown Road.
- 9.4.2 Bulk and relationship to neighbouring properties: It is considered that the design and layout of the proposed development incorporates measures to mitigate impact upon the amenities of the occupants of properties on Summerdown Close. The buildings which form the Summerdown frontage element of the development extend across most of the width of each of the two plots in an orientation that is parallel with that of the dwellings on Summerdown Close. The rear elevations of the Summerdown Road frontage properties at 61-63 Summerdown Road would be positioned approx. 40 metres to the west of the front garden areas of properties to the rear on Summerdown Close (approx. 50 metres from the dwellings themselves). For properties to the rear of No. 59 the distance is approx. 35 metres and 46 metres respectively. Whilst the buildings flanking Summerdown Close would reach significantly closer to neighbouring properties on Summerdown Close (approx. 10 metres to front gardens and 20 metres to dwellings for 61-63 Summerdown Road and 12 metres to 25 metres respectively at 59 Summerdown Road) this relates to the two-storey flank elevation walls only, with 3-storey elements set further back within the site.
- 9.4.3 Although the proposed development is significantly bulkier than the existing buildings occupying both sites it is considered that the distance maintained between it and neighbouring properties on Summerdown Close would be sufficient to prevent it from appearing overbearing, particularly when seen in context with other large buildings that form frontage development on Summerdown Road. This form of relationship is not considered to be unusual for 'backland' development such as Summerdown Close. As such, it is not considered that the proposed development would appear unacceptably overbearing or oppressive when viewed from the properties in Summerdown Close and it is also considered sufficient distance would be retained to prevent undue levels of overshadowing of those properties.

- 9.4.4 Overlooking/loss of privacy: Ground and first floor windows would be installed in the eastern elevation of these buildings and it is considered there is potential for invasive views of neighbouring garden space and windows. As such, if the scheme were to be approved then a condition could be used to ensure these windows are obscure glazed with only high-level parts being capable of being opened in the event that planning permission was to be granted. It is considered that this would not compromise the amenities of future occupants of the development as the rooms served by these windows (an open plan living/kitchen/dining area and a bedroom) have their primary windows and openings to the front and rear.
- 9.4.5 Vehicular Access: The sole vehicular access for both sites would be via Summerdown Close. The applicant has drawn attention to existing vehicular movements in their transport statement, but it is considered these movements would largely be confined to Summerdown Road and the junction with Summerdown Close at present, given the position of the existing site accesses.
- 9.4.6 Vehicle Movements: The proposed development would therefore generate existing vehicular movements along the rear section of Summerdown Close, where all associated housing is concentrated. ESCC Highways estimate the proposed development would generate approx. 54 trips per day for the 59 Summerdown Road site and approximately 63 trips per day for the 61-63 Summerdown Road site. Whilst this would represent a significant increase in activity on Summerdown Close due to low number of dwellings it currently serves, it is not considered that it would be to such a degree that it would compromise the character of the street in highway capacity terms, which is in close proximity to the far busier Summerdown Road, or the amenities of neighbours given that the vehicular movements would be sporadic rather than a stream and would likely be at low speed given the layout of the road and the site accesses.
- 9.4.7 Residential impact to existing dwellings: Turning to neighbouring properties on Summerdown Road, the most directly affected would be numbers 57 (adjacent site to north of No. 59), 57a (an approx. 15-year-old property built in part of the original rear garden of No. 57), No. 65 (adjacent site to south of No. 61-63). The Summerdown Road frontage of the proposed development projects forward of the principal elevation of both No. 57 and No. 65. It is not considered that this projection is to a degree that would result in unacceptable overshadowing of the principal elevation of the neighbouring buildings given the degree of separation maintained (approx. 6.25 metres between the development and No. 59, 6 metres between development and No. 65) the relatively minimal length of the forward projection and the use of a staggered frontage to achieve it.
- 9.4.8 The flank elevation walls of the proposed Summerdown Road frontage development would be relatively narrow and would face directly towards the flank elevations of neighbouring properties, which are largely windowless, with the few windows that are present

on these elevations not serving a function in providing natural light to a primary habitable rooms. Due to the forward projection of the proposed development there are, however, concerns that side facing windows could offer intrusive views towards windows on the principal elevations of No. 57 and No. 65 Summerdown Road. However, if planning permission was to be granted, a condition could be used to ensure that these windows are obscurely glazed and fixed shut other than at high level (1.7 metre or more above finished floor level of the room that they serve).

