

App.No: 170224	Decision Due Date: 30 th May 2017	Ward: St Anthony's
Officer: Thea Petts	Site visit date: 3 rd March 2017	Type: Planning Permission
Site Notice(s) Expiry date: 25 th March 2017		
Neighbour Con Expiry: 25 th March & 23 rd April 2017		
Press Notice(s): 10 th March 2017		
Over 8/13 week reason: N/A		
Location: nos. 84,86,88 and 90 Northbourne Road, Northbourne Road, Eastbourne		
Proposal: Demolition of 4no. 3 bed houses and erections of 7no. 2 bed flats and 5no. 1 bed flats. Creation of 12no. car park spaces and associated bin and bike stores.		
Applicant: Eastbourne Homes Ltd		
Recommendation: Approve conditionally and subject to a S106 Agreement for a Local Labour Agreement		

Executive Summary:

The case is being reported to Planning Committee as it is a Major Planning Application.

Four vacant dwellings (nos. 84, 86, 88 and 90 Northbourne Road) affected by subsidence stand on the application site and this application proposes the demolition of these four dwellings and construction of twelve flats with twelve parking spaces in their place (100% parking).

Overall, the proposed development is considered appropriate and compliant with adopted policies. The proposed units comply with the Nationally Described Space Standard and are in all other respects considered appropriate for future occupiers. The development is not considered likely to have a significant negative effect on the wider area, which is a mix of residential and industrial/commercial uses.

Due to the Council's shortfall in the five year housing land supply, the NPPF requires that planning permission should be granted for new housing unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. It is considered that any adverse impacts of this proposal will not significantly or demonstrably outweigh the benefits and the scheme is

therefore recommended for approval subject to conditions and local labour agreement.

Planning Status:

Four residential dwellings with associated amenity space located within a principally residential area.

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change

Core Strategy Local Plan 2013 Policies

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C13: St Anthony's Neighbourhood Policy
- D1: Sustainable Development
- D8: Sustainable Travel
- D10: Historic Environment
- D10a: Design

Eastbourne Borough Plan Saved Policies 2007

- HO2: Predominantly Residential Area
- HO20: Residential Amenity
- TR6: Facilities for Cyclists
- TR11: Car Parking
- UHT1: Design of New Development
- UHT2: Height of Buildings
- UHT4: Visual Amenity
- UHT6: Tree Planting
- UHT7: Landscaping
- UHT20: Archaeological Sites and Scheduled Monuments
- US4: Flood Protection and Surface Water Disposal

Technical housing standards – nationally described space standard

Site Description:

The application site is located on the north side of Northbourne Road on the east corner where the access road for the Britland Industrial Estate meets Northbourne Road. The access road to the Britland Industrial Estate is bordered with grassed areas to both sides, providing a visual break to the west side of the application site. No. 82 Northbourne Road stands to the east

(side) and no. 92 Northbourne Road stands to the west (on the other side of the Britland Industrial Estate access road. To the rear of the application site stand the Britland Industrial Estate and properties at the east end of Finmere Close.

Currently standing on the site are four terraced houses with three bedrooms each. The properties are two storeys high and benefit from front and rear gardens. Only one off-street parking space is currently available and this is associated with no. 84, three of the dwellings therefore do not have access to any off street car parking spaces and rely on on-street. The existing buildings are in the style of most of the other properties lining Northbourne Road and are typical of the area. Approximately, the full height of the existing four dwellings is 7.3m, the eaves height is 5.2m and the width is 26m.

The existing buildings are subject to subsidence and are currently vacant as they are deemed unsafe for habitation.

Relevant Planning History:

None relevant

Proposed development:

The applicant seeks planning permission to demolish the four houses on the site (each of which has three bedrooms with only one having off-road parking facilities) and erect in their place twelve flats, the mix is outlined below. Twelve car parking spaces (100%) are to be provided as well as some cycle storage and bin storage.

The proposed building has essentially a square footprint and is to have three storeys, with the uppermost storey to be within the roof space and served by dormer windows. Approximately the eaves height is to be 5.1m, the full height 9.5m, full width 24.7m and a depth of 16.5m.

The proposed car parking court is to be located on the right hand side of the new building and adjacent to the common boundary with number 82 Northbourne Road. The siting of this car parking court does result in the new building being sited in part on the greensward on the right hand side of the access into the industrial estate to the rear.

