

Report to: Planning Committee

Date: 22nd March 2022

Application No: 220025 & 220045

Location: 61-63 Summerdown Road (Pentlow), Eastbourne (220025)
59 Summerdown Road (Summerdown), Eastbourne (220045)

Proposal: **220025** - Demolition of existing nursing home and redevelopment of site for residential use comprising 6no 4bed detached houses with garages, private parking and gardens and private access.

220045 - Demolition of existing nursing home and redevelopment of site for residential use comprising 4no 4bed detached houses with garages, private parking and gardens and private access.

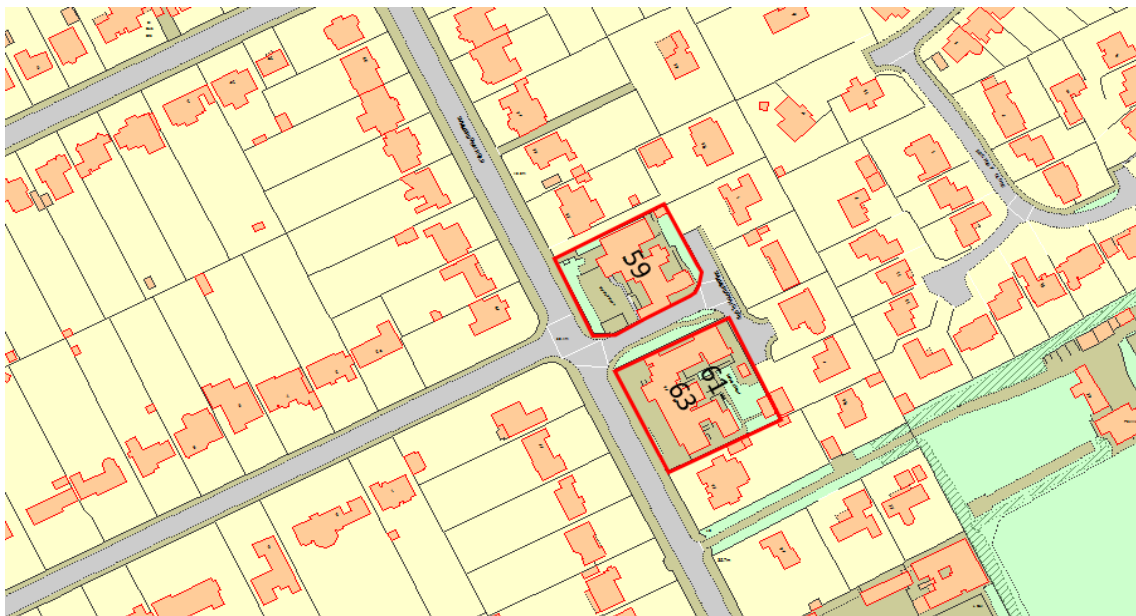
Applicant: Mr Brian Cooney

Ward: Old Town

Recommendation: **220025** – Delegate to officers to address access arrangements for unit 1 and then approve subject to conditions.
220045 – Approve subject to conditions.

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



1. **Executive Summary**

- 1.1 It is considered that the proposed development overcomes previous reasons for refusal for the redevelopment of the sites.
- 1.2 It is considered that the proposed development represents a suitably efficient use of both sites that would integrate effectively with surrounding development in terms of nature and intensity of use, visual appearance and spatial characteristics.
- 1.3 Overall, it is considered that the proposed development would not result in any harm of a significance that would outweigh the benefit of a net gain of three dwellings which would contribute towards the Council's housing delivery targets and address identified housing need within the Borough.
- 1.4 Access arrangements for 220025 unit 1 are considered to be unacceptable and members are asked to delegate back to officers to allow for alternative access arrangements to be secured.

2. **Relevant Planning Policies**

2.1 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.

2.2 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.

2.3 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
HO20 Residential Amenity
TR6 Facilities for Cyclists
TR11 Car Parking.

3. **Site Description**

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 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.
- 3.5 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.

- 3.6 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.
- 3.7 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.
- 3.8 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.

4. **Relevant Planning History**

4.1 **EB/1972/0380**

Demolition of 59-63 Summerdown Road & erection 19 houses.
Refused 8th June 1972.

4.2 **EB/1972/0451**

Demolition of 59-63 Summerdown Road & erection 12 houses & construction service road.
Refused 22nd June 1972.

4.3 **EB/1972/0464**

Demolition of 59-63 Summerdown Road & erection 20 houses.
Refused 6th July 1972.

4.4 **EB/1972/0506**

Demolition of existing houses 59-63 Summerdown Road & erect 8 detached houses.
Refused 3rd August 1972.

4.5 **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.

4.6 **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.
- 4.7 **EB/1986/0028**
First floor addition above existing single-storey link.
Refused 20th February 1986 **Appeal Allowed.**
- 4.8 **EB/1986/0552**
3 storey extension at rear.
Refused 23rd December 1986.
- 4.9 **EB/1987/0118**
Single-storey rear and side extension.
Approved conditionally 29th April 1987.
- 4.10 **EB/1989/0097**
Single storey extension at rear to provide dining and office space.
Refused 6th April 1989 **Appeal allowed.**
- 4.11 **EB/1989/0217**
Provision of porch and conservatory at front of nursing home.
Approved Conditionally 25th May 1989.
- 4.12 **EB/1990/0127**
Single storey extension at rear of nursing home.
Approved Conditionally 24th April 1990.
- 4.13 **EB/1991/0229**
Conservatory at rear.
Approved 17th June 1991.
- 4.14 **980516**
Erection of conservatory at rear to increase residents' amenity area.
Approved Conditionally 18th February 1998.
- 4.15 **090551**
Erection of single-storey extension and raised decking area in association with removal of existing conservatory.
Approved Conditionally 6th November 2009.
- 4.16 **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.
- 4.17 **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.