- 9.4.9 Overall, it is considered the more intensive residential use of the site could be accommodated without unacceptable adverse impact upon the amenities of neighbouring residents.

9.5 Design

- 9.5.1 Existing Buildings: Whilst the reuse of buildings is encouraged where appropriate due to the benefit in terms of waste production and energy usage, it is not considered that the existing buildings are suitable for residential conversion in their current form and such works would also not represent an optimum use of the two sites.
- 9.5.2 It is considered that the existing buildings occupying the site do not possess any particular architectural merit. The buildings have had various contrasting extensions made to them over time, resulting in are somewhat cluttered and disorganised appearance to the site. They have not been identified as being worthy of either listed status by Historic England or local listing by the council. Therefore, no objections are raised against the loss of these structures.
- 9.5.3 Design Code: Para. 128 of the NPPF states that ‘to provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design.’ This paragraph was only recently introduced on 20th July 2021 and Eastbourne Borough Council does not currently have any adopted design guides or codes.
- 9.5.4 Para. 129 states that ‘national documents (National Design Guide and National Model Design Code) should be used to guide decisions on applications in the absence of locally produced design guides or design codes.’ As such, these documents will be referred to in the assessment of the scheme.
- 9.5.5 The Government have provided clarification on the use of the word ‘beautiful’, which is somewhat subjective, in the NPPF. It is stated in the Government response to the National Planning Policy Framework and National Model Design Code: consultation proposals (2021) that it should be read ‘as a high-level statement of ambition rather than a policy test.’

- 9.5.6 The proposed development would be more intensive than residential development in the immediate surrounding area, which is typified by large, detached dwellings. Para. 125 of the NPPF states that '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.'
- 9.5.7 Para. 100 of the National Model Design Code (part 2) observes that Large buildings may occupy an entire block, whereas the same area could be developed with a variety of smaller buildings. In many places it is the rhythm and variety of these smaller buildings that is intrinsic to the character of the area. While large buildings will be appropriate in places, an area made up entirely of large buildings can be dull.'
- 9.5.8 Para. 8 (b of the NPPF, which defines the social objective forming one of the three 'pillars' of sustainable development states a need to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. Para. 165 of the National Model Design Code (part 2) echoes this, stating that 'there are a wide variety of housing types and achieving the right mix is another component (along with tenure) of helping to create diverse, equitable and resilient communities where people are able to access the homes they want or need.'
- 9.5.9 Para. 7.6 of the most recently published (2016) Strategic Housing Market Assessment (SHMA) for Eastbourne Borough identifies particularly high demand for 1 and 2 bed flats and 3 and 4 bed dwellings.
- 9.5.10 The density of the proposed development, which equates to approx. 60 dwellings per hectare at 61-63 Summerdown Road and 77 dwellings per hectare at 59 Summerdown Road is more intensive than existing development in the immediate surroundings (approx. 10-12 dwellings per hectare) although it is noted that there is higher density development to the north in the form of terraced dwellings.
- 9.5.11 It is therefore considered that the design principle of more intensive development comprising smaller buildings/plots and a mix of unit sizes is acceptable. This, however, is subject to an assessment of design attributes, based principally on the criteria set out in para. 130 which are as follows:-
- 9.5.12 Criterion A – Development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- 9.5.13 Criterion B – Developments are visually attractive because of good architecture, layout, and appropriate and effective landscaping.
- 9.5.14 Criterion C – Developments are sympathetic to local character and history, including the surrounding built environment and landscape

setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

- 9.5.15 Criterion D – Developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit.
- 9.5.16 Criterion E – Developments optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.
- 9.5.17 Criterion F – Developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.5.18 Design Code -Layout: Both applications involve the erection of groups of blocks of three-storey buildings in an L-shape configuration, flanking Summerdown Road and Summerdown Close. Small gaps are maintained between each block, allowing for pedestrian permeability to the communal car parking areas set back behind the frontage development. The building line on each frontage is staggered and, in the case of the buildings facing onto Summerdown Road, projects forward of the existing building line.
- 9.5.19 Design Code – Ridge Heights: The main ridge height of the proposed buildings is not significantly greater than the existing buildings occupying the site and, in some instances, matching. Furthermore, based on planning records the ridge height of 65 Summerdown Road is approx. 8.9 metres (application 040227), 57 Summerdown Road is approx. 8.35 metres high (application 140403), 36 Summerdown Road is approx. 9.55 metres (application 050462), 38 is approx. 7.8 metres (application 200842), 40 is approx. 10.45 metres (application 210694), 42 is approx. 8.26 metres.
- 9.5.20 It is therefore considered that there is an established pattern of varying roof heights along this stretch of Summerdown Road and that the overall height of the development would not be incongruous within this setting, particularly when seen in the context of national policy objectives to allow for upward extensions of buildings as per recently adopted prior approval legislation and para. 120 e) of the NPPF and para. 113 of the National Model Design Code (part 2) which states that ‘consistent building heights, or variation within a relatively narrow range, can help to make an area type feel coherent.’
- 9.5.21 However, although a toleration of some degree of fluctuation in height may be acceptable, this does not apply to the substantial increase in the bulk of the development in relation to the existing buildings and neighbouring properties. Although the ridge line of

