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| App.No: 150757 | Decision Due Date: 6 November 2015 | Ward: Langney |
| Officer: Anna Clare | Site visit date: 9 October 2015 | Type: Outline (all reserved) |
| Site Notice(s) Expiry date: 11 September 2015 Neighbour Con Expiry: 11 September 2015 Press Notice(s): N/A | | |
| Over 8/13 week reason: N/A | | |
| Location: Wood's Cottages, Langney Rise, Eastbourne | | |
| Proposal: Outline planning application with all matters reserved for the demolition of two derelict cottages and construction of fifteen residential houses on 0.39 Ha land at Woods Cottages, Swanley Close, Langney Rise. | | |
| Applicant: Mr Ronald S Taylor | | |
| Recommendation: Refused | | |

Executive Summary:

The application is for outline planning permission with all matters reserved, therefore an application for an in-principle decision for the development of land at Woods Cottages, Swanley Close of fifteen residential houses.

An indicative site plan has been submitted with the application showing a possible layout for 15 dwellings on the site. However, given a lack of information submitted with the application it is considered that the site cannot support this level of development without environmental impacts and therefore it is recommended that the application is refused.

Relevant Planning Policies:

National Planning Policy Framework 2012

- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 11. Conserving and enhancing the natural environment

Core Strategy Local Plan 2013 Policies

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods

C8: Langney Neighbourhoods Policy
D1: Sustainable Development
D9: Natural Environment

Eastbourne Borough Plan Saved Policies 2007
NE20: Sites of Nature Conservation Importance
HO7: Redevelopment
HO20: Residential Amenity
TR6: Facilities for Cyclists
TR11: Car Parking

Site Description:

The site is bounded to the east, south and west by Swanley Close, and to the north by the rear of Langney Shopping Centre. The adjacent Langney Centre Pond to the north-west of the site is a Site of Nature Conservation Interest. There is an existing access to the site onto Swanley Close.

The site has two derelict cottages to the north of the site, the rest of the site to the south, is private woodland with two ponds.

A TPO covers trees on the site.

Relevant Planning History:

None relevant to this application.

Proposed development:

Specialist Advisor (Arboriculture)

Objects to the proposed development. The applicant has submitted an Arboricultural survey which was undertaken over two years ago and is therefore considered out of date.

The applicant has not provided an Arboricultural impact assessment or an Arboricultural method statement, these two documents are essential to provide relevant up to date information to make an informed decision. Therefore as these documents have not been provided the only conclusion is that the proposed development will have a detrimental impact on all trees on site.

Specialist Advisor (Planning Policy)

Object to the proposed development in principle.

The site is not identified in the SHLAA for development. There has been a drafting error in the Council's SHLAA which shows an incorrect site boundary for 'Part Langney Shopping Centre' [ANO2] as being within the Woods Cottage application site. This should not be the case as the assessment of the site clearly refers to planning permission that has previously been granted at the wider 'Langney Shopping Centre', and the site name itself is referred to as 'Part Langney Shopping Centre'. The Woods Cottage

application site is not within the curtilage of the wider Langney Shopping Centre application site and has never been considered to be so.

The site's characteristics result in there being a series of environmental constraints. The proposed development would impact on long established trees and the general biodiversity and character of the surrounding area. There are also issues in relation to flood storage capacity and surface water drainage, which will be subject to detailed consideration by East Sussex County Council as the Lead Local Flood Authority . The redevelopment of the site at the intensity proposed does not provide sustainable development.

County Ecologist

Insufficient information submitted in relation to the site and its use by protected species to assess the proposal. An Ecological Impact Assessment is required.

Highways ESCC

No objection in principle to the proposed development. The level of traffic that 15 houses will create is low so any impact on the highway network would not be severe to warrant a refusal of the application. A number of amendments/improvements to on-site parking and access are requested/proposed however given this application is for outline consent, it is considered these could be addressed at reserved matters stage.

ESCC Lead Local Flood Authority (SUDS)

No objections in principle, the conceptual surface water drainage strategy for the development is acceptable.

Neighbour Representations:

Objections have been received from the following properties of Swanley Close, No.s 7, 15, 19, 20, 22, 37, 40, 45 and 48.

- Swanley Close is a quiet cul-de-sac
- Swanley Close is narrow and therefore not suitable for construction traffic
- Additional traffic impacts
- Impacts on wildlife/disturbance to wildlife habitat
- Loss of established trees
- Insufficient parking for development therefore likely overspill to Swanley Close
- Impact on pedestrian safety of additional traffic
- Impacts on flooding/drainage from additional foundations/hardstanding of the development/loss of natural soakaway
- Increased light and noise pollution
- Proposed two storey dwellings not in keeping with surrounding bungalows
- Proposed access is not suitable for two way traffic and pedestrian access

- Insufficient access for emergency vehicles
- Lack of maintenance of the ponds
- Impacts on privacy of Swanley Close properties

Appraisal:

Principle of development:

The site is not identified in the SHLAA for development. There has been a drafting error in the Council's SHLAA which shows an incorrect site boundary for 'Part Langney Shopping Centre' [ANO2] as being within the Woods Cottage application site. This should not be the case as the assessment of the site clearly refers to planning permission that has previously been granted at the wider 'Langney Shopping Centre', and the site name itself is referred to as 'Part Langney Shopping Centre'. The Woods Cottage application site is not within the curtilage of the wider Langney Shopping Centre application site and has never been considered to be so.