4.18 **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.

4.19 **200968**

Demolition of existing Nursing Home and erection of 9no houses (2no x 3bed and 7no x 4bed) and 3no 2bed flats (12no residential units in total).
Refused 23rd March 2022.

4.20 **200983**

4.21 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).
Refused 23rd March 2022.

5. **Proposed Development**

5.1 **220025 – 61-63 Summerdown Road**

5.2 This application involves the demolition of the existing nursing home and all associated structures and it's the erection of 6 x detached 4 bed dwellings, three of which would face onto Summerdown Road and the additional three positioned back to back with these properties, facing onto Summerdown Close which is to the rear of the site.

5.3 Dwellings provided would vary in terms of design and scale. A summary of dimensions is provided below.

5.4 Unit 1 – A detached 2.5 storey dwelling. The upper floor would be accommodated within the roof space and served by windows provided by roof dormers and within gable ends. Footprint (including single-storey garage) would be approx. 114 m². The main dwelling (not including the garage) would be approx. 10.5 metres in width by 7.7 metres in depth. The roof comprise a perpendicular arrangement of gable ends, a taller element facing towards the road with an eaves height of approx. 7.2 metres and a ridge height of approx. 11 metres and a lower section facing to the side of the plot with an eaves height of approx. 5.7 metres and a ridge height of approx. 9.6 metres. A balcony would be formed beneath a roof overhang on the front facing gable end.

5.5 Unit 2 – A detached 2.5 storey dwelling. The upper floor would be accommodated within the roof space and served by windows provided by roof dormers. Footprint (including single-storey garage) would be approx. 113 m². The width of the main dwelling would be approx. 11.7 metres and the depth would be approx. 8 metres. There would be a modest single-storey flat roof projection to the rear as well as to the front where the garage would be positioned. The dwelling would have a gable roof with the ends facing towards either side if the plot. The eaves height of the roof would be approx.

6.1 metres (with a raised section over the garage at approx. 7 metres) whilst the ridge height would be consistent at approx. 10.9 metres.

- 5.6 Unit 3 – This would effectively mirror unit 1, with a similar footprint, width, depth and roof eaves and ridge height.
- 5.7 Unit 4 – A detached 2.5 storey dwelling. The upper floor would be accommodated within the roof space and served by windows provided by roof dormers. Footprint would be approx. 81.5 m². A single storey detached garage would be positioned to the front of the dwelling. The dwelling would measure approx. 11 metres in width by 7.95 metres in depth. The dwelling would have a gable roof with ends facing to either side of the plot. Eaves height would be approx. 5.7 metres with the ridge at approx. 9.75 metres.
- 5.8 Units 5 and 6 are of similar design. Detached 2.5 storey dwellings with the upper floor accommodated within the roof space and served by windows provided by roof dormers. Each would have a footprint of approx. 115 m² (including the attached flat roof garage). The width of each dwelling would be approx. 10.9 metres and the depth would be approx. 7.5 metres. The dwelling would have a gable roof with the ends facing to either side of the plot, Eaves height would be approx. 5.7 metres with the ridge height at approx. 9.75 metres.
- 5.9 Each of the dwellings facing onto Summerdown Road (units 1-3) would have individual dropped kerb access directly from Summerdown Road. Each property would have a hard-surfaced driveway providing one parking space with an additional space provided within a garage. Units 4-6, which face onto Summerdown Close, would have a shared dropped kerb access from Summerdown Close and would again have a single parking bay provided on a hard-surfaced driveway with an additional parking bay provided within a garage.
- 5.10 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.
- 5.11 The site area is approx. 2040 m² and the density of the proposed development therefore equates to approx. 29 dwellings per hectare (approx. 118 bedrooms per hectare).
- 5.12 **220045 – 59 Summerdown Road**
- 5.13 The proposed development involves the demolition of the existing care home and associated buildings and structures and the erection of 4 x 4 bed dwellings comprising arranged in two rows of two dwellings positioned back to back to each other, with units 1 and 2 facing onto Summerdown Road and units 3 and 4 facing onto Summerdown Close to the rear.
- 5.14 The general attributes of each dwelling are presented below.
- 5.15 Unit 1 – A detached 2.5 storey dwelling. The upper floor would be accommodated within the roof space and served by windows provided by roof dormers and within gable ends. Footprint (including attached garage) of approx. 119 m². The main dwelling would measure approx. 10.9 metres in

width by 7.5 metres in depth. The roof would have an L-shaped gable form with a gable end facing out towards Summerdown Road and another perpendicular to it facing towards the northern side boundary. The side facing gable end would have an eaves height of approx. 5.8 metres with the eaves at approx. 9.5 metres. The front facing gable end would be taller, with an eaves height of approx. 7.3 metres and a ridge height of approx. 11 metres. A balcony would be formed beneath a roof overhang on the front facing gable end.