each block is broken up to a degree, it is maintained at a consistently high level across the majority of the width of the plot, with little relief provided due to relatively shallow height of the roof in proportion to the overall height of the dwelling and the use of gable ends on one side of each roof. It is considered that the nature of the roof form would result in a somewhat boxy appearance that would be at odds with the proportions of neighbouring properties. The largely even distribution of the mass of the proposed building across the full site envelope also conflicts with the prevailing character of neighbouring properties where elevation walls are either stepped in from side boundaries or the roof slopes gradually away from them, with the bulkiest parts of the building concentrated towards the centre of the plot. It is not considered that the limited articulation in the façade of the blocks and the ridge and eaves height would be sufficient to mitigate this unsympathetic characteristic.

- 9.5.22 Design Code – Relationship to Summerdown Close: Although it is acknowledged that the ridge height of the development falls towards the rear of the site, behind which are dwellings on Summerdown Close that occupy lower lying land, it is considered that, as the greater proportion of the buildings flanking Summerdown Close will be three-storey and positioned relatively close to the highway, the development would appear unduly dominant to the extent that it substantially and harmfully alters the setting of dwellings on Summerdown Close.
- 9.5.23 Design Code – Eaves Height: Although there is variation in the ridge height of properties on Summerdown Road there is far more consistency in eaves height, which are either above first floor window heads or lower in some cases. Although there is some degree of articulation in the roof form of the proposed development, the eaves height is essentially maintained above second floor window head height. Note 42 of the National Model Design Code (part 2) recognises that ‘the eaves or parapet height will usually be the apparent height of the building from the street and so determine the cross-section of the street.’ It is considered that the raised height of the eaves would result in an elevation to roof ratio that is out of proportion to surrounding development and, therefore, would appear incongruous and disruptive within the street scene. This would be exacerbated by the prominent positioning of the development which not only occupies two corner locations but would also be set markedly forward of the general building line maintained on this part of Summerdown Road.
- 9.5.24 Design Code – Plot Coverage & Building Line: Finally, the grain of the proposed development with regards to plot coverage is unsympathetic towards the prevailing character of the surrounding area. In order to accommodate the number of dwellings proposed as well as a suitable quantum of car parking the layout involves the intrusion of the main façade of the development, on both sites, beyond the building line on Summerdown Road. Whilst this building line is not rigid, and thus some tolerance of forward projection may

be acceptable, it is considered that the encroachment into this area of a three-storey building would appear unacceptably disruptive and would compromise the relatively open and spacious qualities of the street scene. The staggered nature of the frontage, minimal size and occasionally awkward shape of rear garden space and the excessive amount of parking to the rear of the site, which would involve the removal of existing trees and leave little space for compensatory landscaping reflective of the green nature of the rear of plots on Summerdown Road, is considered indicative of an overdevelopment of the site. The overall effect of this would be to introduce a cramped form of development onto a spacious street scene.

- 9.5.25 It is therefore considered that the proposed development would appear incongruous and overly dominant within the street scene and would significantly harm the prevailing character and appearance of the surrounding area.

