

<b>App.No:</b> 151170	<b>Decision Due Date:</b> 20 January 2016	<b>Ward:</b> Hampden Park
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 17 December 2015	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 19 December 2015		
<b>Neighbour Con Expiry:</b> 19 December 2015		
<b>Press Notice(s):</b> 21 December 2015		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b> Land at Sumach Close, Sumach Close, Eastbourne		
<b>Proposal:</b> Erection of a three storey building consisting of 13 flats (8 x 2 bed and 5 x 1 bed). Amended Description.		
<b>Applicant:</b> Eastbourne Homes		
<b>Recommendation:</b> Grant Planning Permission subject to S106 agreement control local labour initiatives		

**Executive Summary:**

The site has previously been identified within the adopted Strategic Housing Land Availability Assessment as being suitable for residential redevelopment. It is considered therefore that there is no objection to the principle of redevelopment of the site.

The application proposes a residential scheme that will enter the Councils property portfolio as social rented affordable housing.

The scheme proposes a new building over 2 to 4 storeys containing 13 flats.

The bulk, scale and massing of the proposed building is considered to provide a corner building, enhancing the area. The flats provide a good standard of accommodation for future residents, and the impact on surrounding existing residential properties is considered to be acceptable. ESCC Highways have assessed the level of car parking and the impact on the demand for on-street parking, they raise no objection stating the increased demand will not be severe and therefore is acceptable. Therefore it is recommended that planning permission is granted subject to conditions set out at the end of the report.

**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
- 8. Promoting healthy communities

Core Strategy Local Plan 2013 Policies  
 B2 Creating Sustainable Neighbourhoods  
 C7 Hampden Park Neighbourhood Policy  
 D5 Housing  
 D10A Design

Eastbourne Borough Plan Saved Policies 2007  
 UHT1 Design of new development  
 UHT2 Height of building  
 UHT4 Visual Amenity  
 UHT8 Protection of amenity space  
 HO2 Predominantly residential areas  
 HO20 Residential Amenity  
 TR11 Car parking

**Site Description:**

The site is currently a grassed verge area and hard standing car park at the corner of Maywood Avenue and Sumach Close.

The closest residential properties are generally of a similar character, possessing similar feature having been constructed at a similar time. To the north of the site, on the opposite site of Maywood Avenue there are blocks of flats on Holly Place which are three storeys of light/grey brick with an angled roof line.

There are areas of green space to the front of many of the properties and large grass verges between the pavement and highway edge. To the north-eastern side of Sumach Close there are large areas of on street parking parallel with the highway.

**Relevant Planning History:**

None relevant to this application.

**Proposed development:**

The application proposes the erection of a part 4, 3 and 2 storey 'L' shaped building to provide 13 flats (5 x 1 bed and 8 x 2 bed).

Number	Type	Size (Sqm)	National Space Standards (2015) (Sqm)
5	1 bedroom flats	55	50
8	2 bedroom flats	74	70

The building is split into two segments (two entrances). One 'block' accessed from the corner entrance feature provides 8 two bed flats (two to each floor).

The second 'block' facing Sumach Close provides 5 one bed flats, two at ground and first floor and one at third floor level.

The 'L' shaped design allows amenity space to be provided to the rear

The building is kept in line with the existing properties of Maywood Avenue retaining an open grass landscaped area to the front of the building.

Refuse and recycling facilities are to be provided in easily accessible locations and will be controlled via condition.

To the rear of the building the existing car park area will be extended to provide 13 car parking spaces, the scheme also promotes cycle parking

### **Consultations:**

#### East Sussex County Council Highways

No objection raised in principle to the application. Comments detailed in section of report 'Impacts on highway network, access or parking'.

The submitted Transport Report has considered the development in terms of additional vehicle movements, car parking, cycle parking, access to public transport and facilities within walking distance.

ESCC highways raised no concerns over the sustainability of the location as it is within acceptable walking distance of schools, shops and public transport. Adequate cycle parking would also be provided and the number of traffic movements that the proposal would create can be accommodated by the local highway network. The one area that is a cause for concern is car parking.

The transport report includes reference to the ESCC parking calculator which has been used to indicate the number of parking spaces which should be provided. The Transport Report states that 23 spaces are needed. Having checked myself, this figure is based purely on the Hampden Park ward which does not provide a large enough data set to be reliable. It is also on the boundary between the Hampden Park and Ratton Wards. Adding in the two nearest adjacent wards provides a large enough data set and results in a total of 20 spaces being needed with one allocated to each flat or 16 if all the spaces were unallocated.

The development is therefore going to create an increased demand for on street parking in the area which is a concern. It should be noted that the Manual for Streets guidance does state that on street parking can be used to provide for a development, but only where the increase can easily be accommodated.

