

<b>App.No:</b> 151382 (PPP)	<b>Decision Due Date:</b> 7 March 2016	<b>Ward:</b> Upperton
<b>Officer:</b> Jane Sabin	<b>Site visit date:</b> 28 January 2016	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 4 February 2016		
<b>Neighbour Con Expiry:</b> 4 February 2016		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b>	Land At Rodmill Drive	
<b>Proposal:</b> Erection of four dwellings with car parking spaces at the rear accessed from Rushlake Crescent.		
<b>Applicant:</b>	Eastbourne Homes Ltd	
<b>Recommendation:</b> Approve subject to conditions		

### **Executive Summary:**

This application was deferred from March Planning Committee in order to clarify a land ownership issue. The landowner has now been informed of the application and has made no direct representations upon the application.

It is considered that the proposed development would have no adverse impact on visual, residential or environmental amenity, or on highway safety, whilst providing much needed family housing in a very sustainable location. As such the development accords with the National Planning Policy Framework and the Council's adopted policies set out in the Eastbourne Core Strategy Local Plan 2013 and Eastbourne Borough Plan Saved Policies 2007.

The scheme is recommended for approval subject to conditions.

### **Planning Status:**

Site located within a predominantly residential area.

### **Relevant Planning Policies:**

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C5: Ocklynge & Rodmill 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  
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:**

The application site comprises an open area of grass (696m<sup>2</sup>) on the junction of Rodmill Drive, Framfield Way and Rushlake Crescent. There are blocks of flats to the north and north-west, houses to the south, and the Framfield Way shops (with flats above) to the west. The character of the wider Rodmill area is characterised by dwelling houses of varying designs and sizes.

The site slopes from north to south and from west to east. One small tree (an Acer Maple) is located near the west boundary. Although the tree is small, it is well established.

In one corner of the site, there are four off-street parking spaces, formerly connected with the flats in Rushlake Crescent. They have not been used for many years, and remain blocked off from use.

**Relevant Planning History:**

None; the site was laid out as part of the development of the Rodmill Estate.

**Proposed development:**

Planning permission is sought to construct four dwellings on the site, facing Rodmill Drive, with parking spaces and enclosed rear gardens accessed from Rushlake Crescent to the rear. The proposed dwellings would be connected to each other at ground floor level only by the combined hall/study, so that the appearance would be of detached dwellings.

National Space Standards

4 x Units	Proposed floorspace	National Space Standards	National Space Standards
	3 bed 6 person	2 Storey	3 Storey
Each unit	112 Sqm	102	108

Each dwelling would have three bedrooms, two bathrooms, a living room, kitchen/dining room and a combined hall/study arranged over three floors, with one of the bedrooms in

the roof space. The footprint of the dwellings would be 5.6m wide (excluding the hall/study) and 8.7m deep (excluding the bays), with an overall accommodation space over three floors of 112m<sup>2</sup>. The maximum height of the dwellings would be just over 8m to the ridge of an asymmetric grey tiled roof with a lead clad dormer on the east side. The walls would be a mixture of blue/black brick, white painted render and cedar cladding. The doors and windows would be aluminium covered timber, also in grey.

The rear gardens would average 4.6m in depth, with a further 5.9m allocated for parking and refuse storage; cycle storage would also be provided in the rear garden area. Due to the sloping nature of the site, the rear gardens would be graded to the ground floor level of the dwellings, with the parking at pavement level secured by retaining walls with fencing for privacy. The dwellings will be accessed from the front and the rear.

In order to facilitate the development the existing tree on the site would be lost.

The Design and Access Statement submitted with the application indicates that that particular regard would be had to energy efficiency, in terms of materials, fittings, water consumption and waste. It also identifies the house type as being 'Lifetime Homes' compliant.

### **Consultations:**

#### Internal:

Specialist Advisor (Arboriculture) – Support subject to compensatory tree planting.

*The proposal will lead to the loss of the only tree on site which is an Acer (Maple); this tree is not of sufficient merit to be considered a constraint to the development. Nonetheless, the tree is part of the Borough's tree stock and as such is considered an asset. Therefore this asset has been valued in a monetary form using the Helliwell System to ensure the Council's overall tree asset is maintain by using the funding secured to provide compensatory tree planting (7 trees in the wider Rodmill area).*

Highways ESCC - No objection, the scheme is acceptable.