9.6 Living conditions for future occupants

- 9.6.1 Para. 126 of the National Design Guide (2019), which is a companion to the Revised National Planning Policy Framework, states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.' Para. 129 of the NPPF confirms that planning decisions should be guided by the national design code documents in the absence of local documents.
- 9.6.2 All habitable rooms installed within units on both schemes are served by clear glazed openings allowing for a good level of natural sunlight permeation. All units, including the proposed flats, have two or more aspects and this would prolong access to natural light throughout the day as well as allow for effective natural ventilation. Any windows that would be required to be fixed shut and obscurely glazed as a result of a required planning condition provide a secondary function or serve rooms that do not require access to unfiltered natural light.
- 9.6.3 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.
- 9.6.4 All houses and flats comply with these minimum standards in terms of overall GIA provided as well as individual room sizes. Awkwardly shaped rooms are avoided as are unnecessarily long or narrow corridors.
- 9.6.5 Amenity Space: All dwellings and ground floor flats would have access to private garden areas which, whilst small, are considered sufficient to meet the needs of occupants. Upper floor flats would have access to balcony areas that would provide an appropriate

level of amenity space based on the expected household size of those flats. It is also noted that there are public recreational facilities nearby as well as public open space within the South Downs National Park.

- 9.6.6 Safe and secure environment: All entrances to dwellings and flats are in a prominent position that engages well with the wider street scene and would be subject to surveillance from within the development as well as from neighbouring development. The layout of the development also allows for defensible space to be provided around ground floor doors and windows. The parking areas serving both developments would be subject to high levels of surveillance. It is therefore considered that the proposed development would provide a safe and secure environment for future occupants as well as suitable living conditions.

9.7 Highways and Transport

- 9.7.1 The existing vehicular access for both sites, both of which are positioned near the junction between Summerdown Road and Summerdown Close, would be closed off as part of the proposed development. Courtyard car parking would be provided to the rear and would be accessed via new crossovers formed on Summerdown Close.
- 9.7.2 A phase 1 Road Safety Audit identified several potential highway risks requiring mitigation. The risks identified, as well as the mitigation measures suggested, are detailed below.
- 9.7.3 1. No dropped-kerb pedestrian crossing provided at the junction of Summerdown Close with Summerdown Road. In response to this, the applicant has introduced tactile paving and dropped kerbing will be provided at the junction. ESCC Highways are satisfied with this subject to alterations to alignment that would be agreed by condition and through the section 278 process.
- 9.7.4 2. Narrow width of existing footway on Summerdown Close adjacent to the proposed northern site access. In response, a 1.8m footway will be provided from the junction of Summerdown Road to the northern site access. This footway would be within the application site rather than on highway land and so a section 278 agreement would be required for it to be incorporated into the highway. ESCC Highways accept this solution.
- 9.7.5 3. A tree adjacent to the access to the 59 Summerdown Road site would need to be removed and all other vegetation within visibility splays would need to be maintained at a maximum height of 600mm. This could be secured by condition if the application were to be approved.
- 9.7.6 ESCC Highways are satisfied with the dimensions and functionality of the new access points for both sites. They are also satisfied that the level of trips generated by the proposed development (54 per day at 59 Summerdown Road, 63 per day at 61-63 Summerdown Road, 122 cumulative) would not put unacceptable pressure on the

surrounding highway network, particularly when offset against the amount of trips that would be generated if the approved care home use was re-established.

- 9.7.7 Refuse Vehicles: Refuse collection crews would be able to access bin stores from Summerdown Road and, as such, refuse vehicles would not have to access the site.
- 9.7.8 Parking Spaces: The parking spaces are of suitable dimensions and adequate space for turning would be provided to ensure vehicles can enter and leave the site in forward gear.
- 9.7.9 The quantum of parking at the 61-63 Summerdown Road, at 21 spaces, is a minor shortfall on the recommended 22 spaces based on unit sizes but this shortfall has been accepted by ESCC Highways. However, the shortfall is more pronounced on the site of No. 59, where only 14 spaces are provided to serve a development of a similar composition to the neighbouring site. The applicant has stated that there is space on the surrounding highway network to accommodate the additional parking demand generated by the development and has provided a parking survey to demonstrate this. Whilst this the result of a parking survey can be deemed sufficient to allow for an under-provision of parking, the methodology used for the survey is not in accordance with required practice and, as such, it has not been considered. As such, it is recommended that application 200983 is refused on the grounds of insufficient parking provision and the consequential impact this would have upon highway safety and the free flow of traffic due to the potential for dangerously parked cars.
- 9.7.10 It is therefore considered that parking and access arrangements are acceptable for application 200968 but not for 200983.