There are fundamentally restrictive parameters which could not be 'designed out' of a scheme and could be overcome with details design.

Paragraph 2.1.2 of the Core Strategy states that development will be focused on development on all available brownfield sites and a small number of urban greenfield sites that are of low value and quality.

Impacts on Biodiversity and trees:

The site's characteristics result in there being a series of environmental constraints. The proposed development would impact on long established trees and the general biodiversity and character of surrounding area.

The site is located in close proximity to Langney Centre Pond, which benefits from SNCI (Site of Nature Conservation Interest) status. There is therefore the potential for breeding birds and insect fauna.

No information has been submitted to assess the likely impacts of the scheme on biodiversity. An Ecological Impact Assessment should be carried out in accordance with BS 42020:2013 and CIEEM guidance; therefore it is likely that the proposed development will have a detrimental impact on protected species.

The Arboricultural Survey submitted was undertaken over two years ago and is therefore out of date.

An Arboricultural Impact Assessment nor an Arboricultural Method Statement have not been submitted, therefore it is likely that the proposed development will have a detrimental impact on all trees on site.

Policy B2 of the Core Strategy Local Plan states that all schemes will be required to protect the residential and environmental amenity of existing and future residents.

The National Planning Policy Framework 2012 states a presumption in favour of sustainable development. The sites characteristics result in their being a series of environmental constraints. It is considered that the intensity of development proposed does not provide sustainable development given the constraints of the site.

Saved Policy NE20 site of nature conservation importance of the Borough Plan 2007 states that development which has an unacceptable adverse effect, directly or indirectly on the nature conservation interest of a site identified as a SNCI will not be permitted. Insufficient information has been submitted to demonstrate compliance with this policy.

The County Council as Lead Local Flood Authority concluded that the conceptual surface water drainage strategy for the development is acceptable for management runoff generated by the development.

Impacts on highway network or access:

As it is only an outline application some information such as a Transport Report has not been submitted to support the application, although suggested details on the size and layout have been.

Given the relatively low level of additional traffic that this proposal would create it is acceptable in principle as it would not result in a severe impact on the highway network.

There are number of areas of concern in relation to the parking provision and access arrangements for the site however given the application is for outline consent with all matters reserved it is not considered that a reason for refusal on these matters is warranted as these could be addressed by a reserved matters application.

The level of parking proposed does not meet the East Sussex County Council guidance. This suggest that 28 spaces should be provided based on 2 allocated spaces for each 3 & 4 bed houses and 1 for each 2 bed house. An allowance for additional householder and visitor parking is also included.

Given the relatively narrow streets overspill parking may interrupt traffic flow and therefore the site should provide the full level of parking suggested by the guidance. Parking spaces must also be of sufficient size in order to be counted towards. All spaces will therefore need to be 5m x 2.5m.

Cycle parking would also be required in accordance with ESCC guidelines. This is 1 space per 2 bed house and 2 spaces per 3 & 4 bed. These spaces

will need to be secure and covered so they are suitable for long term storage. This could simply be in the form of a shed.

The access will need to be formalised to provide appropriate visibility splays (43m x 2.4m) as well as a more formal layout which caters for both vehicular and pedestrian access.

The access road inside the site will also need to be upgraded to cater for two way traffic flow as well as turning. Given the length of the access road refuse vehicles will need to enter the site as the distances are too great for waste to be carried by residents.

The access layout, road and turning area will all therefore need to be of an adequate size to accommodate the vehicles used by the refuse collection company and the emergency services. Pedestrian access through the site will also need to be considered.

Lastly, a Transport Report should also be submitted to consider the impact of the development on the highway network.

Planning obligations CIL

The Planning Application Additional Information Requirement Form has been submitted as required. The applicant states that 30% of the housing will be affordable housing, however the relevant forms to support an exemption for social housing have not been supplied.

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.

Conclusion:

For the reasons set out in the report the proposed development of the site for 15 houses is considered overdevelopment and therefore it is recommended that planning permission is refused.

Recommendation:

Refuse for the following reasons;

1. The site is located in close proximity to Langney Centre Pond which benefits from SNCI (Site of Nature Conservation Interest) status. There is therefore the potential for breeding birds and insect fauna.
2. No information has been submitted to assess the likely impacts of the scheme on biodiversity. An Ecological Impact Assessment should be carried out in accordance with BS 42020:2013 and CIEEM guidance;

- therefore it is likely that the proposed development will have a detrimental impact on protected species using the site contrary to Saved Policy NE20 policies B1, D4 and D9 of the Core Strategy Local Plan 2013 and the National Planning Policy Framework 2012.
3. Arboricultural Survey was undertaken over two years ago and is therefore out of date. An Arboricultural Impact Assessment nor an Arboricultural Method Statement have been submitted, therefore it is likely that the proposed development will have a detrimental impact on all trees on site contrary to policies B1, D4 and D9 of the Core Strategy Local Plan 2013 and the National Planning Policy Framework 2012.
 4. Impact on the general character of the surrounding area, the re-development of the site at the intensity proposed does not provide sustainable development contrary to Policies D1 of the Core strategy Local Plan 2013 and the National Planning Policy Framework 2012.
 5. There has been no commitment to secure/honour the development's Community Infrastructure Levy requirements and as such it is considered that the proposal would have an adverse impact on the delivery of local/regional infrastructure contrary to the Council's adopted Community Infrastructure Levy.

INFORMATIVES:

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