*There is an existing parking area within the site, and there would normally be a concern about displacement of parked cars. In this case however the area has been blocked off for at least 5 years with the spaces advertised for rent. There seems to have been little/no use of these spaces, with cars instead parking across the spaces blocking the footway. The loss of this area will not have a significant impact on the level of parking in the area.*

*The layout of the site as shown is acceptable. Although the vehicle access for one property will be relatively close to the junction with Rushlake Crescent, there is adequate visibility so it is not considered a significant problem. Two parking spaces per dwelling with pedestrian access are proposed, along with cycle and bin stores. The ESCC parking calculator suggests that 9 spaces should be provided. As the shortfall is only one space this is not considered to be a severe issue and therefore is acceptable. Cycle storage should be covered and secure.*

*A section of boundary wall is proposed between the bin stores and the footway in Rushlake Crescent. The height of this wall will need to be a maximum of 600mm to allow adequate pedestrian visibility.*

*It is acknowledged that this site is located in a busy section of the highway network that suffers from congestion for large parts of the day. However, the level of vehicle movements created by this development will be low, likely adding only 2/3 trips in each peak hour which can be accommodated by the highway network without significant issue. As the impact of the development will not be severe on the highway network the proposal is in accordance with the National Planning Policy Framework and is therefore acceptable.*

Specialist Advisor (Planning Policy) – The development is acceptable.

*The application proposes 4 dwellings on amenity land that has been identified for residential development in the Council's Strategic Housing Land Availability Assessment (SHLAA). Therefore in principle the development is acceptable. The Council relies on identified sites coming forward for development in order to meet its challenging local housing targets set out in the Core Strategy Local Plan (2013). The application states that the residential development will be provided as 'affordable' this would also result in the application being exempt from Community Infrastructure Levy contributions.*

External:

Neighbour Representations:

A petition signed by 160 residents has been received, and 24 individual objections, including the freeholder of St Clements Court (a housing association Anchor). The objections are summarised thus:

- The tree is covered by a preservation order
- This is the last grass area left on the Rodmill Estate; the only landscaped area in the vicinity; no respect for the environment; residents are being hemmed in; even the smallest of green spaces has a substantial positive impact, particularly the elderly residents of St Clements Court; will ruin the look of the road; surely there are better brownfield sites
- Gross over-development of a very small site; will significantly change the character of the area; a carbuncle; the gardens are too small for children to play in; oppressive development on a small site
- Why build on a grass bank when the large housing estate underway in Kings Drive opposite are struggling to sell
- Very concerned that if this goes ahead it will set a precedent for building on every last piece of landscaped green space that was intended at the time of original developments to enhance the area; it would be better to create a garden on the area for the benefit of residents
- Proximity of building to St Clements Court (housing scheme for older people) and resulting noise, disturbance, overshadowing, loss of light and outlook, creating a claustrophobic atmosphere; loss of privacy to the flats behind and houses opposite
- Would result in more traffic using the Framfield Way/Rodmill Drive junction, as well as Rushlake Crescent (the only vehicular access to St Clements Court for emergency services); will create a blind spot for the junction; hazardous for residents trying to cross the road

- Rushlake Crescent could not cope with the traffic generated by the building works
- Pressure on on-street parking, which is already difficult; would also make the lay-by at St Clements Court difficult to use (already suffers from constant illegal parking/parking on pavements); will make parking in Framfield Way chaotic
- No consideration for residents who live nearby; it's all about money and objections are a waste of time as the decision has already been made
- Will prevent the shops being visible from Kings Drive and will affect trade
- Pollution in the area is a health hazard, and will be worse when Meadow Fields is completed
- Pollution and noise impacts on the wellbeing and quality of life of residents of St Clements Court during construction, which could cause a great deal of distress and disruption
- The site is unsuitable for development; particular concern should be given to the residents of St Clements Court due to their age and vulnerability
- Hospitals, doctors, schools and social services cannot cope with any more developments. Council budgets are already stretched and being cut, yet more development is being invited - unsustainable

### **Appraisal:**

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

- The principle of development for housing
- The loss of the amenity area and the impact on environmental amenity
- Design of the development
- Residential amenity
- Visual amenity
- Highway safety

### The Principle of development for housing:

The site has been identified in the Strategic Housing Land Availability Assessment (SHLAA) as a site that could deliver housing.

The inclusion of the site in the SHLAA was driven by its assessment in the Open Spaces Study as being of poor quality. Members will be aware from the Update on Housing Delivery reported to the last Planning Committee on 2 February 2016 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 housing via the National Planning Policy Framework (NPPF) and the hierarchy of the local plan and its supporting documents (in this case the SHLAA), the principle of providing housing on the site must be regarded as established and acceptable.

### Loss of amenity area/environmental amenity

The Rodmill Estate was developed during the 1960's and 70's, and the application site formed part of the planned landscaping of the layout connected with the adjacent flats. It has remained as an open grassed area supporting one tree. Although it adds to the open aspect of the junction, it is not comparable to the other amenity areas on the Rodmill Estate (the greens in Burton Road, Pockocks Road and adjacent to Kings Drive), which support many trees and make a significant contribution to the character of the area. With regard to the tree, it is not subject to a preservation order, nor does it meet the criteria for the making of a new order, and therefore should not be considered as a constraint to development. Notwithstanding this, it is considered that compensatory

planting should be provided in the vicinity. The Open Spaces Study 2005 identified the site as being a poor quality amenity area. Although not an adopted document, it was an evidence document for the Core Strategy adopted in 2013, and therefore carries considerable weight.

