

<b>App.No:</b> 180440	<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 Close 2/Lanark Court, Hamsey Close, Eastbourne		
<b>Proposal:</b> Demolition of existing garages, and construction of 3no 1 bed 2 persons flats and 1no 2 bed 4 persons maisonette; 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 garage court of 10 garages situated at the northern end of Hamsey Close. The garage court has a single dropped curb for access from the highway.

The surrounding area is a mix of residential properties consisting of flats and dwellings of a similar size/character and facing materials.

**Relevant Planning History:**

No relevant.

**Proposed development:**

The application proposes the demolition of the existing garages and the erection of a purpose built block of 4 self contained dwellings, three one bedroom flats and one two bedroom maisonette.

The proposal is for a part two; part three storey 'L' shaped building to the northern part of the site. 7 off street parking spaces are proposed to the front of the building with access from Hamsey Close.

## **Consultations:**

### Specialist Advisor (Arboriculture)

The site backs onto a large open space and golf course. The group of trees between the two helps separate the built up area from the open space and they provide visual relief in an otherwise dense urban environment. The majority of the group of trees are considered to both merit and quality for inclusion within a TPO. It is considered that the loss of the trees would have a significant adverse visual impact on the character of the area.

The applicants have submitted a detailed tree survey tree protection plan and method statement to try and preserve these important trees during development operations.

Conditions are requested to ensure compliance with the Arboricultural Method Statements and landscaping to the site.

### Specialist Advisor (Planning Policy)

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 existing to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

The planning application form makes reference to drainage using sustainable urban drainage systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities.

## SUDS

### **Neighbour Representations:**

11 Objections have been received and cover the following points:

- Impacts on parking
- Loss of the garages
- Loss of on street parking spaces
- The parking spaces should be for existing residents, or unallocated for all to park in
- No loss of amenity space should occur
- Suitability of the road to increased traffic
- Height of the building in comparison with the existing
- Road is narrow for construction vehicles
- Overcrowding of Hamsey Close
- Loss of light to surrounding properties

### **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 site is situated western side of Hamsey Close, situated to the east are the properties of Greenway. These properties have small rear gardens and are on significantly lower ground level, the first floor of the properties is more or less pavement level of Hamsey Close. The rear elevation and gardens are overlooked from Hamsey Close given the low level boundary treatments and as such are afforded little privacy at present.

Therefore the positioning of the proposed development is not considered to significantly increase overlooking or have privacy impacts on these opposite properties to warrant the refusal of the application on this ground. The development will also have limited impacts in terms of loss of light given the orientation to the north-west and separation distance of some 17m elevation to elevation. Also given this separation distance it is not considered the development would be overbearing on or cause of a loss of outlook to these properties.

The development will have limited impacts on no.1-4 Hamsey Close to the north. There will be some limited loss of light and overshadowing to the rear garden given the orientation however it is not considered this would be significant to warrant a refusal of the application on this ground.

Impact of proposed development on amenity of future occupiers:

The total proposed floorspace for three one-bedroom dwellings fall 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 51-52m<sup>2</sup>). Additionally the total proposed floorspace for the two-bedroom dwelling falls within the accepted minimum (79m<sup>2</sup>) for a two storey, two-bedroom dwelling (approximately 85m<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'. In designing the proposed floor layout the proximity of the tree screen to the rear was acknowledged resulting in the principle habitable rooms sited with the front facing aspect and only secondary windows to the rear. Therefore the limited outlook is not considered a major concern. Therefore the concerns raised are not considered reasons to refuse permission.

Overall the proposed units are considered to provide a good standard of accommodation for future occupiers in accordance with policy B2 of the Core Strategy. The NPPF (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.

Design issues:

The materials proposed are a yellow stock brick to the elevations off set with a grey fibre cement board fixed vertically with a grey artificial slate tiled roof.

The building is proposed in two blocks, with a central linking stair core. The roofs of each element of the proposal are different to provide some character.

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 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, appearing 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. Submission of details of 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 laid out prior to first occupation and retained as such thereafter
12. Details of surface water disposal
13. Submission of evidence of surface water disposal
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**.