- 5.16 Unit 2 – Footprint (including attached garage) of approx. 116 m². Other dimensions would be similar to unit 1. A balcony would be formed beneath a roof overhang on the front facing gable end.
- 5.17 Unit 3 – A detached 2.5 storey dwelling. The upper floor would be accommodated within the roof space and served by windows provided by roof dormers. Footprint (including detached garage) of approx. 113 m². The main dwelling would measure approx. 10.9 metres in width by 7.5 metres in depth. A gable roof would be formed over the dwelling with the ends facing towards either side of the site. Roof eaves height would be approx. 5.7 metres with the ridge line at approx. 9.75 metres.
- 5.18 Unit 4 – Footprint of approx. 116 m² (including attached garage). The design and dimensions of the main dwelling are similar to unit 3.
- 5.19 Vehicular access to units 1 and 2 would be obtained via a shared driveway which emerges onto Summerdown Close in a similar position to the existing site access on the southern boundary of the site. Each dwelling would have a hard-surfaced parking space provided on a driveway with an additional space provided within a garage. Units 3 and 4 would be accessed via a shared dropped kerb crossover provided in the turning head of Summerdown Close to the rear of the site. Parking would be provided on hard surfacing to the front of each dwelling with an additional space provided within a garage.
- 5.20 A new footway would be provided along the southern edge of the site, flanking Summerdown Close and continuing along the eastern edge of the site where it would provide pedestrian access to units 3 and 4.
- 5.21 The site area (not including the space that would be used to provide the new footway) is approx. 1520 m² and the density of the proposed development therefore equates to approx. 26 dwellings per hectare (approx. 106 dwellings per hectare).

6. Consultations (Amalgamated)

6.1 ESCC Highways

6.1.1 No comments provided.

6.2 Air Quality Officer

6.2.1 No Objection. Conditions recommended for Construction Environmental Management Plan, low emission boilers and electric vehicle infrastructure.

6.3 Lead Local Flood Authority

6.3.1 Unfortunately, the LLFA is unable to respond to minor applications at this time unless the Planning Officer deems there to be a significant flood risk arising from this proposal.

6.4 South Downs National Park Authority

6.4.1 The Authority has no comments to make on this application.

7. **Neighbour Representations**

7.1 **220025:** A total of 42 letters of objection have been received, a summary of matters raised is provided below:-

- Townhouses and balconies are not in keeping with surrounding development;
- Would impact upon views towards the Downs;
- Would result in loss of privacy;
- Would breach the building line on Summerdown Road
- Overdevelopment of the site;
- Overbearing and overshadowing impact upon neighbouring properties;
- There should be no balconies facing towards Summerdown Close;
- The buildings facing onto Summerdown Close are too high;
- Would overwhelm neighbouring development;
- The buildings are too close together;
- Poor access arrangements for unit 4;
- No turning space provided on sites;
- Would harm the setting of St Cyprians Lodge, a blue plaque building;
- Loss of trees/biodiversity;
- Unacceptable noise impact;
- Dwellings facing onto Summerdown Close should be two-storey only;
- The contemporary design would have a jarring impact;
- Increased light pollution due to amount of glazing;
- Buildings are taller than neighbouring properties, contrary to central government guidance;
- Lack of community engagement from applicant;
- Increased traffic would make increase hazards to pedestrians on Summerdown Road;
- Would undermine the tranquil character of Summerdown Close;
- Summerdown Close is too narrow to be used for site access;
- Loss of Victorian houses;

- Vehicles entering and leaving the site may collide with vehicles reversing out of driveways on Summerdown Close;
- Bins would cause an obstruction when left out for collection;
- Increased air pollution;

7.2 OFFICER COMMENT: Plans have been revised and there are no longer any balconies facing onto Summerdown Close.

7.3 **220045:** A total of 40 letters of objection have been received, a summary of matters raised is provided below:-

- Overdevelopment of the site;
- Inappropriate design;
- Amount of glass would lead to loss of privacy;
- Overbearing and overshadowing impact, particularly on Summerdown Close;
- Summerdown Close houses should be two-storey only;
- The building line on Summerdown Road would be breached;
- Number of houses should be reduced;
- Views towards the Downs would be lost;
- Gardens are too small;
- Design should be more individual;
- Removal of trees/loss of biodiversity;
- Noise pollution caused by air conditioners;
- Increased traffic;
- Poor access arrangements;
- Buildings are higher than neighbouring dwellings;
- The applicant has not engaged with the community;
- Loss of the existing Edwardian house occupying the site;
- Increase in air pollution.

8. **Appraisal**

8.1 Principle of Development

- 8.1.1 The site is located within the built-up area boundary. Development is therefore acceptable in principle.
- 8.1.2 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.

- 8.1.3 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.
- 8.1.4 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.
- 8.1.5 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.
- 8.1.6 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. The proposed development would deliver 6 x 4 bed dwellings that would help meet this identified demand
- 8.1.7 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.

8.2 Planning Obligations

- 8.2.1 Although the two development have would deliver a cumulative net gain of 10 dwellings, which is the threshold for requiring an affordable housing contribution. However, Summerdown Close provides a physical barrier between the two sites and, as such, they are not regarded as a single planning unit based on the 'tripartite

test' established in R (Westminster City Council) v First Secretary of State and Brandlford Limited [2003] J.P.L 1066. As such, no affordable housing contribution can be sought.

- 8.2.2 Highway improvements identified in the road safety audit would be secured by way of a section 278 agreement where required.

8.3 Loss of Care Home Facility

8.3.1 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.'

8.3.2 In balance to the above, the development of under-utilised buildings is supported by para. 120 d) of the NPPF.

8.3.3 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.

8.3.4 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).

8.3.5 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.

