

Report to: Planning Applications Committee
Date: 17 July 2023
Application No: 230381
Location: 24 Hurst Road, Eastbourne, BN21 2PW
Proposal: Erection of 3no. 4-bedroom dwellings. Resubmission of approved planning application 220566
Applicant: Miss Cara Christie
Ward: Upperton
Recommendation: Approve Conditionally

Contact Officer: **Name:** Chloe Timm
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IMPORTANT NOTE: This scheme is CIL Liable.

Site Location Plan



1. Executive Summary

- 1.1 The application is being presented to the Planning Committee at the discretion of the Head of Planning as it seeks a revision to a previous permission granted by the Planning Committee in October 2023.
- 1.2 The pre-existing dwelling has been demolished following the grant of permission by the Planning Committee. This application seeks permission for a revised scheme which utilises the loft space to provide an additional bedroom within each dwelling, amounting to 3no detached four-bedroom dwellings. The dwellings would comprise four storeys, set at lower ground, ground and first floor levels with converted roof space. The scheme includes the provision of off-road parking to the front and landscaped gardens to the rear and balconies at ground floor level on the rear elevation.
- 1.3 The application is a resubmission of planning application 220566, which was approved conditionally for the erection of 3no three-storey three-bedrooms, the approved proposal did not include the use of the roof space as a fourth bedroom.
- 1.4 The application is considered to comply with national and local policies and is therefore recommended for approval subject to conditions.

2. Relevant Planning Policies

2.1 National Planning Policy Framework:

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

2.2 Eastbourne Core Strategy 2006-2027:

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C2: Upperton Neighbourhood Policy
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D10: Historic Environment

D10a: Design.

2.3 Saved policies of the Eastbourne Borough Plan 2001-2011:

NE4: Sustainable Drainage Systems

NE28: Environmental Amenity

UHT1: Design of New Development

UHT4: Visual Amenity

UHT7: Landscaping

HO1: Residential Development within the Existing Built-up Area

HO2: Predominantly Residential Areas

HO3: Retaining Residential Use

HO6: Infill Development

HO7: Redevelopment

HO11: Residential Densities

HO20: Residential Amenity

TR11: Car Parking

US1: Hazardous Installations.

2.4 Supplementary Planning Documents and other relevant guidance:

Sustainable Building Design SPD

Trees and Development SPG

Sustainability in Development

EBC Sustainability in Development TAN

EBC Biodiversity Net Gain TAN

EBC Electric Vehicle Charging Points TAN.

3. Site Description

3.1 The application site comprises a corner plot with Hurst Road and Rossington Close, which formerly accommodated a single storey bungalow. The building that formerly occupied the site has since been demolished and the site is currently vacant.

3.2 Hurst Road slopes downwards from South to North and West to East with the application site itself sloping from West to East.

3.3 The existing property has an existing access from Hurst Road and vegetation surrounding the footprint of the former dwelling and there is evidence of this recently being cleared and the cutting down of trees.

- 3.4 The site is neither located within a designated Conservation Area, nor is the building statutorily listed.
- 3.5 The application site is within an archaeological notification area and is within 50m of a high-pressure gas line.
- 3.6 Hurst Road is mainly comprised of two storey terraced properties with the exception of the application site and two pairs of semi-detached properties, adjoining the site and opposite the site.
- 3.7 Immediately north of the site are semi-detached two-storey dwellings (ground and lower ground floor levels) and opposite the site are three-storey semi-detached dwellings. The properties on the western side of Hurst Road sit above the properties on the eastern side due to the topography of the road.
- 3.8 Site Constraints
Predominantly Residential Area
Gas High Pressure 50m Buffer Zone
Archaeological Notification Area
Covenant – Trustees of the Chatsworth Estate.

4. Proposed Development

- 4.1 The application is seeking planning permission for the demolition of the existing bungalow and the erection of 3no dwellings.
- 4.2 The proposal is for 3no four-bedroom, four-storey detached dwellings with lower ground, ground, first and converted roof space with gross internal area of 163.8m² approximately.
- 4.3 The layout for each dwelling is a bedroom with ensuite and direct access to the rear garden at lower ground floor level, open plan kitchen/living space with balcony leading to stairs down to the garden, w.c, and study at ground floor level. At first floor level will be two-bedrooms and a family bathroom and the loft space will have one-bedroom with ensuite.
- 4.4 Facing materials include a mix of brickwork, tile hanging, off white render, composite cladding and slate roof tiles.
- 4.5 The proposal includes 2no off road parking spaces to the front and a landscaped garden to the rear.
- 4.6 It should be noted planning permission has been granted previously for the same proposal without the bedroom and ensuite in the roofspace.