9.8 Flooding and Drainage

- 9.8.1 The site is located within Flood Zone 1 and, as such, is at very low risk of any tidal or fluvial related flooding. Environment Agency mapping also confirms that the risk of surface water flooding on the site is low.
- 9.8.2 Both sites are currently largely covered by buildings or hard surfacing and, as such, the proposed development is likely to marginally increase the permeability of the site by way of provision of garden space.
- 9.8.3 A public surface water sewer follows the course of Summerdown Road and the proposed scheme involves utilising this sewer to remove surface water from the site. A connection would be provided, with attenuation measures included to allow for run-off to be restricted to a maximum of 8 litres per second during all rainfall scenarios.
- 9.8.4 The Lead Local Flood Authority (LLFA) have provided an objection to the scheme, but this is based on a lack of information rather than any issue with the principle of using the sewer. The information

required relates to types and positions of pipework and other drainage infrastructure and the LLFA comments note that this could be agreed at the detailed design stage. They also require confirmation that Southern Water would accept a connection based on the run-off rates provided.

- 9.8.5 It is therefore considered that, if the application were to be approved, the necessary details could be secured by way of a pre-commencement condition and, as such, it would not be reasonable to refuse the application on the grounds of concerns relating to surface water flood risk.

9.9 Landscaping

9.9.1 Although the existing sites are currently largely hard surfaced there is mature landscaping on and around site boundaries that contributes to the verdant nature of the rear of plots on Summerdown Road which helps define the prevailing character of the wider surrounding area. The status of this mature landscaping is evidenced by the placing of a Tree Preservation Order covering trees on the grass verge to the north of 61-63 Summerdown Road as well as to the rear of the same site. The proposed development would result in the rear of each site being largely hard surfaced for parking to be provided. A large proportion of the boundary landscaping would be removed or cut back. Whilst some landscaping would be provided in the parking areas as an effort to mitigate this, ESCC Highways are concerned it would inhibit access to vehicles and, as such, it is likely there would be pressure for this landscaping to be removed or substantially reduced at a later date.

9.9.2 It is therefore considered that, through the loss of existing landscaping and the failure to provide landscape mitigation and/or enhancement, it is considered that the proposed development would compromise the verdant character to the rear of frontage development on Summerdown Road, to the detriment of the prevailing character of the surrounding area.

10. Human Rights Implications

10.1 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 considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.

11. **Recommendation**

11.1 It is recommended that the applications are refused for the following reasons.

11.2 **Application 200968:**

- 11.3 The proposed development, as a consequence of its substantial bulk, distribution of mass, raised eaves height and breaching of the established building line would appear cramped, disruptive and contrived, overly dominant within the street scene and towards dwellings on Summerdown Road and detrimental to the existing sense of openness and spaciousness that represents the prevailing character of the surrounding area. The development is therefore considered to conflict with saved policies UHT1, UHT2 and UHT4 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 128 and para. 130.
- 11.4 The plot coverage of the proposed development as well as associated car parking areas would inhibit the introduction of a suitable level of soft landscaping required to assist integration with the green environment maintained towards the rear of plots on the eastern side of Summerdown Road. The development is therefore considered to conflict with policies UHT1, UHT4 and UHT7 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 130 of the National Planning Policy Framework.
- 11.5 Application 200983:**
- 11.6 The proposed development, as a consequence of its substantial bulk, distribution of mass, raised eaves height and breaching of the established building line would appear cramped, disruptive and contrived, overly dominant within the street scene and towards dwellings on Summerdown Road and detrimental to the existing sense of openness and spaciousness that represents the prevailing character of the surrounding area. The development is therefore considered to conflict with saved policies UHT1, UHT2 and UHT4 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 128 and para. 130.
- 11.7 The plot coverage of the proposed development as well as associated car parking areas would inhibit the introduction of a suitable level of soft landscaping required to assist integration with the green environment maintained towards the rear of plots on the eastern side of Summerdown Road. The development is therefore considered to conflict with policies UHT1, UHT4 and UHT7 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 130 of the National Planning Policy Framework.
- 11.8 There is an insufficient quantum of off street car parking to serve the development and it has not been adequately demonstrated that the surplus parking required can be accommodated on the surrounding highway network. As such, there is an unacceptable risk of parking pressure that may result in obstruction to the movement of vehicles and pedestrians and, therefore, an unacceptable highway safety risk. The development is therefore in conflict with policy D8 of the Eastbourne Core Strategy and para. 110 and para. 111 of the National Planning Policy Framework.

12. **Appeal**

- 12.1 Should the applicant appeal the decision the appropriate course of action to be followed, considering the criteria set by the Planning Inspectorate, is written representations.