8.4 Impact of the proposed development on amenity of adjoining occupiers and the surrounding area:

8.4.1 **Dwellings facing onto Summerdown Road: Units 1-3 (220025) and 1-2 (220045)**

8.4.2 The frontages of dwellings on both sites project slightly forward of the frontage of dwellings on adjacent sites on Summerdown Road (No. 57 and No. 65). However, due to the minimal forward projection and the separation maintained between the principal elevations of

the proposed dwellings and those of neighbouring properties, it is not considered that the forward projection would result in the proposed dwellings unacceptably impacting upon access to natural light or appearing overbearing when viewed from front facing windows at neighbouring properties.

- 8.4.3 The proposed dwellings would be taller than neighbouring properties but it is not considered the difference in height would be marked enough to result in them appearing unacceptably overbearing or oppressive towards their neighbours, particularly due to the separation provided (approx. 5.8 metres between 220025 unit 3 and No. 65 Summerdown Road and a similar separation between 220045 unit 2 and 57 Summerdown Road) as well as the new dwellings not being within the direct field of vision from any primary windows within the adjacent properties.
- 8.4.4 Flank elevation walls that face towards neighbouring plot would not contain any windows and those associated with the dwellings fronting Summerdown Road would not project beyond the rear elevation of neighbouring dwellings. Rear facing windows would offer a degree of overlooking towards parts of neighbouring gardens, but the nature of these views would be consistent with the common relationship between dwellings on adjacent plots and it is considered that the views offered would be unacceptably invasive.
- 8.4.5 Unit 3 of 220025 initially included wraparound glazing at first floor level which would have allowed for direct views towards upper floor windows at No. 67 Summerdown Road. The plans have now been amended to remove this feature and substitute with conventional glazing which would face out towards Summerdown Road.
- 8.4.6 Units 1 and 3 of 220025 and 1 and 2 of 220045 include second floor level balconies to the front. These balconies would be formed below a roof overhang and the elevation walls of the dwelling, as well as additional 1.8 metre high screening that can be secured by planning condition, would ensure that views from the balcony are restricted to a forward projection towards Summerdown Road, with any direct views towards neighbouring windows being obstructed by the walls/screening. The balconies are considered to be of modest size and would not support large gatherings that may result in unacceptable disturbance towards neighbouring residents.
- 8.4.7 The parking area for 220025 unit 3 would be adjacent to the southern boundary shared with No. 67 but it is considered that the level of activity associated with parking serving a single dwelling would not be of an intensity that would result in unacceptable disruption and that potential disturbance as a result of headlights shining towards neighbouring windows could be mitigated through the provision of appropriate boundary treatment and/or landscaping.
- 8.4.8 **Dwellings facing onto Summerdown Close: Units 4-6 of 220025 and units 3-4 of 220045**

- 8.4.9 The topography of the surrounding area results in the Summerdown Close properties being on lower lying ground than the application sites and, as a result, the visual impact of the proposed development would be more pronounced when viewed from dwellings on Summerdown Close. Concerns were raised that the height of the dwellings may result in them appearing unacceptably overbearing towards dwellings on the opposite side of Summerdown Close and the ridge height of these dwelling has been reduced by approx. 0.9 metres in response.
- 8.4.10 Whilst the reduced height dwellings remain taller than those on Summerdown Close it is considered that there is an appropriate degree of separation to prevent an unacceptably overbearing or oppressive relationship with distances of between a minimum of approx. 24.5 and a maximum of approx. 26.8 metres maintained between the proposed dwellings and those on the opposite side of Summerdown Road. These separation distances are consistent with what would be expected to be maintained between dwellings on opposing sides of a road and it is noted that it is not uncommon for the built environment to include taller dwellings facing towards lower dwellings (for example, a two-storey dwelling facing a bungalow) and differentials in site level on opposing sides of the road are common in parts of Eastbourne such as the Summerdown neighbourhood, due to the topography as land rises towards the South Downs.
- 8.4.11 Gaps maintained between dwellings would also provide some relief by breaking up the mass of the development and allowing views to permeate the site towards the west.
- 8.4.12 There is a considerable amount of glazing to the front of the dwellings that would face towards the front of properties on Summerdown Close, but it is considered that the separation between properties would be sufficient to prevent intrusive views into neighbouring properties. A balcony originally proposed for 220025 unit 4 has now been omitted after concerns were raised regarding an unneighbourly relationship towards 1 Summerdown Close.
- 8.4.13 It is considered that the separation distance would restrict overshadowing towards properties on Summerdown Close and any that does occur would be towards late afternoon only. Gaps maintained between dwellings would also allow natural light to continue to permeate throughout the day.
- 8.4.14 Turning to potential impact towards properties on Summerdown Road, none of the proposed dwellings would back directly onto existing properties but the rear elevations of 220025 unit 4 and 220045 unit 3 would be within relatively close proximity of No. 65 and No. 67 Summerdown Road respectively, when measured on the angle.
- 8.4.15 Whilst the horizontal and vertical separation between the existing and proposed dwellings is considered to be sufficient to prevent unacceptable overshadowing or overbearing impact towards those

properties, there were significant concerns that some of the rear facing windows included within the original plans would allow for intrusive views towards the gardens and rear facing windows of the adjacent properties on Summerdown Road. In response, the applicant has reconfigured the internal layout of these dwellings and the upper floor windows closest to the site boundary (which include a secondary study window, a landing window and a bathroom window) would be obscure glazed and the only upper floor rear facing windows would offer only oblique angled views (over 45°) towards the rear gardens and rear facing windows at neighbouring sites. Provided these windows are obscure glazed and fixed shut (although top opening fanlights would be acceptable to provide natural ventilation), it is considered that the proposed dwellings would not introduce any unacceptable invasive views towards neighbouring properties.