5. Relevant Planning History:

- 5.1 220216: Demolition of existing dwelling and erection of 3no 3-bedroom dwellings.
Planning Permission, Refused, Decision Date: 27 May 2022.

- 5.2 220566: Demolition of existing dwelling and erection of 3no. 3-bedroom dwellings (resubmission of refused planning application 220216)
Planning Permission, Approved Conditionally, Decision Date: 26/10/2022.
- 5.3 230055: Non-material amendment application in relation to planning consent 220566 granted on 26/10/2022 for alterations to external materials to all elevations (amended proposal).
Non-Material Amendment, Issued, 28/03/2023.
- 5.4 230202: Variation of a condition 2 (Approved Plans) following grant of planning permission 26/10/2022 (ref 220566) to include additional bedrooms to form 3no four-bedroom dwellings.
Variation of Condition, Withdrawn.

6. **Consultations:**

Please note, planning application 220566 was granted 26/10/2022 since this date further clearance of the site and works have commenced, the below comments are from application 220566 and still stand:

6.1 Specialist Advisor (Arboriculture)

Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) in relation to T1 and G1 and to include ground protection methods and construction exclusion zone (CEZ) where applicable.

Tree Group 1 (G1) in relation to concrete hard standing adjacent this tree group. Root Protection Areas (RPA's) are to be shown. If excavations are to be undertaken, they must be done so under arboricultural supervision. It is advised that trial pit excavations are undertaken along this location to identify tree root presence and density or lack of. Photographic evidence and report of findings are to be submitted. Working methods as per Volume 4: NJUH+G Guidelines for the Planning, Installation and Maintenance Apparatus in proximity to trees (Issue 2), gives guidance when excavating in close proximity to trees. Supporting documentation is to demonstrate arboricultural protection methods when working in close proximity to trees.

6.2 County Archaeology:

The proposed development site lies within an archaeological notification area (a non-designated heritage asset) associated with Saxon burial, a possible medieval and post-medieval milling. In 1993, an *in-situ* human burial dating to the later Anglo-Saxon period was discovered at 27 Hurst Road, just c.70m South-West of the application site. In my opinion, any groundwork undertaken outside the footprint of the building that currently occupies the site have the potential to expose below ground in-site archaeological features, deposits and artefacts including further inhumations perhaps associated with a wider Anglo-Saxon cemetery.

In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area

affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in-situ or, where this cannot be achieved adequately recorded in advance of their loss. These recommendations are in line with the requirements given in the NPPF.

In furtherance of this recommendation, we shall be available to advise the applicant on how they can best fulfil any archaeological condition that is applied to their planning permission and the provide a brief setting out the scope of the programme of works.

The **written scheme of investigation**, referred to in the recommended condition wording, will set out the contracted archaeologist's detailed approach to undertake the programme of works and accord with the relevant sections of the Sussex Archaeological Standards (2019).

6.3 Specialist Advisor (CIL):

The application is liable for CIL.

7. **Other Representations:**

7.1 Notification:

Notification of this application has been undertaken in the form of:

- a. Neighbour notification letters;
- b. Site notices displayed in roads neighbouring the site.

7.2 Neighbour Representations:

For committee scheduling the officer report was submitted prior to the end of the consultation period.

To date, no representations have been received.

All representations received following the submission of the report, along with any amendments/adjustments to the officer report/recommendation will be provided by an addendum to the committee.

8. **Appraisal:**

8.1 Key Considerations:

Planning permission for 3no three-bedroom dwellings have already been granted under reference 220566. This application is seeking permission for the inclusion of a converted roof space to create an additional bedroom with ensuite.

9. The proposal includes the installation of 7no roof lights within the roof slopes, no other external changes are proposed.

9.1 Principle:

Eastbourne are currently unable to demonstrate a 5-year housing land supply and as such planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the National Planning Policy Framework as a whole.

Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Any presumption of approval will therefore need to take into account the balance between the 3 overarching objectives of sustainable development, (these being social, economic and environmental benefits), as well as other matters identified within the NPPF, such as safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 120), ensuring development is of suitable design and sympathetic to the character of the surrounding area (para. 130) and ensuring development does not compromise highway safety (para. 113).

This is reinforced within the Local Development Framework, with one of the key primary development principles being to provide at least 60% of new residential development within the existing built-up area in well-designed schemes that make efficient use of urban land. Policy HO1 also states that planning permission will be granted for residential schemes in 'predominantly residential areas', one of which the site is located.

9.2 Design, Character and Impact Upon Landscape:

The proposal is for the erection of 3no detached dwellings, the design of the proposal has been amended since a previous refused scheme (220216) to include bay window design to the front which is felt to harmonise better with the properties surrounding.