Ultimately any planning permission should be considered against paragraph 32 of the National Planning Policy Framework on highway impacts. This states that 'Development should only be prevented on or refused on transport grounds where the residual cumulative impacts of development are severe'. Although there are concerns about reducing on street parking provision in the vicinity they are not considered to significant enough to have a severe impact on the highway network.

Although the level of parking provided is lower than would ideally be provided the application has demonstrated that there is scope to cater for this demand on street. Although this will impact on the highway it cannot be considered to have a severe impact in planning terms and therefore is acceptable as it is in accordance with the National Planning Policy Framework.

#### Specialist Advisor (Planning Policy)

##### Support the Application

The site is a part greenfield/brownfield site that in principle is acceptable to be redeveloped for housing development. The site has been identified as deliverable within the Strategic Housing Land Availability Assessment, and as such should be supported to meet the Council's challenging 5 Year Housing Land Supply figures.

#### Strategy and Commissioning Officer (Regeneration)

The construction of this residential development provides an opportunity for new employment within the built environment. In accordance with page 13 of the Local Employment Technical Guidance Note, adopted 1 April 2013 this proposal qualifies for a Local Labour Agreement.

### **Neighbour Representations:**

A part of the public consultation Press and Site Notice were posted and 60 individual letters were sent to local residents. As a result of this consultation the following responses have been received.

#### 11 Sumach Close

- Not objecting but questioning amount of parking.
- Considers well designed

#### 16 Holly Place

- Support the proposal for flats in this location.

Objections received from the following properties;

- 6 Sumach Close
- 7 Sumach Close
- 9 Sumach Close
- 10 Sumach Close

- 12 Sumach Close
- 14 Sumach Close
- 39 Sumach Close

For the following reasons;

- Not sufficient space for level of development
- Already a built up estate
- Too close to existing properties, impact on loss of light, noise, overshadowing, privacy
- Loss of green space which is used as a play area
- Over crowding
- Demand for parking, spaces provided only takes into account the number of flats, not those already using the existing parking
- Increased traffic
- Dangerous for pedestrians
- Design of the building
- Surrounding buildings 3 storeys
- Loss of view of downs
- Impact on school provision

### **Appraisal:**

#### Principle of development:

There is no objection in principle to redevelopment of this site for residential purposes.

In line with the requirements of the NPPF the Council supports sustainable housing development coming forward in order to support Local Plan housing targets.

As the proposal is for 13 new flats, the application will not be liable to a CIL contribution. The application proposes 13 social rented affordable units, therefore meets the requirements of Policy D5: Housing of the Core Strategy Local Plan.

The application is in general conformity with the Neighbourhood Policy (Policy C7: Core Strategy Local Plan, 2013) which seeks to 'deliver housing through infill development on underused land'.

#### Impact of proposed development on amenity of future occupiers:

The 8 two bed units provide an internal floor space of 74m<sup>2</sup>, the 5 one bed units provide internal floor space of 55m<sup>2</sup>.

The flats meet the standards set out by the DCLG's Technical Housing Standards – Nationally Described Space Standard 2015 in terms of internal floorspace provision. This is set out as 50m<sup>2</sup> for a one bed two person flat (so providing 1 double bedroom) and 70m<sup>2</sup> for a two bed four person flat (so providing 2 double bedrooms).

The scheme provides amenity space to the rear of the block and all flats have access to a balcony area approx. 6m<sup>2</sup> which also provides amenity space for occupiers.

The building is 'L' shaped and therefore there would be a degree of overlooking onto each other at the rear, however this is considered acceptable and will not have significant impacts on the future occupiers. Therefore the standard of accommodation provision for future occupiers is considered good.

Impact of proposed development on amenity of surrounding residential properties:

The closest residential properties are those fronting Maywood Avenue (terrace 110-124), the building would be set 3m from the end of this terrace. The existing public pathway will be maintained here, this will also provide rear access to the amenity space to the rear.

The building has been designed to set back 0.6m from the rear building line of the properties of Maywood Avenue with the section closest jutting out with a window to the corner facing back onto the proposed building. This minimises the overlooking towards the rear garden of the adjacent properties.

There will undoubtedly, given the 'L' shape of the proposed building be additional overlooking on those adjacent properties of Maywood Avenue rear gardens, and towards the rear elevations.

At present there is limited overlooking of the rear of these properties given the separation distance to the properties of Blackthorn Close and location of garages. However they are terraced and therefore there is limited privacy to rear gardens and the additional impact is not considered significant to warrant the refusal of the application.

To the north-east of the site, on the opposite side of Sumach Close there are existing properties, the immediately adjacent being flats, one on ground floor and one at first floor. At present these overlook an open space, however the separation distance between the existing and proposed properties is considered acceptable.