8.4.16 The proposed dwellings would be accessed via Summerdown Close and this would introduce more traffic on the road. However it is considered the increase in traffic generated by the presence of a new access serving 2 x dwellings in each of the existing turning heads would not be significant and would not substantially alter the existing characteristics of Summerdown Close in terms of vehicle movements. Whilst the lights of vehicles leaving the site would be directed towards 2 Summerdown Close this is already the case for any vehicles using the turning head and, as stated above, it is not considered that the proposed development would result in movements of a frequency that would lead to sustained nuisance as a result of light emissions.

8.4.17 Overall, it is considered that the proposed development could be accommodated without unacceptable adverse impact upon the amenities of neighbouring residents.

8.5 Design

8.5.1 Existing Buildings: Whilst para. 152 of the NPPF identifies 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.

8.5.2 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.

8.5.3 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.

- 8.5.4 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.
- 8.5.5 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.'
- 8.5.6 The proposed development would be more intensive than residential development in the immediate surrounding area, which is typified by large, detached dwellings built to approx. 10-15 dwellings per hectare. 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.' Furthermore, the density of development on each site is less than 30 dwellings per hectare and, whilst this figure may be partially skewed due to the large size of each dwelling, it is considered that development of the site at a lower density would represent a wholly inefficient use of a brownfield site and should be refused as per para. 125 c) of the NPPF.
- 8.5.7 It is noted that the provision of large rear gardens is a key factor in the low density of development on Summerdown Road. Within the street scene there is a general sense of development of greater density due to the large scale of buildings, their plot coverage in terms of width and the relatively small gaps maintained between individual dwellings. Whilst the frontages of the proposed dwellings would not be as wide as the majority of nearby dwellings the spatial characteristics of the plot frontages would be similar, with small gaps maintained between dwellings.
- 8.5.8 Whilst the new dwellings would project ahead of the position of the principal elevation of the existing buildings as well as those of neighbouring properties, they would still maintain an appreciable setback from the highway, with space available for parking and landscaping to the front. It is noted that the building line on Summerdown Road is not entirely uniform and it is considered that

the positioning of dwelling frontages would conform with the broad characteristic of dwellings being set back from the street.

- 8.5.9 Dwellings on Summerdown Close are generally smaller than those on Summerdown Road and slightly more recessive in design although they still have a fairly substantial footprint and are all two-storeys in height. As with Summerdown Road, the principal elevations of dwellings on Summerdown Close are set back from the street, with parking and landscaping provided to the front.
- 8.5.10 The height of the proposed dwellings facing onto Summerdown Close is stepped down from that of the dwellings fronting Summerdown Road and the bold glazed gable end features seen on the Summerdown Road dwellings are omitted. It is therefore considered that the Summerdown Close facing dwellings would appear subservient to the Summerdown Road facing dwellings and would reflect the transition in the scale of dwellings between the two street scenes.
- 8.5.11 It is therefore considered that the spatial characteristics of the development are compatible with the urban grain of the surrounding area as required by para. 130 and 134 of the NPPF and with reference para. 67 and 68 of the National Design Guide.
- 8.5.12 The contemporary design of the proposed development presents a contrast with the more traditional appearance of surrounding dwellings. Planning records show that 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. The height of the proposed dwellings is therefore marginally greater than that of neighbouring buildings and the existing buildings occupying the site and that majority of neighbouring dwellings.
- 8.5.13 The measurements provided in para. 8.5.12 indicate 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.'
- 8.5.14 The above was noted in the determination of the previously refused schemes for more intensive development of the site (200968 and 200983). It is considered that the current scheme differs from the previously refused schemes in that the overall mass of the development is greatly reduced. The gaps maintained between individual dwellings ensure that, unlike the refused scheme, there

are no lengthy unbroken lines of high elevation walls and roof ridge lines facing onto either Summerdown Road or Summerdown Close. The retention of open space around individual buildings ensure that they are not viewed as a single, overwhelming mass and, rather, that they reflect the general pattern of development along both streets.

- 8.5.15 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. 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.
- 8.5.16 Other than short, raised sections, the general eaves height of the roofing over the dwellings is typically set just above the first floor window heads, ensuring the vertical proportions of the dwellings in terms of the ratio between elevation walls and roofing is broadly consistent with the that of buildings within the surrounding area. Therefore, unlike the previously refused scheme, it is considered that the proposed development would be similar in character to neighbouring buildings in terms of how it meets the ground and also how it reaches towards the skyline, relationships that are key to the identity of buildings as per section 1.2 of the National Model Design Code Part 2 Guidance Notes.
- 8.5.17 It is considered that the bold, contemporary design lends itself well to the corner plot location of both sites, with the use of architectural features for emphasis on corners being encouraged as a means to create a strong sense of space, as identified in note 45 of the National Model Design Code Part 2 Guidance Notes. Whilst modern in appearance, the proposed dwellings would include relatively traditional roof forms, punctuated by dormers which are a fairly common presence within the street scene. The use of strong gable end projections on properties facing onto Summerdown Road emphasises the hierarchy of the development and also reflects the design of nearby dwellings where forward-facing gable ends form a prominent street scene presence. The retention of the flint and brick wall to the front of the Summerdown Road properties, as well as gardens, would also provide a degree of visual continuity and support the assimilation of the development into the surrounding street scene.
- 8.5.18 Although the sizes of the rear gardens would be smaller than neighbouring development, para. 100 and 101 of the National Model Design Code Part 2 Guidance Notes supports subdivision of plots where it can be integrated with the overall urban grain. As stated above, it is considered the general spatial characteristics of the street scene would be maintained and it is noted that there are pockets of development on Summerdown Road where smaller rear gardens are an established feature as well as on surrounding tertiary roads.

