

App.No: 151314 (PPP)	Decision Due Date: 22 March 2016	Ward: Old Town
Officer: Jane Sabin	Site visit date: Numerous	Type: Planning Permission
Site Notice(s) Expiry date: 16 January 2016		
Neighbour Con Expiry: 16 January		
Press Notice(s): 12 January 2016		
Over 8/13 week reason: over 8 weeks given amendments to the scheme and committee cycle		
Location: Ridglands, 2 Upland Road, Eastbourne		
Proposal: Erection of a two and a half storey building containing 10 two bedroom flats and 12 parking spaces with a new vehicular access from Upland Road. ***AMENDED SCHEME***		
Applicant: Mr GARY FERRIER		
Recommendation: Grant Planning Permission subject to legal agreement and conditions		

Executive Summary

The use of the land for redevelopment as flats would make good use of the land, and would contribute towards the towns housing stock in line with strategic housing policies in the Core Strategy Local Plan, and the presumption in favour of sustainable development as outlined in the NPPF. It is considered therefore that the principle of development is acceptable.

The bulk, scale and massing of the proposed building is considered to provide an acceptable form of development that uses local vernacular features to set this building into its local context.

The impact upon residential amenity of the existing properties is considered acceptable. The building has been designed and sited to minimise overlooking on the surrounding properties. It is not considered that a reason for refusal based on the impact on the surrounding properties through loss of outlook, overshadowing or privacy could be justified.

The amount of parking (12 car parking spaces for 10 flats) is considered acceptable. It is not considered that the proposal, given the good transport links near to the site and the level of parking proposed that a reason for refusal on this issue could be substantiated/sustained.

Subject to a S106 legal agreement covering Local Employment Initiatives that permission be granted with conditions.

Relevant Planning Policies:

National Planning Policy Framework 2012

Paragraphs 1-5 (Introduction)

Paragraphs 6–16 (Sustainable Development)

Paragraph 17 (Core Planning Principles)

Paragraphs 56-66 (Design)

Paragraphs 109-125 (Natural Environment/Biodiversity)

Paragraphs 126-141 (Conservation/ Heritage/ANA)

Borough Plan Policies

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C10: Summerdown and Saffrons Neighbourhood Policy

D1: Sustainable Development

D5: Housing

D8: Sustainable Travel

D10A: Design

Eastbourne Borough Plan Saved Policies 2007

NE28: Environmental Amenity

UHT1: Design of New Development

UHT2: Height of Buildings

UHT 4 Visual Amenity

UHT Protected Walls and Landscapes

UHT6: Tree Planting

UHT7: Landscaping

HO2: Predominantly Residential Areas

HO7: Redevelopment

HO20: Residential Amenity

TR2: Travel Demands

TR6: Facilities for Cyclists

TR11: Car Parking

Site Description:

This site contains a large, detached, two storey dwelling occupies a substantial triangular plot, located on the corner of Upland Road and East Dean Road, with a vehicular access

from Upland Road at the eastern end of the site, very close to the corner. The house dates from the 1920's/30's and is positioned towards the southern corner of the site, so that it has a large side and rear garden, enclosed by brick and brick/stone walls with mature screen planting. Of particular note is a very fine copper beech in the eastern corner, adjacent to the vehicular access, this tree is covered by Tree Preservation Order 159. The site is generally level within the boundary walls, however both Upland Road and East Dean Road rise to the west, and the two dwellings adjacent to the west boundary are situated on higher ground.

The area is characterised by detached two-storey dwellings, although there are a number of semi-detached properties immediately opposite the site. Opposite the site on East Dean Road is Downside Court, a substantial building that has been divided into flats.

Relevant Planning History:

EB/1988/0301 Single-storey extension at rear and new detached double domestic garage
Approved Conditionally 1988-07-13

EB/1973/0035 1 pair of semi-detached dwelling and a terrace of 5 houses with garages and parking Refused 1973-01-25 for the following reason:-

'That the proposal would result in an overdevelopment of the site, inappropriate to the established form character and layout of the adjacent land'.