The properties will be set further forward than the original bungalow on-site. The existing building on site and the property of 72 Hurst Road both have a single storey appearance when viewed at street level, this design is not a common characteristic within the street scene of Hurst Road with other properties being formed of two storey terraced housing or semi-detached properties.

The layout of the existing site with the building to the rear is also not a common feature, the application site being the only property set towards the rear of the site, away from the highway, all other properties form a

building line much closer to the highway with limited amenity space to the front.

The site for the proposed dwellings forms the end plot of Hurst Road on the junction to Rossington Close and Selby Road. Being situated at the end of the road gives way for a differing design to be acceptable.

9.3 Impact Upon Heritage Assets:

The application site is not listed or located within a conservation area nor will the proposed development impact on the setting of any listed heritage assets.

The nearest heritage asset is St Michael and All Angels Church on Willington Road, approximately 100m to the east, the application site is not visible from the Grade II listed building.

9.4 Transport and Parking:

The proposal includes off road parking to the front of the proposed dwellings, the East Sussex Highways parking demand calculator advises a total of 6.84 (2.26 per dwelling) spaces should be provided for the development.

The previously approved planning application for 3no three-bedroom dwellings had a parking demand level of 6.78, the level of demand for the fourth bedroom sees an increase of only 0.02 per dwelling

The application site is sustainably located with links to local bus routes in close proximity, Eastbourne train station and the town centre are a short distance away.

The scheme as approved provides for 6 spaces (2 per dwelling), an increase of 0.06 in parking demand, does not warrant enough of a reason for refusal of this application to include a fourth bedroom within the properties.

9.5 Residential Amenity:

The proposed dwellings are not considered to have a negative impact on the amenity of the occupiers adjoining or the surrounding area.

The layout for each plot has been considered to ensure minimum impact to the neighbouring occupiers in terms of loss of light, overshadowing and loss of privacy.

New views will be available from the rear of the properties into surrounding gardens, the current building on site is a two storey (ground/lower ground) building, anything of larger design will impact in some way. It is not uncommon for neighbouring properties to have a view into surrounding gardens.

Adjoining properties to the application site are 72 Hurst Road to the north and 143 Burton Road to the east. 143 Burton Road is set at a lower land level than the application site, due to be approximately 30m distance from the proposed properties there are no concerns raised regarding overshadowing or loss of light.

The side elevation of plot 3 will be set approximately 5m from the side elevation of 72 Hurst Road. The original bungalow was centrally located towards the rear of the plot and with no buildings located along the boundary with 72 Hurst Road. The proposed dwellings may cause some overshadowing to the side elevation of the 72 Hurst Road, however, the level of impact is not thought to have a detrimental impact and will mainly impact the paved area to the side of the neighbouring property.

Outlook from the new dwellings will not give direct views into the neighbouring properties surrounding the site. Roof lights are proposed and will have limited views onto neighbouring properties due to the slope of the roof and the height of the sill, which would be controlled by condition.

9.6 Impact of the proposed development on amenity of future occupiers:

The proposal is for the erection of 3no three storey, three-bedroom detached dwellings with an approximate gross internal area (GIA) of 163.8m².

Nationally described space standards advise the minimum requirement for a three storey four-bedroom property for eight persons is 130m². The proposal exceeds the minimum requirement for GIA and the requirement for the provision of bedspaces being a minimum of 2.15m wide and floor area of 7.5m².

The proposal includes two parking spaces to the front of the property along with hedging to the boundaries. To the rear is landscaped garden with a patio area, turf, a tree, and hedging. Plot three will have additional shrubbery and trees to the north side of the rear garden. The plot boundaries will be enclosed with a 1800mm height close board fencing.

The proposed dwellings are considered to provide a good level of accommodation for future occupiers.

9.7 Ecology and Biodiversity:

Prior to planning permission being granted the application site had been cleared of some vegetation and a loss of biodiversity from the site may have occurred. Due to this application taking place after the site being cleared, the level lost is hard to determine.

It is however noted that if the site had not been left to fall into disrepair and the outdoor areas allowed to over grow, it is probable that the level of biodiversity may not have been at such a high level.

The proposal is to have a mix of hard and soft landscaping to the front and rear of the dwellings, final landscaping details will be secured by condition along with a condition for bird and bat boxes to be provided within each plot to further enhance the ecology within the site.

9.8 Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.

9.9 Conclusions:

The proposed erection of 3no four-bedroom dwellings will provide a good level of accommodation for future occupiers and will not have a detrimental impact on the amenities of the neighbouring occupiers or the surrounding area.

For this reason, the application is found to be in accordance with national and local planning policies.

10. Recommendations

10.1 Approve, subject to conditions.

11. Conditions

11.1 **Timeframe:** The development hereby permitted shall be begun before the expiration of three years from the date of 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).

