

<b>App.No:</b> 141346 (PPP)	<b>Decision Due Date:</b> 24 December 2014	<b>Ward:</b> Devonshire
<b>Officer:</b> Leigh Palmer	<b>Site visit date:</b>	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 22 November 2014		
<b>Neighbour Con Expiry:</b> 22 November 2014		
<b>Over 8/13 week reason:</b> Seeking revisions to the scheme and committee schedules		
<b>Location:</b> 183a Langney Road, Eastbourne		
<b>Proposal:</b> Demolition of 3 vacant retail units and construction of 9no. one and two bed apartments.		
<b>Applicant:</b> COMPLETE CARE GROUP LTD		
<b>Recommendation:</b> Grant Planning Permission subject to conditions		

### **Executive Summary:-**

Application proposes the redevelopment of a long term vacant/redundant building with a four story building containing 9 1 & 2 bedroom flats.

The scheme proposes a housing led regeneration project that accords with national and local policies and if developed would make a positive contribution to the local housing need of the area.

It is considered that the regeneration potential of this scheme should be given significant weight in the assessment of this proposal.

### **Environment Agency Flood Defences Areas Benefiting from Defences**

#### **Relevant Planning Policies:**

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

Eastbourne Core Strategy Local Plan 2006-2027

B1 Spatial Development Strategy and Distribution

Sustainable Neighbourhood

C3 Seaside Neighbourhood Policy

D4 Shopping Seaside (Langney Road to Springfield Road) District Shopping Area

D5 Housing Low Value Neighbourhoods

Eastbourne Borough Plan Saved Policies 2007

SH7 District Local and Neighbourhood Centres

US5 Tidal Flood Risk

HO2Predominantly Residential Areas

**Site Description:**

The application is located within a commercial parade close to the junctions of Langney Road and Seaside. The site has been vacant and non-operational for a significant period of time and in the recent times an artists' mural has been erected with a view of improving the appearance of the site and surrounding area.

**Relevant Planning History:**

There is an extensive planning history for this site relating commercial applications (shop fronts/adverts/commercial extensions). However the most relevant applications are listed below.

040835 Demolition of existing shops and erection of four storey building comprised of two retail shops, 6 no. one-bedroom flats and 6 no. bedsit flats (outline application). Outline (some reserved) Refused 11/08/2004

080660 Proposed demolition of existing three single storey retail units and erection of new three storey development comprising two retail units at ground floor level and six residential units to upper storeys (four 1 bed units and 2 studio units) with ancillary cycle storage and rear amenity area accommodation. (Outline Application). Outline (some reserved) Approved conditionally 09/12/2008

**Proposed development:**

Application proposes the demolition of the existing single storey vacant retail units to be replaced by a four storey building containing 9 1&2 Bedroom apartments. The scheme does not propose any off street vehicle parking spaces, although bike store is provided.

The proposed external appearance proposes an individual design that takes architectural references from the 'modernist' aesthetic utilizing strong horizontal and vertical elements below a flat roof and the external envelope is formed by large areas of render and also windows with projecting bays/features being formed in facing brickwork. The scheme has communal access onto Langney Road.

The scheme has been designed to achieve Level 3 of the Code for Sustainable Homes.

**Ground Floor**

Apartment No 1 - 2 Bedrooms (3 person) Approx. 65 Sqm

Apartment No 2 - 2 Bedroom (4 person) Approx. 75 Sqm (With courtyard garden)

Communal amenity space approximately 45sqm, 18 space bike store and bin enclosure

**First Floor**

Apartment No 3 - 2 Bedrooms (3 person) Approx. 65 Sqm

Apartment No 4 - 1 Bedroom (2 person) Approx. 50sqm

Apartment No 5 - 1 Bedroom (2 person) Approx. 50 Sqm

## Second Floor

Apartment No 6 - 2 Bedrooms (3 persons) Approx. 65 Sqm

Apartment No 7 - 1 Bedroom (2 persons) Approx. 50sqm

Apartment No 8 - 1 Bedroom (2 persons) Approx. 50 Sqm

## Third Floor (penthouse apartment)

Apartment No 9 - 2 Bedrooms (3 person) Approx. 95sqm Including roof terrace

### **Consultations:**

#### Internal:

Specialist Advisor (Economic Development) No objections to the proposals, is there the proposal to reinstall the mural elsewhere in the community

#### External:

Environment Agency:- No objection subject to the development being implemented in accordance with the submitted Flood Risk Assessment and recommend conditions to control this.

