

<b>App.No:</b> 180439	<b>Decision Due Date:</b> 25 June 2018	<b>Ward:</b> Ratton
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 24 May 2018	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 27 May 2018		
<b>Neighbour Con Expiry:</b> 31 May 2018		
<b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> n/a		
<b>Location:</b> Lanark Court/Lanark Close 1, Hamsey Close, Eastbourne		
<b>Proposal:</b> Demolition of existing garages, and construction of 4no 1 bed 2 persons flats; including associated parking, access, & landscaping		
<b>Applicant:</b> Eastbourne Homes Ltd		
<b>Recommendation:</b> Grant planning permission subject to conditions		

**Executive Summary:**

The site has been previously identified for its development potential in the Strategic Housing and Economic Land Availability Assessment (SHELAA), 2017, and the NPPF supports sustainable residential development.

Eastbourne is only able to demonstrate a 3.16 year supply of housing land, therefore in accordance with paragraph 14 of the NPPF, permission should be granted 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.

The proposal will result in the net gain of four residential dwellings in a sustainable location. For reasons outlined in the report the design, layout and impacts of the development of existing residential properties are considered acceptable.

Therefore the benefits of the proposal are considered to outweigh any harm caused and as such it is recommended that planning permission should be granted subject to conditions.

**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

Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution  
B2: Creating Sustainable Neighbourhoods  
C4: Old Town Neighbourhood Policy  
D1: Sustainable Development  
D5: Housing  
D8: Sustainable Travel  
D10a: Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development  
UHT4: Visual Amenity  
UHT7: Landscaping  
HO2: Predominantly Residential Areas  
HO6: Infill Development  
HO8: Redevelopment of Garage Courts  
TR2: Travel Demands  
TR6: Facilities for Cyclists  
TR11: Car Parking

**Site Description:**

The site refers to an existing garages court of 10 garages and a row of smaller storage units facing onto a drying area housing washing lines for the surrounding flats. The site is to the south of Hamsey Close, at the end of the Close.

The upper level of existing smaller storage units with drying space is to be retained and falls outside of the application site.

The site is sloped upwards to the south.

To the east of the site are the rear gardens of properties of Greenway and to the south Downs Avenue. The properties of Greenway are lower than the site.

**Relevant Planning History:**

None relevant to this application.

**Proposed development:**

The application proposes the demolition of the two rows of garages, 10 in total, and a row of the smaller storage units to provide 4 self contained 1 bedroom flats. Two flats are proposed to the ground floor, two to the first floor.

The proposal also includes the provision of 5 parking spaces, and a covered bicycle storage area.

**Consultations:**Specialist Advisor (Arboriculture)

The site is reasonably well contained within the urban environment sitting at the end of a residential cul-de-sac. There are a number of trees on site but the applicants have submitted a detailed tree survey, tree protection plan and method statement to preserve these trees during development operations. This includes specified pruning interventions and special root protection measures.

Specialist Advisor (Planning Policy) No objections for the reasons outlined below:

The site is located in Old Town Neighbourhood as defined by the Core Strategy (adopted 2013). The vision for Old Town Neighbourhood is to maintain its position as the most sustainable neighbourhood in town. It is considered that there will generally be little development due to the limited availability of sites. However some housing will be delivered through infill and redevelopment of commercial premises.

The development would provide affordable housing, in line with paragraph 159 of the National Planning Policy Framework (NPPF), the proposal addresses the need for affordable housing. Furthermore policy D5 of the Core Strategy identifies a significant level of need for affordable housing in Eastbourne and the current proposal will provide a positive contribution to this need.

The site was assessed for its development potential in the Strategic Housing and Economic Land Availability Assessment (SHELAA), 2017, and the overall assessment deemed the site suitable for housing and potentially developable. The NPPF encourages effective use of land by reusing land that has been previously developed (brownfield land), provided it is not of high environmental value. As the site has been identified in the SHELAA, it is considered that the principle of residential development is accepted for this proposal.