EB/1972/0773 Erection of 3 pairs of semi-detached dwellings with 6 garages. Refused 1972-11-02 for the following reasons:-

*'1. The proposal would result in an overdevelopment of the site inappropriate to the established form, character and layout of the adjacent land.
2. The land may be affected by future highway improvement proposals.*

120562 Erection of a detached two storey dwelling with garage and parking. Outline (some reserved) Approved conditionally 18/02/2013

Proposed development:

The application proposes the demolition of the existing dwelling and garage on the site and erection of a new building containing 10 flats.

The building is sited broadly following the building line of properties in East Dean Road with an angled element to take account of the tapering plot at the junction of Upland Road and East Dean Road.

The building is 2-3 storey in height and set broadly an 'L' shaped footprint. The site is accessed for pedestrians and vehicles from Upland Road, and as such this

could be deemed to be the principle elevation. Given the nature of the site and the siting of the building that the proposed building has been designed to have 'two fronts'. In essence the proposed detailing is carried through on both the Upland Road and East Dean Elevations. This detailing includes steep pitched gable roofs, tile hanging, bay windows, sliding sash windows, discrete dormer windows, timber feature boarding (within gables) and substantial chimney features.

The site is to be accessed from Upland Road and provides access to the new building, bin/cycle stores and a car park court for 12 off street car parking spaces. The access from Uplands Road is the same as previously approved under application 120562. The application has been accompanied by a transport assessment which includes vehicle tracking details and confirms that the access and the quantum of parking spaces are fit for purpose.

The application is also accompanied by a drainage report and an arboricultural assessment. Both of these reports conclude that the development subject to further details (controlled via planning condition) can be implemented without resulting to material harm to these issues.

Proposed Accommodation Schedule

<i>Location/number on plan</i>	<i>Type</i>	<i>Size (Sqm) Approx.</i>	<i>National Space Standards (2015) (Sqm)</i>
<i>Ground Floor 1</i>	<i>2b (3p)Flat</i>	<i>68</i>	<i>61</i>
<i>Ground Floor 2</i>	<i>2b (3p)Flat</i>	<i>68</i>	<i>61</i>
<i>Ground Floor 6</i>	<i>1b (2P)Flat</i>	<i>55</i>	<i>50</i>
<i>Ground Floor 7</i>	<i>2b (4p)Flat</i>	<i>65</i>	<i>70</i>
<i>First Floor 3</i>	<i>2b (3p)Flat</i>	<i>68</i>	<i>61</i>
<i>First Floor 4</i>	<i>2b (3p)Flat</i>	<i>68</i>	<i>61</i>
<i>First Second Floor 8</i>	<i>2b (4p) Maisonette</i>	<i>105</i>	<i>70</i>
<i>First Floor 9</i>	<i>2b (4p)Flat</i>	<i>65</i>	<i>70</i>
<i>Second Floor 5</i>	<i>2b (4p)Flat</i>	<i>112</i>	<i>70</i>
<i>Second Floor</i>	<i>2b (3p)Flat</i>	<i>55</i>	<i>61</i>

The building is split into two segments (two entrances) both are accessed from the Upland Road side of the building. One 'block' accessed from the top of the block near to 53 East Dean Road and the other from the lower part of the block closest to the sites junction with Upland Road/East dean Road.

The 'L' shaped design facilitates amenity space to be provided around the building.

Consultations:

Internal:

Specialist Advisor (Arboriculture) Noted scheme has been amended following previous advice and subject to conditions controlling the construction of certain elements of the scheme the development could be implemented without materially impacting on the significant trees on/adjacent to the site.

Specialist Advisor (Planning Policy) The NPPF outlines that support should be given to sustainable development in this regard there are no policy objections

External:

Highways ESCC Access to the site should be fit for purpose.