8.5.19 In summary, it is considered that the proposed development maintains key visual and spatial characteristics present within the surrounding environment whilst also adopting an appropriate amount of innovation to achieve a higher density use and to create a strong sense of identity that is currently lacking on the two corner plots. It is therefore considered that the design of the development is acceptable.

8.6 Living conditions for future occupants

- 8.6.1 Para. 119 of the NPPF states that planning decisions 'should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' Para. 127 advocates the use of design policy, guidance and codes as a means to create better spaces to live and work in. Eastbourne Borough Council does not currently have an adopted design code, and, in these circumstances, national documents should be used to guide decisions on applications as per para. 129 of the NPPF. These national documents are the National Design Guide (2019) and the National Model Design Code (2021).
- 8.6.2 Para. 134 of the NPPF states that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.'
- 8.6.3 Para. 126 of the National Design Guide (2019) states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.'
- 8.6.4 The Technical housing standards – nationally described space standard (2015) defines minimum levels of Gross Internal Area (GIA) that should be provided for new residential development, based on the amount of bedrooms provided and level of occupancy. The recommended GIA for a 3-storey 4-bedroom dwelling (with 4 double bedrooms) is 130 m². All dwellings comfortably exceed these minimum standards, with GIA provided ranging from 183 m² to 219 m². These figures do not include the space provided by garages.
- 8.6.5 All primary habitable rooms are served by large, clear glazed windows with unobstructed outlook and, as such, would have good levels of access to natural light and ventilation. Each dwelling would have a number of rooms with a dual aspect and this would prolong exposure to natural light throughout the day. Where obscure glazing is mandated, the areas affected would either be bathrooms or circulation space where there is no requirement for outlook and unfiltered natural light, or an open plan study area with a dual aspect, ensuring that outlook and natural light provision would not be compromised.

- 8.6.6 Rooms provided within each dwelling are considered to be of a good size and the uncluttered arrangement and use of open plan areas would allow support accessibility, functionality and adaptability.
- 8.6.7 Rear garden sizes vary from approx. 95 m² to 150 m². The amount of garden space provided is considered to be suitable to serve the needs of a 4 bedroom household and area of all gardens meet or exceed the ground floor footprint of each dwelling (not including garage), in accordance with the advice set out in section 12 of Building For Life 12.
- 8.6.8 The dwellings are all accessed from the front where there is a good level of natural surveillance provided by surrounding dwellings on Summerdown Road and Summerdown Close. The same applies for the parking areas and access to rear gardens. It is that the development would not introduce any secluded or isolated areas

8.7 Highways and Transport

- 8.7.1 Due to the distribution of site access points and the low number of dwellings provided, it is not considered that the proposed development would generate a level of traffic that would significantly alter the character of Summerdown Road or Summerdown Close nor would it result in any unacceptable risk to pedestrian or motorist safety or obstruction to the flow of traffic.
- 8.7.2 The dwellings facing Summerdown Road on the 61-63 plot would be served by individual driveways accessed from Summerdown Road via dropped kerb crossovers. The access to units 1 and 3 would be in a similar position to the existing access/egress crossing serving the former care home. A new opening would be formed in the front boundary wall to allow for the access to unit 2 to be provided. All other dwellings would be accessed via shared crossovers and driveways. Units 1 and 2 on the 59 Summerdown Road site would utilise the existing access to the site from Summerdown Close whilst two new crossovers would be formed at either end of Summerdown Close to serve the rear facing units on each site.
- 8.7.3 The access to 220025 unit 1 is considered to be unacceptable due to its proximity to the junction with Summerdown Close and the potential for vehicles reversing out of the site coming into conflict with vehicles pulling out of Summerdown Close. It is requested that members allow officers to secure alternative access arrangements, potentially a shared access with unit 2, prior to any approval being issued for application 220025.
- 8.7.4 The dimensions of each access comply with ESCC standards (2.75 metres in width for access serving a single dwelling and 4.5 metres in width for a shared access). Adequate visibility splays would need to be provided and this may impact upon wall height and planting immediately adjacent to the accesses. A condition will be used to ensure that visibility splays that are unobstructed above 0.6 metres height will be provided. Overhanging vegetation is allowed in visibility splays where it is over 2.1 metres high, as per para. 3.4.8 of ESCC

Highways Standing Advice, and so the presence of new access points would not necessitate the removal of any existing street trees.

- 8.7.5 Neither Summerdown Road or Summerdown Close are classified roads and, therefore, turning space is not required for single dwelling accesses as per 3.9.1 of ESCC Highways Standing Advice. It is considered that all shared driveways include adequate turning space as required by para. 3.9.4 of the same advice.
- 8.7.6 Each development of the plot at No. 59 would facilitate the provision of a new footway flanking the northern side of Summerdown Road and it is considered that this would improve pedestrian safety and accessibility both for existing and future occupants.
- 8.7.7 All dwellings could be served by existing refuse collections on Summerdown Road and Summerdown Close.
- 8.7.8 ESCC standing advice states that a 4-bed dwelling should be served by 2 x off street car parking spaces. Each dwelling would have a single parking bay that complies with ESCC minimum dimensions of 2.5 metres in width by 5 metres in length. Additional parking would be provided within a garage. It is noted that ESCC standing advice regards garages as only providing 1/3rd of a parking space due to data suggesting garages are often used for storage purposes rather than parking. A condition could be used to prohibit the use of the garages for any purpose other than car parking. Alternatively, an amended scheme with car ports rather than garages could be requested although this would not be possible for 220025 unit 2 as the garage on this plot is integral to the dwelling.