Location	Type	Size Sqm	National Space Standards
1	1 bed 2 person	52	50
2	1 bed 2 person	52	50
3	2 bed 3 persons	70	61
4	2 bed 3 persons	70	61
5	2 bed 4 persons	70	70
6	1 bed 2 persons	50	50
7	1 bed 2 persons	50	50
8	2 bed 3 persons	70	61

9	2 bed 3 persons	70	61
10	1 bed 2 persons	60	50
11	2 bed 3 persons	85	61
12	2 bed 4 persons	76	70

Consultations:

Internal:

Specialist Advisor (Economic Development) – supports this application and requests inclusion of a local labour agreement if planning permission is approved

- An Eastbourne Homes development of a similar size within Eastbourne has proved successful in supporting local labour and an apprenticeship placement. It is hoped that this development can support the construction economy similarly.
- In accordance with the Local Employment and Training Supplementary Planning Document adopted on 16 November 2016, this development if approved would qualify for a local labour agreement.

Specialist Advisor (Environmental Health) – no comments received

External:

Southern Water – no comments received

East Sussex Building Control Partnership – No comments received

Environment Agency – no comments received

County Archaeologist – no objections to the site being developed.

- This is the site of 19th century clay quarries
- Unlikely that significant below ground archaeological remains will be affected by the proposal
- No recommendations to make in this instance

Highways ESCC – no objection, subject to the imposition of conditions

- The Parking Demand Calculator indicates that this development would require 16 unallocated spaces. The proposed 12 spaces provided fall below the recommended; however, the existing 4 no. 3 bed units should be provided with 8 spaces where only 1 exists. Therefore, this proposed development is likely to reduce to the requirement for on street parking.
- Cycle parking has been provided. This facility should be covered and secure.
- The development can be achieved at the proposed vehicular access and the entrance to the Britland Estate and cars parked close to these access are unlikely to cause significant problems.
- The vehicular access into the site and the turning space provided are considered acceptable.

- The site is located within walking distance to bus stops with connecting services to the Town Centre and Eastbourne Railway Station
- The site offers travel choices other than the private car

South East Water Limited – No comments received

ESCC Flood Risk (SUDS) - Further information requested

Neighbour Representations:

- 73 neighbour consultation letters sent in initial consultation and were repeated in a second round of consultation.
- 3 Site Notices displayed near the application site
- Public Notice was published in a local newspaper

Objections from the following 8 parties have been received:

The objections cover the following points:

- Overcrowding of the road
- Parking issues which already exist will worsen
- Safety concerns associated with traffic and nearby industrial estate
- People in new flats may have unsociable attitudes to residents of houses
- Houses with off-road parking would be preferred for this site
- Concerned that the scheme is a money making scheme designed for a quick return for investors
- The developers of the four houses did shoddy work - where is the compensation?
- Subsidence may occur in the future and perhaps the site is not good to develop
- Greedy scheme
- Six houses on the site with off-street parking and gardens would be acceptable
- Loss of privacy will occur
- Development would disrupt skyline of the street
- The additional height of the proposed building will reduce privacy to front of properties opposite
- Insufficient parking for additional cars and visitors to the flats
- It doesn't appear that parking spaces for those with limited mobility have been included in the scheme
- The local sewerage system is already problematic
- New development will negatively affect the friendly and safe community of Northbourne Road residents
- Apartment living is extremely anti-social
- The development will result in too many people living on Northbourne Road
- Additional cars will lead to more pollution
- Flats are inappropriate here

- The development will result in noise pollution, e.g. bin collections, deliveries etc.
- Occupiers may loiter in front of the building during the evening, which is unacceptable
- Because of the garden space, bin storage areas and parking spaces, anti-social behaviour will occur at the property
- Existing residents do not know what backgrounds the new residents will have come from
- The street is quiet at night and should stay that way
- The construction of the flats will result in a decrease in house prices nearby
- While works are carried out, dust and pollution from construction vehicles will have a negative effect on the area, making people's cars dusty and contributing to pollution
- It is understood that targets for housing are prescribed and out of the Council's hands, but it appears that the Council has lost sight of local interests in favour of hitting targets
- The development is not in keeping with the area
- The scale of the development is inappropriate
- The ground of the site is not appropriate for development in its current state
- Increase in people and cars will make the area noisier
- Overdevelopment of the area
- Road is already congested and the development will make this worse
- Proposed disruption of the existing building line will affect character of the area
- Development will result in loss of light to no. 92 Northbourne Road
- Height of building will be out of keeping with the character of the area
- Increased overlooking, overlooking from many parties, not just four households
- The road is very busy and unsafe at times and the development will make this worse
- The green area may become a location for anti-social behaviour or to park on
- The presence of Council flats brings additional concerns
- Traffic survey of the area should be undertaken

Appraisal:

Principle of development:

The principle for residential use on the site has already been well established. It is considered, therefore that residential use is acceptable in principle in this location subject to the appropriate design of any replacement building and that it provides an appropriate living environment for the future occupiers of the new apartments and that any new building should not materially affect the amenities of the occupiers of the adjacent properties.