SUDS ESCC Long term maintenance of the proposed SUDS scheme should be controlled via further controls at the decision stage.

Neighbour Representations:

The publicity on this application related to press and site notice and 48 individual letters to the occupiers of neighbouring/nearby properties.

As a result of this publicity 39 letters of objection were received and 1 letter of support.

The objections that have been received and cover broadly the following points:

- 3 storey building would overlook buildings in the area
- Poor visibility at the junctions
- Narrow congested road
- Parked vehicles may impact upon emergency vehicle access
- Dangerous corner
- Does not enhance the area
- Not blend in with Uplands Road/Ridgelands Close
- Flats are not common in area
- Steep road is affected by snow and ice
- No. of occupiers would add to an increase in on street parking
- Felling of trees would increase overlooking
- Vehicles pass site at high speeds
- More activity at the site would increase safety concerns
- Need a car to live in this area, not that accessible
- Would add traffic to the area
- Upland Road not wide enough to cope with this development
- Gross over-development of the plot
- Dominate the street scene
- ESCC are in discussions over local traffic calming measures
- Mundane looking building
- Building lacks architectural merit
- Increase in noise levels

- New nursing home to be built nearby would add to congestion
- Not enough off street parking
- Building does not reflect Edwardian era
- Ecological harm by the removal to trees and shrubs from site
- If supported would set a dangerous precedent for other sites
- Increase in on street parking would impact on other road users

Appraisal:

The main issues to take into account in determining this application are:

- The use of the land for the provision of housing
- Design of the development
- Residential amenity
- Visual amenity
- Highway safety

The use of the land for the provision of housing:

Members will be aware from the Update on Housing Delivery reported to the last Planning Committee on 2 February 2016 and also reported elsewhere on this agenda that the Council cannot currently meet the five year housing land supply. Given the very considerable weight that the government places on the delivery of new sustainable housing via the National Planning Policy Framework (NPPF), the principle of providing housing on the site must be regarded as established and acceptable.

In this regard significant weight should be given to this issue in the determination of the application. In this regard a refusal based on the principle of redevelopment for residential purposes could not in isolation be substantiated.

Design:

The design of the new building picks up architectural references from other properties in the locality and as such aims to promote a 'traditional' looking building rather than contemporary.

It is considered that the proposed elevations incorporating a vertical emphasis of windows and steeply pitched roof and external materials using brick/render and of tile hanging are appropriate design elements for this building.

In terms of the mass of the building it is accepted that the proposal differs from the prevailing pattern of development in the area, however given the articulation and modulation throughout the elevations of the building the mass is significantly broken up. In addition, given the nature of the site abutting East dean Road (a major thoroughfare to/through Eastbourne), with Downside Court and also the pending care home development opposite the site that in the wider context the proposed building would not be out of character.

The building proposes second storey accommodation with the proposed roof space. It is considered that this is facilitated by gable end windows , roof/sky lights and dormer windows all of these elements reduce the scale mass and bulk of the proposal to an acceptable level. It is accepted that the span of the proposed building and the desire to provide accommodation within the roof slope are such that elements of flat roofs are proposed, this is located behind pitched roof elements so that new building will present to the street a pitched roofed scheme.

Residential amenity:

The siting of the development respects in general terms the front and rear building line of the adjacent property No 53 East Dean Road and also maintains a significant separation distance to the other properties in East Dean Road and Uplands Road such that any overlooking – loss of privacy would not be as severe to substantiate a reason for refusal.

The distances between the proposed building and 53 East Dean Road and 4 Uplands Road (adjoining neighbours) and No 15 Uplands Road (mid property along Uplands Road) are as follows:

4.8m - 53 East Dean Road and flank of proposed building

23.5m - Corner of No 4 Uplands to Corner of proposed building adjacent to 53 East Dean Road

22.5m – Front bay window of No 15 Uplands Road to nearest corner of the proposed building

44m - Front bay window of No 15 Uplands Road to farthest corner of the proposed building

This application plot is disproportionately larger than the majority of others in the area and given the siting of the existing dwelling/garage is such that some of the nearby properties may well have benefited over time from not being overlooked or having views over this plot however at the distances (highlighted) above, it is considered that any loss of view, privacy or overshadowing would not be as severe so as to sustain a reason for refusal.