Highways ESCC:- It is acknowledged that the site is in a reasonably accessible location as it is located within close proximity of a well-served bus routes. It is also within walking distance of the railway station and the Town Centre for many. However, while access to public transport and shops and services does influence car ownership levels, it is unlikely to reduce demand for parking altogether. It is also noted that the former use as retail units would have created some demand for parking. Given the location and previous use a reduced parking provision may well be acceptable.

If robust information had been provided (e.g. a number of parking surveys across several days at different times including evenings showing that the surrounding streets could accommodate the extra vehicles) then the proposal may be acceptable. Without this information however there is insufficient information provided on which to base a favourable recommendation.

Ultimately, parking provision should be appropriate to the development and location and should not create additional pressure on existing streets that cannot be catered for, which could be detrimental to road safety.

It is recommended that the application should be refused for the following reason:- The proposal does not provide for adequate parking facilities within the site which would result in additional congestion on the public highway causing further interference with the free flow and safety of traffic on the B2136, Langney Road and surrounding streets and would therefore be contrary ESCC parking guidance.

Eastbourne Design Review Panel (DRP):- This site/scheme was reported twice to the DRP at the pre application stage, the scheme was generally supported by the Panel members and no objections were raised to the scale of the development, they recommended that the scheme may benefit from an active frontage onto Langney Road

#### Neighbour Representations:

The public consultation involved 89 local residents were consulted and a site notice erected, as a result of this consultation 1 objection has been received and covers the

following points: The loss of the potential for retail space at the site would/may impact upon the footfall in the area and residential would detract from the character and appearance of this residential street.

Councillor Wallis has made the following comments:-Development should be of high quality in terms of its design, there are parking pressures in the area, there have been localised flooding issues, no soft landscaping proposed, If scheme is supported then the mural should be safely removed and stored.

**Appraisal:**

Principle of development:

Local plan policies and national guidance support the provision of sustainable development including the provision of new housing. However these same policies and guidance also requires that development should not result in harm to the natural, built and historic environment; further good design is indivisible from good planning.

The application proposes residential units in the Seaside Neighbourhood, contributing to the Councils spatial development strategy (Policy B1 of the Core Strategy). The proposed development will assist in meeting the identified housing delivery target for the neighbourhood. The development would conform to the Seaside Neighbourhood Policy (Policy C3 of the Core Strategy) in providing residential accommodation, and is therefore considered sustainable development.

The NPPF is clear that sustainable residential development should be granted planning permission 'without delay' to ensure greater choice of the housing in the local market and to meet local and national housing needs.

The site has not been formally identified within the Councils Strategic Housing Land Availability Assessment, therefore would be classified as a windfall site. The Council relies on windfall sites coming forward as part of its spatial development strategy (policy B1 of the Core Strategy Local Plan).

Paragraph 17 of the NPPF states that Local Planning Authorities should encourage the effective use of the land by reusing land that has been previously developed (brownfield land), provided it is not of high environmental value.

It is considered therefore that the principle of residential development is acceptable subject to compliance with other relevant planning policies within the development plan and all other material planning considerations

The scheme is located within part of the Seaside District Shopping Area and as such applications that promote/support the functions of the district centre should be supported. It is considered that given that as the application site has not contributed to the retail function of the centre for many years its loss to residential would not be objectionable in principle.

In addition further residential accommodation at the site may help to support the existing business by introducing additional purchasing power into the local economy.