Policy B1 of the Core Strategy will deliver at least 5,022 dwellings in accordance with the principles of sustainable development, more specifically a total of 101 dwellings in Old Town Neighbourhood. Policy D5 focusses on delivering housing within sustainable neighbourhoods. Old Town Neighbourhood is defined as a sustainable neighbourhood, it is ranked number one in section B2 of the Core Strategy. Policy B1 states that priority will be given to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land. Furthermore the National Planning Policy Framework (NPPF) supports sustainable residential development. As of 1 January 2018, Eastbourne is only able to demonstrate a 3.16 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. Para 14 of the NPPF identifies that where relevant policies are out of date, permission should be granted 'unless any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'. In addition, national policy and case law has shown that the demonstration of a five year supply is a key material consideration when determining housing applications and appeals. The site has previously been identified in the Council's SHELAA (2017) and the application will result in a net gain of four dwellings.

HO8 of the Eastbourne Borough Plan states that planning permission will be granted for the redevelopment of garage courts for residential purposes subject to a well-designed development in terms of siting, scale and materials, no significant harm to residential, visual and environmental amenity, no adverse effect on road safety and provision of adequate car parking. The proximity of neighbouring residential buildings form an important consideration in the determination of the application and these are detailed matters for consideration by the case officer. TR11 of the Eastbourne Borough Plan considers car parking, and new developments must comply with approved maximum car parking standards. The proposal includes five car parking spaces.

In conclusion, the proposal will have a positive contribution to housing numbers and is considered to be in accordance with adopted policy. The garage court is currently not vacant. However the Design and Access statement suggests that the garage court site is currently underutilised and no longer provides an important function for the local area. Furthermore the Core Strategy identifies a significant level of affordable housing need and it is important to maximise the provision of affordable housing. We consider the application to provide sustainable development in line with the NPPF. Therefore there is no objection from a planning policy perspective.

#### CIL

The application is CIL liable, however as the dwellings are proposed to be Social Housing no payment will be liable.

#### Southern Water

Require a formal application for a connection to the public sewer to be made by the Applicant or Developer. Informative to this affect requested.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Southern Water seeks to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

#### Highways ESCC

Standing advice for developments under 5 units.

**Neighbour Representations:**

11 Objections have been received and cover the following points:

- Loss of privacy to surrounding properties
- Loss of garages
- Impact on on-street parking demand
- Over development
- Loss of access to rear of properties of greenway
- Access is insufficient

**Appraisal:**Principle of development:

The principle of the redevelopment of the garage court for residential development is acceptable in principle.

The site has been previously identified for its development potential in the Strategic Housing and Economic Land Availability Assessment (SHELAA), 2017, and the overall assessment deemed the site suitable for housing and potentially developable.

The National Planning Policy Framework (NPPF) supports sustainable residential development. As of 1 January 2018, Eastbourne is only able to demonstrate a 3.16 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. Therefore in accordance with para 14 of the NPPF, permission should be granted 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.

The proposal will result in the net gain of four residential dwellings in a sustainable location. Whilst it is acknowledged that the garage court is still in use the applicant states it is underused and no longer an important community facility.

Therefore the principle of the development is acceptable.

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

The impacts on the existing residential properties will be limited. The properties to the east on Greenway are a sufficient distance and given the orientation it is not considered there would be significant impacts on loss of light or outlook. There are no windows proposed within the side elevation of the development to cause issues of overlooking towards Greenway.

The properties would be at a 90 degree angle with the existing flats with some additional overlooking. This would not be considered significant given this elevation is already overlooked from street level and as such this is considered acceptable given the context of the development.

Some objections have been received from the neighbouring properties of Greenway and Downs Avenue regarding access to their rear gardens. The existing access is retained as the proposed development is set away from their rear boundaries. However we would have no control over the retention of access, this is a civil issue for the Applicant and the developer in relation to the right of access.

Impact of proposed development on amenity of future occupiers:

The total proposed internal floorspace for four one-bedroom dwellings falls within the accepted minimum as recommended by the DCLG's Technical Housing Standards (50m<sup>2</sup>) for a one storey, one bedroom flat (approximately 51-53m<sup>2</sup>).

Policy B2 of the Core Strategy states that all schemes within a neighbourhood will be required to 'Protect the residential and environmental amenity of existing and future residents'.

A condition is recommended to control/limit the impacts of the development of nearby trees and vice versa. Notwithstanding this the properties are positioned to address Hamsey Close and as such have been designed to provide good light and outlook from the living area of the proposed units. Therefore any issues relating to the impacts from/upon the existing trees are not considered reasons to refuse permission.