In terms of noise, it is accepted that during the demolition and construction phase of the development there will be noise impacts; these though are considered to short term and not sufficient to sustain a refusal of planning permission. As far as noise from building works are concerned, the local planning authority can only impose restrictions on working hours during the build, and cannot refuse planning permission for this reason, no matter how strong the feeling is amongst local residents.

In terms of noise impacts from the proposed development post completion would not necessarily give rise to any increase, over and above the already very high noise levels (from traffic) evident when standing anywhere in the vicinity.

Highway safety:

A large number of objections have centred on the high levels of traffic on this section of East Dean Road and Uplands Road and the danger presented by building 10 flats close to it and the additional traffic created.

East Sussex County Highways has confirmed that the provision of 10 units would not add a significant amount of traffic to local highway network and as such in NPPF terms where severe harm cannot be identified then a refusal on highway grounds should not be pursued.

The operational requirements of the site in terms of access, bin/refuse facility and carpark court layout are considered fit for purpose and meet the needs of the proposed development.

Sustainable development implications:

The site is located in a sustainable location close to the main road in and out of the town, which is well served by buses. Shops, schools, the college and the hospital are nearby, as is open space of Gildredge Park and The South Downs Park. As such the proposal is considered to be in a very sustainable location, and therefore complies with local and national policies.

Other matters:

It is acknowledged that the proposed sizes of some of the flats are marginally below that prescribed by the National Housing Standards. It is considered that despite some of the units falling below this threshold that the units proposed present a form of accommodation that remains useable and therefore promotes an appropriate form of development.

The application falls below the threshold for affordable housing and also as it proposes flats there is no CIL charge.

A S106 agreement would be required to support Local Labour Initiatives.

Subject to appropriate conditions the scheme can be developed safeguarding the high amenity trees/hedges/walls in and around the site.

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:

Scheme complies with National and Local Plan policies, promotes a new building that is considered to be respectful of the local vernacular and provides windfall residential units that would help to meet the housing needs. The amount of parking is considered acceptable, it is considered that given the sustainable location a refusal based on this issue could not be substantiated.

Recommendation:

- 1. Subject to a satisfactory Legal Agreement to cover Local Employment Initiatives then Grant Planning Permission subject to conditions**
- 2. Should the S106 agreement not be signed within a reasonable time period 8 weeks from the date of the Committee resolution (unless an extension of time has been agreed) the application should be refused on the grounds that the application would not meet policy requirement in terms of the delivery local labour initiatives.**

Conditions:

1. Commencement within three years
2. Development in accordance with the approved plans
3. Construction/Demolition Management Plans to include Hours of operation (building works)
4. Samples of materials
5. Provision of parking spaces in accordance with approval before occupation
6. Provision of cycle/refuse storage in accordance details to be approved before occupation
7. Details of boundary treatment/fences
8. No fences within 1m of the boundary with the footpath in Framfield Way
9. No walls over 600mm in height between the car hard standings and the boundary with the footpath.
10. Submission of details of surface water drainage details to confirm that surface water will not discharge over the highway
11. Wheel washing facilities
12. Retaining wall details
13. Landscaping
14. Tree protection
15. Finished floor levels (resulting in a building with an external height to ridge of 9.6m SUDS condition regarding designing the surface water drainage system
16. SUDS prior to commencement ground investigations to establish infiltration rates and depth of groundwater

17. SUDS requirement for surface water management proposals to be supported by detailed hydraulic calculations
18. Submission of a maintenance and management plan for the entire drainage system