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

Overlooking/Loss of privacy:

Most notably, a number of objections have been made with regard to this development because it is considered that a loss of privacy and increased overlooking would occur as a result of the development, with particular focus on the front of properties located on the south side of Northbourne Road (e.g. nos. 67, 69 and 71 Northbourne Road) and the side elevation of no. 92 Northbourne Road.

It is noted that if the development were to go ahead, there would be an increase in the number of windows and those serving the proposed second floor (within the roof space) would be at a higher level than any of the windows serving the existing buildings on the site. However, it is not considered that the increase in the amount of windows facing the aforementioned properties would lead to an increase in overlooking as the front of the property is already overlooked from the public realm and from the windows of the existing dwellings on the site. Furthermore, the front elevations of both the existing properties on the south side of Northbourne Road and the proposed development would be approximately 22.5m apart. Similarly, the side elevations of the proposed development and no. 92 Northbourne Road would stand approximately 20.5m apart. This being the case, the potential for overlooking is further mitigated by this significant separation of the buildings.

It is considered that the development will not result in loss of privacy from direct overlooking.

Loss of light:

The proposed development, although higher than the existing dwelling houses, is not considered likely to reduce the sunlight received into any adjacent property. Essentially this is due to the separation between the proposed building and the surrounding buildings.

Furthermore, as the development is to pull away from the existing building position close to the boundary of no. 82, it is likely to improve the amount of sunlight received by no. 82.

The development, therefore, is not considered likely to reduce the level of sunlight received into nearby residential properties and in the case of no. 82, may improve on the existing situation.

Amenity for future occupiers of the development

All of the proposed flats will comply/exceed the Nationally Described Space Standard. It is noted that some objectors opposed the scheme on the basis that the dwellings are to be flats, not single private dwelling houses. However, it is considered that the proposed flats will provide adequate internal living space and the two ground floor flats to the rear will have some outdoor amenity space. It is not considered that flats would be out of keeping with the established character of the area in general.

Further to this, the four ground floor flats will have private entrances which will give a house-like impression from street level. It is also likely that this will promote surveillance around the building and will lessen the possibility of anti-social behaviour occurring.

The level of fenestration proposed is considered appropriate and future occupiers should not lack for availability of natural light.

Overall it is considered that the development provides an acceptable level of amenity for future occupiers of the development.

Design issues:

Prior to submission of the current scheme, the proposal has been redesigned following consultations with the local community.

Some objections refer to the design of the building appearing out of place and the scale of the building inappropriate. However, as an unrestricted area, insofar as it is not within a Conservation Area, there are no specific constraints on the appearance of the development aside from compliance with design-based policies. The ridge height of the proposed building is higher than the existing terrace, but as the new building will be a greater distance away from the closest neighbouring property and will subsequently appear more detached, the increased height is likely to be less noticeable in the wider streetscene.

Although the proposal is essentially a low rise block of flats, the design provides visual interest in the use of dormer windows and variegation of the principal elevation and return elevation, which are most visible from the public realm. Further to this, continuity with the existing built form is provided by the eaves level, which closely matches the eaves level of the adjacent dwellings. The overall height to ridge level of the proposed building is to be approximately 1.5m higher than the existing terrace

A number of the characteristics of the proposed development pick up on/echo the surrounding built environment, especially with regard to the roof style. The proposed roof will provide the impression of a hip-to-pitch roof, but there will be an element of flat roof to ensure the height of the building is kept as low as possible, so as not to appear out of scale with the nearby dwellings.

The established building line is to be brought forward slightly. This is not considered to disrupt the rhythm of the existing properties as the slight protrusion is not considered significant enough to affect the character of the area.

The proposed design is considered to harmonise with the area and the proposed flats are considered to blend into their setting.

Impacts on trees:

No impacts to trees are likely to occur as a result of the development.