The proposed units are considered to provide a good standard of accommodation for future occupiers in accordance with policy B2 of the Core Strategy and the NPPF of which (para 9) aims to pursue sustainable development and seeks positive improvements in the quality of the built environment as well as in people's quality of life. Improvements include: replacing poor design with better design; improving the conditions in which people live; and widening the choice of high quality homes. Policy D1 considers sustainable development and the proposal is demonstrating efficient use of land and infrastructure, in line with policy.

Design issues:

The materials proposed are a yellow stock brick to the ground floor of the elevations off set with a grey fibre cement board fixed vertically at first floor level and to either gable end, with a grey artificial slate tiled roof.

The development is two storeys in height therefore lower than the adjacent purpose built blocks of flats.

The existing area is a mix of two storey single family dwellings which are predominantly red brick with tiled roofs, and blocks of purpose built flats. The blocks within Hamsey Close are all matching with a lighter brickwork and part white cladding all with flat roofs.

The proposal is a more modern design on the purpose built flat block and will contrast with the other development, whilst being in keeping with the proposal at the other end of Hamsey Close. This development will appear as a more modern addition to the street scene. Given the location/context this design response is considered appropriate as are the materials.

Impacts on highway network or access:

The area is densely populated with a number of blocks of purpose built flats in Hamsey Close. This results in a large number of vehicles vying for on street parking spaces which are limited. This also results in anti-social and indiscriminate parking on corners and grass verges resulting in further issues. A number of objections have been received on these points.

Given the close proximity of this and the proposed development of another garage court in Hamsey Close (reported elsewhere on this agenda) is considered prudent to consider the highways implications of the applications together and in isolation.

The applicant has provided a list of occupancy which states that of the 20 garages across both sites in total, 5 are unoccupied, and of the 15 occupied 6 are rented by residents in the immediately surrounding area, where it could be assumed that the garage is used to park a car that would otherwise need to be accommodated on street.

The ESCC Parking Demand Calculator anticipates that the proposed developments would result in the following parking demands. The calculator takes into account Census data by ward and by housing tenure.

180440 – 3 x 1bed flats, 1 x 2bed flat 1.7 spaces if affordable and 4.3 spaces if private.

180439 – 4 x 1bed flats - creates a demand of 1.7 spaces if affordable and 4.3 spaces if private. The application is proposing 7 off street parking spaces, in excess of the demand created by the development itself

In total 3.4 parking spaces when considering as affordable, 8.6 when considering as private housing. The application is proposing 5 additional on street spaces, in excess of the demand created by the development itself.

The total number of spaces provided, 12, is therefore considered to meet the demands created by the two developments, in isolation and when considered

collectively. It is also considered that the 12 spaces could accommodate the majority of the displacement from the existing garages providing the spaces remain available for general use

It would not be considered that the development of the 8 flats in total would create additional traffic generation on the highway network when compared with the existing 20 garages to warrant a refusal of the application on the grounds of additional vehicle movements.

**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 site has been previously identified for its development potential in the Strategic Housing and Economic Land Availability Assessment (SHELAA), 2017, and the NPPF supports sustainable residential development.

Eastbourne is only able to demonstrate a 3.16 year supply of housing land, therefore in accordance with paragraph 14 of the NPPF, permission should be granted 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.

The proposal will result in the net gain of four residential dwellings in a sustainable location. For reasons outlined in the report the design, layout and impacts of the development of existing residential properties are considered acceptable.

Therefore the benefits of the proposal are considered to outweigh any harm caused and as such it is recommended that planning permission should be granted subject to conditions.

**Recommendation:** Grant planning permission subject to conditions

**Conditions:**

1. Time for commencement
2. Approved drawings
3. Materials to be as specified unless agreed otherwise
4. The internal layout of the flats shall be as approved unless agreed otherwise in writing by the Local Planning Authority.
5. Tree protection condition
6. Details of Landscaping condition



7. Cycle storage to be provided prior to first occupation and retained as such thereafter
8. Car parking to be laid out as approved prior to first occupation
9. Car parking to be unallocated.
10. Details to be provided to prevent the discharge of surface water onto the highway
11. Refuse storage area to be provided to first occupation and retained as such thereafter
12. Details of surface water disposal.
13. Submission of evidence of surface water details
14. Prior to demolition and/or construction submission of a construction management plan
15. Standard hours of working condition

**Informatives:**

Southern water informative

**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**.