8.8 Flooding and Drainage

- 8.8.1 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.
- 8.8.2 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.
- 8.8.3 The enclosed drainage statement suggests rainwater harvesting would be used to control surface water discharge to an extent and that soakaways will be used to manage additional discharge, with no connection to the public sewer required. Whilst this would be acceptable in principle, a condition will be used to ensure a suitable drainage scheme is provided for the proposed development and that this is evidenced in the submission of full specifications and a management and maintenance plan.
- 8.8.4 The Lead Local Flood Authority (LLFA) objected to the previous scheme (200968 and 200983), but this was based on a lack of information rather than any issue with the principle of using the sewer. Any planning approval would include a condition for details of

a suitable drainage scheme and a connection agreement from Southern Water to be provided prior to any works commencing on site.

- 8.8.5 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.

8.9 Landscaping

- 8.9.1 The application sites are currently largely built upon and, where buildings are absent, hard surfacing is generally in place. The rear garden area at No. 61-63 includes trees subject to a Preservation Order. The lawn area has been replaced with Astro turf.
- 8.9.2 A TPO tree towards the south-eastern corner of the site would be removed in order to accommodate 220025 unit 4. The tree was protected as part of a group order that was made in response to the development of Summerdown Close. The order recognised the cumulative value of the trees rather than any particular individual qualities. A number of trees within the order are no longer present. It is considered that the tree affected by the proposal has limited amenity value and that its loss could be adequately absorbed by the continued presence of more prominent TPO trees such as those on the verge flanking Summerdown Close. It is also considered that new planting within the landscaped gardens of the proposed development could mitigate the loss of the TPO tree as well as the coniferous boundary hedging that would be removed from the eastern boundaries of both sites.
- 8.9.3 Para. 083 of the Planning Practice Guidance for Tree Preservation Orders and trees in conservation areas confirms that the Local Planning Authority's consent is not required for carrying out work on trees subject to an Order so far as such work is necessary to implement a full planning permission. For example, the Order is overridden if a tree has to be removed to make way for a new building for which full planning permission has been granted.
- 8.9.4 The Environment Act (2021) includes the provision to amend the Town and Country Planning Act (1990) in order to require biodiversity net gain to be delivered as a condition of a planning permission. The Act provides a two-year transition period (expiring 2023) before this requirement comes in to force. In the interim, the Council have adopted a Biodiversity Net Gain Technical Advice Note (TAN) to reflect the direction of travel and also provide clarification on NPPF requirements that 'planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity (para. 174) and that, when determining planning applications, local planning authorities should apply the principle that 'opportunities to incorporate biodiversity improvements in and around developments

should be encouraged, especially where this can secure measurable net gains for biodiversity' (para. 180).

- 8.9.5 Major developments within the Borough are expected to deliver 10% biodiversity net gain. This does not apply to minor developments, such as the scheme under consideration, but there is an expectation that some biodiversity net gain will be delivered.
- 8.9.6 It is considered that the proposed development has sufficient potential to incorporate biodiversity net gain given both sites are currently almost entirely covered by buildings and hard surfacing. A landscaping condition would be attached to any given approval and this would include an obligation for the landscaping to be carried out in accordance with details which confirm a biodiversity net gain would be provided over site baseline levels.
- 8.9.7 It is therefore considered that, unlike the previously refused schemes where there was extremely limited space available for soft landscaping, the proposed development would incorporate appropriate levels of landscaping to preserve a verdant sense to the rear of the site that would be consistent with landscaping on Summerdown Road and Summerdown Close.

8.10 Sustainability:

- 8.10.1 The proposed development involves the removal of existing buildings from the site. Whilst the re-use of buildings is encouraged as a more sustainable form of development it is not considered to be appropriate in this instance due to the piecemeal and sprawling nature of the buildings and the need to optimise the capacity of the site which, in itself, is an important attribute of sustainable development.
- 8.10.2 A site waste management plan indicates that inert materials from the demolished buildings would be crushed and re-used. It is important that any materials harvested from demolition are recycled or re-used if possible and, whilst the site waste management plan indicates some thought has been given in this regard, a condition will be used to secure a more comprehensive plan in order to ensure that waste resulting from demolition and construction activities is minimised.
- 8.10.3 The sustainability checklist submitted as part of the application confirms that energy efficient construction materials would be used, that water efficient apparatus would be installed and that each dwelling would be served by an air source heat pump. The checklist also notes that each dwelling would include space to support home working.
- 8.10.4 Full details and specification of all sustainability measures to be provided will be secured by way of a planning condition.

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 considered 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 It is recommended that the applications are approved subject to the conditions set out below which would be attached to both permissions.

10.2 **TIME LIMIT:** The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

- To be confirmed.

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

10.4 **DRAINAGE:** No above ground works shall commence until a surface water drainage scheme and maintenance and management plan, together with a timetable for implementation, have been submitted to and agreed in writing by the local planning authority. The surface water drainage scheme should be supported by an assessment of the site's potential for disposing of surface water by means of a sustainable drainage system. Surface water run off to the surface water sewer network shall be limited to a rate agreed with Southern Water and shall incorporate any required mitigation measures. Thereafter, the approved scheme shall be carried out or supervised by an accredited person. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM). The implementation of the surface water drainage scheme shall thereafter be carried out in accordance with the approved details prior to the occupation of the dwelling hereby approved.