11.2 **Drawings:** The development hereby permitted shall be carried out in accordance with the following approved drawings:

Drawing: 01 Rev E – Location, Block and Site Plan

Drawing: 02 Rev L – Proposed Plans Plot 1

Drawing: 03 Rev N – Proposed Plans Plot 2

Drawing: 04 Rev N – Proposed Plans Plot 3

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

11.3 **Balcony Screening:** Notwithstanding the approved plans, details of privacy screens to the balconies of the development hereby approved,

shall be submitted to and approved in writing by the local planning authority, and shall be retained as such for the lifetime of the development.

Reason: To protect the amenity of neighbouring properties and future occupiers.

- 11.4 **Tree Protection:** Prior to the commencement of works a Tree Protection Plan and Arboricultural Method Statement to include ground protection methods and construction exclusion zones in relation to T1 and Tree G1 are to be submitted and approved in writing by the local planning authority.

Reason: To safeguard and enhance the character and amenity of the area.

- 11.5 **Bird/bat boxes:** Details of bird, bat and insect boxes, including their design, number and location on the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the boxes shall be installed in accordance with the details approved prior to commencement of the development or any tree works, hereby approved, and retained as such thereafter.

Reason: In the interest of the protection of bird habitats from the impacts of the development and tree works.

- 11.6 **Construction Management Plan:** Prior to the completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a scaled plan showing all hard and soft landscaping, including vegetation to be retained and planting of trees and plants;
- b) details of all hard surfaces;
- c) all boundary treatments;
- d) a schedule detailing sizes, species and numbers of all proposed trees/plants;
- e) sufficient specification to ensure successful establishment and survival of new planting;

Any new tree(s) that die(s) are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which die, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details unless agreed otherwise with the Local Planning Authority.

Reason: To safeguard and enhance the character and amenity of the area.

- 11.7 **SUDS:** Prior to commencement, a surface water drainage scheme and maintenance and management plan shall be submitted to and approved 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). Thereafter, the surface water drainage scheme shall be implemented in full in accordance with the approved details prior to first occupation of the development, 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.

- 11.8 **SUDS:** 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.

- 11.9 **Demolition/Construction Management Plan:** Prior to commencement of development, including any ground and demolition works, a Demolition Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire demolition/construction period. The Plan shall provide details as appropriate, which shall address but not be restricted to the following matters:

- sequence and schedule of demolition phases;
- the anticipated number, frequency and types of vehicles used during development.
- the method of access and egress and routing of vehicles during development;
- parking of vehicles by site operatives and visitors;
- loading and unloading of plant, materials and waste;
- method of removing material from the site, including special measures for hazardous material;
- times of any deliveries related to the development, which should avoid peak travel times;

- photographic survey of the condition of the surrounding highway;
- storage of plant and materials,
- erection and maintenance of any security hoarding;
- provision and operation of wheel washing facilities or any other works required to mitigate the impact of development upon the public highway (including the provision of temporary Traffic Regulation Orders);
- measures to manage the impact upon local air quality;
- confirmation of no burning of materials on site;
- operating hours;
- anticipated timescales for completion of the works;
- measures to manage flood risk during construction; and
- public notification, including site notices with public contact details during the works.

Reason: In the interests of highway safety and the amenities of the area.

- 11.10 **Archaeology:** No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

- 11.11 **Archaeology:** The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is agreed in writing with the Local Planning Authority.

- 11.12 **Obscured Glazing:** The upper floor windows in the north elevation of Plot 3 of the development, hereby approved, shall be obscurely glazed and fixed shut, and shall be installed prior to first use of the development and retained as such for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of neighbouring residents and future occupiers.

- 11.13 **PD Removed:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement or extension, window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority to the dwellings hereby approved.

Reason: To safeguard the amenities of the occupiers of nearby properties.

- 11.14 **Electric Vehicle Charging Point:** Details of electric charging facilities, including their number, specification and location, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the facilities shall be implemented in accordance with the details approved prior to first use of the development, hereby approved, and retained as such thereafter for the lifetime of the development.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

- 11.15 **Parking:** Prior to first occupation of the development, hereby approved, the car parking spaces shall be provided and clearly marked in accordance with approved drawing No: 01 (Location, Block and Site Plan). The parking spaces shall thereafter be maintained throughout the lifetime of the development and the land on which they are positioned shall be used for no purpose other than for the parking and turning of vehicles.

Reason: To ensure adequate parking provision for the development and to prevent overspill to on streetcar parking in accordance with Policy TR11 of the Eastbourne Borough Plan (2007).

- 11.16 The sill level of the second-floor windows shall be no less than 1.7m above the finished floor level and retained as such for the lifetime of the development, hereby approved.

Reason: In the interest of neighbour amenity.

12. Appendices

- 12.1 None.

13. Background Papers

- 13.1 None.