Members will be aware that the application site is located within the Devonshire ward and as such the aspirations of the 'Driving Devonshire Forward' (DDF) document has some weight in the assessment of this application. In broad terms the DDF documents seeks to support interventions that seek to improve the quality of the housing stock and public realm within the ward. In this regard the submission seeks the redevelopment of a long term vacant unit that despite the mural has failed to make a positive contribution the area/street scene for a significant number of years and as such is considered to follow the aspirations/ambitions of the Driving Devonshire Forward document.

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

Given that the development proposes a multi-storey development on previously developed land in a tight urban location it is accepted that there will be occurrences of direct overlooking. It is considered however that the design of the proposed buildings have taken account of the overlooking and sensitive relationships and in the main has addressed all of the main over-looking issues.

The windows that do overlooking neighbouring plots properties, overlooking the front façade and commercial rear yards of adjacent properties, the distances involved and the urban fabric which within this development is set it is considered that the loss of amenity from direct overlooking is not severe.

The scale and footprint of the proposed new building has the building running along the common boundary of the properties within Windsor Court, to some degree the proposals will have an impact upon the amenities of the occupiers of the these properties by way of loss of outlook and overbearing relationship to the front/side of these existing buildings.

It is considered that this loss of amenity is not so severe and material to warrant a refusal of planning permission where the overriding material consideration in the determination of this application is the delivery of new residential units in a sustainable location where a comprehensive redevelopment would assist in the regeneration of this part of the Seaside neighbourhood.

Design issues:

The street scene at and within the vicinity of the site is of mixed character and as such there is no discernible character that makes this part of the neighbourhood distinctive. In this regard it is considered that the individual design and appearance of the proposed scheme would not be out of character with the existing street scene.

In some regard the scheme could have included a ground floor commercial unit/space which would have continued the commercial frontage along this parade, this was a suggestion from one respondent and also the Design Review Panel however it is considered that given the significant length of time the existing buildings have remained vacant that this is an indication as to the market demand for commercial space in this area. In addition it is noted that the redeveloped Sainsbury's unit (opposite the TA centre in Seaside) has vacant units within it, one of which has never been occupied.

The site is located at the edge of the commercial area of Seaside/Langney and the predominantly residential area of Langney/Pevensey Road given this there are no

objections to a wholly residential scheme at the site as this would assist in terms of its design and would help to provide the transition between the two zones

In terms of active frontage there remains the communal entrance, this would be used by all users of the building and would to some degree contribute to an increased footfall in the local area.

Impacts on trees:

There are no trees at the site that are worthy of retention and a condition is proposed to cover/control the new planting to the front of the site.

Impacts on highway network or access:

It is clear that ESCC highways officers have concerns with the scheme in that without evidence to the contrary they are concerned that the development would increase the pressure on the on-street parking in the locality.

Mindful of this advice officers have given greater weight to the aspirations for the regeneration of the area, this added to NPPF advice that sustainable development should be agreed without delay has informed the officers recommendations.

The site is located close to bus links and is also within walking distance of goods and service with the local area as well Eastbourne Town Centre.

Given the above it is considered that a refusal based solely of the lack of off-street parking when the scheme is acceptable in all other respects could not be substantiated.

Sustainable development implications:

The scheme will utilise modern construction techniques, comply with current building regulations and deliver level 3 of the Code for Sustainable Homes.

This degree of compliance would deliver a highly specified scheme that would reduce energy use and thereby contribute to the reduction in carbon emission.

All habitable rooms have a window providing natural light and whilst the scheme promotes some two bedroom units these could be used for other purposes (2<sup>nd</sup> reception room, study/officer for example).

**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.

**Recommendation:**

Grant Planning Permission subject to

Conditions:

1. Time Limits
2. Approved Plans
3. . Materials
4. Construction method Statement to include demotion and construction times
5. Privacy screens to the upper level terrace
6. provision of bike & bin store before first occupation of units
7. Hard and soft landscaping
8. In accordance with the submitted FRA

**Informative**

**Appeal:**

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**