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

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

10.5 **DRAINAGE COMPLETION:** Following completion of the SuDS scheme, a Completion Statement by an accredited person, who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM), which demonstrates that the development has been fully implemented in accordance with the approved SuDS scheme, including a photographic record of the works, shall be submitted to and approved in writing by the Local Planning Authority.

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

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

- the anticipated number, frequency and types of vehicles used during construction;
- means of reusing any existing materials present on site for construction works;
- the method of access and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- details of public engagement both prior to and during construction works;
- address noise impacts arising out of the construction;
- demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- include details of the use of protective fences, exclusion barriers and warning signs;
- provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- details of any external lighting.

Reason: In order to safeguard environmental and residential amenity and in the interests of highway safety and the wider amenities of the area having regard to saved policies UHT1, NE28 and HO20 of the Eastbourne Borough Plan, policies B2, D1 and D9 of the Eastbourne Core Strategy and para. 174 of the NPPF.

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

- Details of all hard surfacing;

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

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 30 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the development incorporates sympathetic landscaping that amalgamates with surrounding landscaping, is appropriately and sympathetically screened and provides a secure and safe environment for future occupants in accordance with saved policies UHT1, UHT4, UHT7, NE28 and HO20 of the Eastbourne Borough Plan, policies B2 and D1 of the Eastbourne Core Strategy and para. 174 of the NPPF.

- 10.8 **CAR PARKING:** The development shall not be occupied until all parking and turning areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regard to saved policy TR11 of the Eastbourne Borough Plan, policies B2 and D1 of the Eastbourne Core Strategy and para. 110 of the NPPF.

- 10.9 **USE OF GARAGES:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) the garage/parking areas hereby approved shall be used solely for vehicle parking purposes incidental to the occupation and enjoyment of the dwelling units to which they serve, and shall not be used for nor in connection with any commercial trade or business purposes and shall not be converted into habitable accommodation, including domestic workshop, study, games room and similar uses, without the prior written consent of the Local Planning Authority.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regard to saved policy TR11 of the Eastbourne Borough Plan, policies B2 and D1 of the Eastbourne Core Strategy and para. 110 of the NPPF.

- 10.10 **VISIBILITY SPLAYS:** Visibility splays measuring 2.4m x 43m shall be provided either side of the approved site access and shall be maintained free

from any obstruction between 0.6 metres and 2.1 metres in height at all times.

Reason: In the interest of highway safety in accordance with policies B2 and D1 of the Eastbourne Core Strategy and para. 110 of the NPPF.

- 10.11 **ELECTRIC VEHICLE CHARGING POINT:** Prior to the first occupation of any part of the development hereby permitted, a minimum of 1 x electric vehicle charging point shall be provided for each dwelling and shall be maintained in an operable condition thereafter for the lifetime of the development.

Reason: To encourage alternative, more sustainable modes of transport and to reduce local contributing causes of climate change in accordance with policies B2, D1 and D8 of the Eastbourne Core Strategy and para. 112 of the NPPF.

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

Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with policies B2 and D1 of the Eastbourne Core Strategy and para. 152 of the NPPF

- 10.13 **LOW EMISSION BOILERS:** Details shall be submitted to and approved by the local planning authority prior to the first occupation of the development for the installation of Ultra-Low NOx boilers with maximum NOx emissions less than 40 mg/kWh (or a zero-emission energy source). The details as approved shall be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site and to manage air quality in accordance with NPPF 181.

- 10.14 **BIN & CYCLE STORAGE:** Prior to the first occupation of any part of the development hereby approved, the bin and cycle storage facilities shown on the approved plans shall be installed in accordance with those details and maintained in place thereafter throughout the lifetime of the development.

Reason: In the interest of environmental amenity and in order to encourage the use of sustainable modes of transport in accordance with saved policies UHT1, NE28 and HO20 of the Eastbourne Borough Plan, policies B2, D1 and D8 of the Eastbourne Core Strategy and para. 112 of the NPPF.

- 10.15 **OBSCURE GLAZING:** The first floor landing and bathroom windows and second floor study and landing windows on the rear elevation of unit 4 shall be obscure glazed in accordance with glazing specifications which are to be submitted to and approved by the local planning authority and shall be fixed shut, other than any parts that are over 1.7 metres above the finished floor level of the room which they serve. The windows shall be installed in

accordance with the approved details prior to the first occupation of the development and shall be maintained in accordance with those details in perpetuity.

Reason: In order to protect the amenities of neighbouring residents in accordance with saved policy HO20 of the Eastbourne Borough Plan and policies B2 and D1 of the Eastbourne Core Strategy.

- 10.16 **BALCONY SCREENING:** Prior to the first occupation of the development hereby approved, full details of privacy screening to be installed on all balconies shall be submitted to and approved by the local planning authority and the screening installed in accordance with the approved details. The screening shall thereafter remain in place for the lifetime of the development.

Reason: In order to protect the amenities of neighbouring residents in accordance with saved policy HO20 of the Eastbourne Borough Plan and policies B2 and D1 of the Eastbourne Core Strategy.

- 10.17 **EXTERNAL MATERIALS:** No external materials or finishes shall be applied until a schedule of materials has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with those details and maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and sustainability in accordance with saved policies UHT1 and UHT4 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 130 of the NPPF.

11. **Appeal**

- 11.1 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.