Impacts on highway network or access:

One theme of the submitted objections was concerned with regards to highway safety. An application for a development of this type would not necessarily be required to be accompanied by a travel/road survey. It is accepted that as a road connecting industrial estates (Britland and Finmere) to the wider area, Northbourne Road is likely to be busy most of the time. Whereas, in principally residential areas, there would likely be marked busier periods on the roads. However, following consultation with ESCC Highways and no associated concerns conveyed in their formal response, it is considered that there is no reason to refuse the scheme on the basis of highway safety. It is therefore considered that the matter of highway safety has been given sufficient weighting in the assessment of the scheme and that subsequently, no further information is required.

Some objectors felt that the cars coming and going from the new development would contribute towards pollution, as would the construction vehicles used during building works. Given the scale of the development and its location it is not considered that a refusal of planning based solely on the potential for increase pollution could be sustained through to a refusal/appeal.

The impacts on the highway resulting from the development are considered acceptable in this instance. In addition, the principle of the new vehicular access is considered appropriate in serving such a development.

Parking provision and opportunities for non-car travel

It is noted that a number of the objections received related to concerns about parking provision. Objectors stated that although Northbourne Road currently has unrestricted on-street parking, at peak times the available parking spaces were in high demand and that if the development were to be supported, this situation would only worsen. Many were concerned that there was no provision for visitor parking or additional cars used by the household.

When comparing the scheme to the existing situation then provision of 12 spaces (100%) would be acceptable and this view is endorsed and supported by ESCC.

As the on-street parking is currently unrestricted and potentially used by Northbourne Road residents, it is not considered inappropriate that a number of the residents of the new development, should use unrestricted parking if the off-street parking is not available to them. This is because it is considered that the off-street parking provided by the scheme would likely absorb the vast majority of cars associated with the new dwellings and would provide better parking provision than many of the existing dwellings on Northbourne Road.

As the flats are to have either one or two bedrooms, it is not anticipated that growing families would be typical occupiers. It is anticipated that the flats would likely be occupied by small households who would not necessarily depend on the private car for transport. Further to this, cycle parking is to be provided to encourage the use of bicycles for transport and the application site is well located in terms of bus connections into town and for onward travel via Eastbourne Railway Station in the Town Centre.

Overall it is considered that the development has potential to promote sustainable transport, which is in-line with the requirements of adopted policies and the NPPF.

Planning obligations:

The number of dwellings proposed as part of the development exceeds the threshold specified in the Local Employment and Training SPD and as such, should be subject to a Section 106 Agreement in relation to devising a Local Labour Agreement.

The net gain in the number of dwellings provided falls below the requirement for an Affordable Housing contribution. As such, there is no requirement for Affordable Housing in this instance.

Other matters:

Five year housing land supply:

The Council accept that it cannot identify a five year supply of housing sites and as the proposals are for housing paragraphs 14 and 49 of the NPPF are engaged. This means that relevant policies for the supply of housing are not to be considered up-to-date and therefore bullet point two for decision making in paragraph 14 requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Against this background the scheme is considered to be an acceptable and appropriate form of sustainable development.

Flood risk:

Although the application site does not stand within a Flood Zone, the development should mitigate flood risk caused by surface water accumulation. Further details on this issue have been requested and will be controlled by planning condition. This information will be important with regards to dealing with water attenuation on the site in order to mitigate localised flooding and ensuring that an appropriate methods are employed.

Archaeology:

Following consultation with ESCC Archaeology, the development is not considered likely to negatively affect any significant archaeological remains. Therefore no action with regard to archaeology will be required.

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 scheme is considered to be in-line with adopted policies, will harmonise with the wider built environment and will contribute towards the need for achieving a five year housing land supply, which Eastbourne currently does not have. The benefits of the scheme are considered to outweigh any adverse effects and as such, should be granted approval to ensure compliance with the NPPF.

Recommendation:

Approve conditionally and subject to a S106 Agreement for a Local Labour Agreement

Conditions:

1. Time
2. Drawings
3. Samples
4. Construction method statement
5. Hours of demolition and construction
6. New access to be constructed in accordance with plan
7. Existing vehicular access to be closed
8. Details of surface water drainage – highway
9. Vehicle turning space, in accordance with plan
10. Car parking to be constructed in accordance with plan
11. Cycle parking to be constructed in accordance with plan
12. Visibility splays
13. Ground levels – surface water drainage
14. Infiltration testing
15. Detailed drainage strategy
16. Hydraulic calculations
17. SuDS maintenance and management plan
18. Landscaping/planting scheme
19. No bonfires – proximity to residents
20. Refuse and recycling collection and storage, in accordance with plan

Informatives:

- 1) S106 for Local Labour Agreement
- 2) Southern Water - connection
- 3) Highways – Licence

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**.