Design of the development :

The design of the dwellings picks up references from other properties on the estate, notably the asymmetric roofs and the single storey links at ground floor level, as well as the horizontal emphasis of the fenestration. The introduction of two storey bays, dormers and render is, however, untypical, but that is not to say such features are unwelcome. The agent describes the design as "*intended to evoke a feeling of 'traditional' whilst being contemporary*". New developments need not be copies of the buildings around them. In this particular location, there is no rigid pattern to conform to in terms of layout or design; the Framfield Way shops have three stories under a flat roof, St Clements Court has three stories under a pitched roof with one slope over sailing the pitch of the other, whilst the adjacent flats are a simple two-storey block form under hipped and pitched roofs. Moreover, each is constructed of different bricks; the overall result is a prominent part of the estate on a busy junction with no cohesive character. It is considered that the scale, massing and design (including the use of materials) of the proposed dwellings is acceptable for this location.

Residential amenity:

The siting of the development would provide reasonable separation distances between existing flats and dwellings. The distances between the proposed dwellings and the nearest wall/window of the surrounding properties are as follows:

21.5m Framfield Way shops/flats  
24.8m St Clements Court  
21.5m St Clements Court  
15.6m 4-10 Rushlake Crescent  
25.3m 1-11 Rodmill Drive

At these distances, it is considered that there would be no loss of privacy, loss of light or overshadowing involved to any adjoining residents. The main impact would be on the windows on the flank wall of St Clements Court. Residents have benefitted from an open aspect from these windows since the flats were built, and whilst the development would present a significant change, it is considered that the combination of the distance involved and the southerly outlook would result in no great degree of harm to residents' outlook. The development would have an impact on residents' views from these windows, but the loss of views is not an issue which can be taken into account in determining planning applications.

In terms of noise, it is considered that the provision of four dwellings 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. 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.

### Visual amenity:

As stated above, the Open Spaces Study 2005 has identified the site as being of poor quality. Whilst the loss of open space should not be underestimated, it is considered that its contribution to the visual amenities of the area is not so significant in this particular instance, when balanced against the need to provide housing and the quality of the units to be provided, that a refusal could be reasonably sustained. There are no spaces of sufficient size within the development for replacement tree planting, therefore replacement tree planting should take place elsewhere on the estate, as requested by the Specialist Advisor in Arboriculture.

### Highway safety:

A large number of objections have centred on the high levels of traffic on this section of Rodmill Drive and the danger presented by building dwellings close to it and the additional traffic created.

East Sussex County Highways has confirmed that the accident record for the roundabout over the last three years is very low (four recorded), and of a minor nature (no injuries). The provision of four dwellings would not add a significant amount of traffic to an already very busy roundabout, with the worst case scenario being one extra car every 20 minutes (and likely to be very much less).

The layout of the access to the dwellings is acceptable to Highways, and no reason can be found to dispute this; it is therefore considered that there would be no impact on the use of the private parking facility for St Clements Court or for other users of Rushlake Crescent. The height of the dividing walls adjacent to the highway will need to be controlled by condition in the interests of pedestrians and other road users.

The shortfall of only one space is not a significant issue, particularly as each dwelling has two dedicated on-site parking spaces. The National Planning Policy Framework is very clear that parking and highways issues must be severe to warrant a refusal.

Given the above a refusal based on highway impact terms could not therefore be substantiated.

### 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 Hampden Park. As such the proposal is considered to be in a very sustainable location, and therefore complies with local and national policies.

### Other matters:

The application identifies the units as being affordable units, thereby claiming an exemption from a contribution to the Community Infrastructure Levy (CIL), this is permissible under the CIL legislation.

### **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 proposed development would have no adverse impact on visual, residential or environmental amenity, or on highway safety, whilst providing much needed family housing in a very sustainable location. As such the development accords with the National Planning Policy Framework and the Council's adopted policies set out in the Eastbourne Core Strategy Local Plan 2013 and Eastbourne Borough Plan Saved Policies 2007.

**Recommendation:** Approve, subject to a mechanism for the continued provision of affordable housing units at the site and replacement tree provision the following conditions:-

**Conditions:**

1. Commencement within three years
2. Development in accordance with the approved plans
3. 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 hardstanding's and the boundary with the footpath.
10. Submission of details of surface water drainage
11. Wheel washing facilities
12. Restriction of permitted development rights (extensions)

**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.**