The addition of balconies to the front elevation is not considered to have a significant impact on the level of overlooking or loss of privacy to the properties opposite to warrant the refusal of the application.

Design issues:

The proposed building is an 'L' shape given the corner plot, and to provides rear amenity space in addition to balconies.

The scheme is two blocks. The corner block of two bed flats has a stairwell entrance at the corner with a property either side of the central core, two bedroom flats over four floors. The second attached block faces Sumach Close with 5 one bed flats over 3 storeys, combined living/kitchen areas, with balconies available to the front of the building, with bedroom and bathroom to the rear.

The scale and massing is similar to that of the blocks of flats opposite on Holly Place.

The materials proposed are a brick plinth at ground floor level, white painted render above with glazed balconies. The top storey is designed as a mansard style roof with differing material to reduce the bulk of the building.

The height on the corner provides a corner building with the height decreasing to the rear to two storeys, which reduces the bulk. The design is more modern than the existing buildings, and includes a more diverse palette of materials providing more interest to the corner plot.

The materials, bulk scale and appearance of the building is considered acceptable and it is considered the quality of the design will enhance the surrounding area.

Cycle parking and refuse and recycling facilities will be controlled via condition.

#### Landscaping and Impact on Trees:

Currently the area is an open green space. Landscaping will be retained to the front facing Maywood Avenue and around the building to maintain the character of the area with open grass verges. The expansion of the car park will also increase the level of hard landscaping up to 4-6 Sumach Close.

The landscaping surrounding the building is designed to be simple, a communal seating area is proposed set back from Maywood Avenue. Planting is proposed to soften the relationship between the private units and the public highway.

Two trees currently bordering the car park area would be lost following the expansion of the parking area. There is no objection to their removal.

A landscaping scheme will be requested by condition to ensure suitable planting is provided to maintain the character of the area with open green spaces and verges.

#### Impacts on highway network, access or parking:

The existing car park area is to be enlarged to provide 13 parking spaces. The level of parking is considered acceptable for the number and type of new dwellings proposed.

It should be noted however that the car park is existing, and informally used by surrounding residential properties. There is significant available on-street parking in Sumach Close as the parking is parallel to the highway, increasing the amount of available parking spaces.

A number of objections have been received to the application on the grounds of increasing demand for on-street parking. The parking area is under the control of Eastbourne Borough Council and has been freely available to use since it was built. There does not appear however, to be any requirement for this area to be provided for parking for the adjacent properties. On this basis the use of this area could be removed at any time without the need for any formal consent.

As identified by the ESCC highways response any refusal based solely on highway/parking grounds could not be justified/substantiated as the degree of harm is less than severe and as identified by the NPPF in these circumstances permission should be supported.

#### Planning obligations:

Affordable housing:-The application proposes 13 social rented affordable units, therefore meets the requirements of Policy D5: Housing of the Core Strategy Local Plan. A condition is proposed to control the tenure of the proposed units.

CIL:-The proposal constitutes flats and therefore no CIL is payable.

Local Employment initiatives:- In addition given the scale of the development there is a policy requirement that the scheme should deliver some local employment initiatives. A S106 legal agreement is required to deliver this initiative.

#### **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:**

The application is considered acceptable in principle, the proposal is in line with the requirements for sustainable development within the NPPF. In addition the Council supports sustainable housing development coming forward in order to support Local Plan housing targets.



The bulk, scale and massing of the proposed building is considered to provide a corner building, enhancing the area.

The impact on residential amenity of the existing properties is considered acceptable. The building has been designed to minimise overlooking on surrounding properties, having the majority of the living accommodation on the front elevation. It is not considered that a reason for refusal based on the impact on the surrounding properties loss of outlook/overshadowing or privacy could be justified.

The amount of parking is considered acceptable given the number of additional units proposed. It is not considered that the proposal, given the good transport links on Maywood Avenue, and the type/tenure of the proposed units would have significant impacts on the demand for on-street parking to warrant refusal of the application.

**Recommendation:**

Subject to a satisfactory legal agreement to cover local employment initiatives then Grant Planning Permission subject to the following conditions;

1. Time for commencement
2. Approved drawings
3. Samples of proposed materials
4. Refuse/recycling storage (details submitted and to be provided prior to occupation)
5. Landscaping/planting
6. Wheel Washing
7. Surface Water drainage (Highways)
8. Parking provision (laid and provided before occupation)
9. Cycle Parking (details submitted and to be provided prior to occupation)
10. SUDS
11. The residential units hereby approved shall be retained in perpetuity as affordable rented accommodation unless previously agreed in writing by the Local Planning Authority.