

Delegated Officer Report

App.No: 230247 (PPP)	Decision Due Date: 30 May 2023	Ward: Langney
Officer: Chloe Timm		Type: Planning Permission
Site Notice(s) Expiry date: 6 May 2023 Neighbour Con Expiry: 6 May 2023 Press Notice(s): n/a		
Over 8/13 week reason:		
Location: 199 Sevenoaks Road, Eastbourne		
Proposal: Erection of 2no two bedroom bungalows		
Applicant: Mr Mark Harris		
Recommendation: Approve, subject to conditions		

Constraints:

Public Sewer

Archaeological Notification Area

An Archaeological Notification Area defining prehistoric wetlands, as well as prehistoric Roman, medieval and post-medieval sites. The site is located within the Willingdon Levels Archaeological Notification Area.

Willingdon Levels Catchment Area

Environment Agency Flood Zones

Flood Zone 2
Flood Zone 3
Tidal Models

Area Benefiting from Defences

Relevant Planning Policies

National Planning Policy Framework

Eastbourne Core Strategy Local Plan 2006-2027

B1 Spatial Development Strategy and Distribution
B2 Creating Sustainable Neighbourhood
C8 Langney Neighbourhood Policy
D5 Housing
D10 Historic Environment Archaeological Notification Area

D10a Design
D11 Eastbourne Park

Eastbourne Borough Plan 2001-2011

HO1 Residential Development within the Existing Built-up Area
HO2 Predominantly Residential Areas
HO7 Redevelopment
HO20 Residential Amenity
NE16 Dev within 50m of Former Landfill Site
UHT1 Design of New Development
UHT4 Visual Amenity
US4 Flood Protection and Surface Water
US5 Tidal Flood Risk

Site Description:

The application site is a plot of land located on the southern side of Sevenoaks Road adjacent to 199 Sevenoaks Road, the site is currently undeveloped land with grass, trees and shrubbery which act as screening between the road and the properties.

Relevant Planning History:

220364
Erection of 2no two-bedroom bungalows
Planning Permission
Approved conditionally
21/09/2022

Proposed development:

The application is seeking permission for the erection of 2no two-bedroom bungalows with detached garage and 2no parking spaces.

Consultations:

Environment Agency

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref: Flood Risk Assessment & SUDS Strategy for Planning, February 2022) and the following mitigation measures it details:

- Finished floor levels shall be set 300mm higher than existing ground levels as per section "Design Response to Flood Data/ Hazard" of the FRA
- Flood resilience design measures to be implemented as detailed in section "Design Response to Flood Data/ Hazard" and section 8.2 of the FRA
- An emergency refuge and evacuation plan (to be approved by the Local Authority emergency planners) is to be implemented as per sections 8.4 and 8.5 of the FRA.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

Advice to the Applicant

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

County Archaeology

The proposed development site is located on the edge of an Archaeological Notification Area (a non-designated heritage asset) associated with a large tract of wetland known to contain preserved prehistoric structural remains (the Willington Levels). However, an auger survey undertaken at a neighbouring property has demonstrated the presence here of made ground (compacted / crushed chalk) with a thickness of c.1.30m.+.

For this reason, I do not believe that groundworks associated with the proposed scheme have the potential to expose significant *in-situ* archaeological remains. Accordingly, I have no archaeological recommendations to make in this instance.

Neighbour Representations:

Public notification regarding the application has been undertaken in the following ways:

- Letters have been sent to all registered properties adjoining the application site;
- A site notice has been displayed in the vicinity of the application site;
- An advert has been published in the local newspaper.

2 letters in support of the proposal have been received

Following public notification regarding the application, 2 comments in support of the proposal and 2 comments in against the proposal have been received, which raise objection on the following material planning considerations:

1. Parking

Officer Response: The proposal includes the provision of 2no off road parking spaces per dwelling, this is in line with guidance provided by the local highway authority.

2. Light Pollution

Officer Response: A careful and extensive assessment has been made regarding the potential impact upon neighbouring amenity, siting, layout and orientation of the dwellings will not give rise to light pollution impacts on surrounding neighbours.

3. Situated too close to existing drainage pipes.

Officer Response: this application is an amended layout when compared to the previously approved application for 2no dwellings, to ensure that a suitable distance is maintained between the dwellings and the existing underground pipes that are within the site.

5. Over development

Officer Response: The dwellings are single storey dwellings which are in keeping with the area, the addition of two dwellings on a plot of this size is acceptable.

Appraisal:

Para. 74 of the Revised National Planning Policy Framework (NPPF) instructs that 'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. As the Eastbourne Core Strategy is now more than 5 years old, the standard method for calculating housing need set out in Planning Practice Guidance for Housing Needs and Economic Assessment is used to establish the need. As present, the Council is only able to identify a 1.43 year housing land supply.

Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. This approach, commonly referred to as applying a 'tilted balance' will be adopted in assessing the planning application.

The proposal involves the development of garden land. Whilst the site is within the built-up area, the National Planning Policy Framework (NPPF) does not regard residential gardens as previously developed land. Para. 71 states that 'plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area,' whilst para. 124 instructs Local Planning Authorities, when considering planning applications that increase residential density, to pay regard to 'the desirability of maintaining an area's prevailing character and setting (including residential gardens). As such, there are stringent controls on development of residential gardens and the impact of the proposed development on the established character of the surrounding area.

The above should be seen in context with the overall objective to promote effective and efficient development of land which is set out in section 11 of the NPPF, with particular attention drawn to para. 125 which states that 'where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.'

It is therefore considered that the principle of the development is acceptable subject to a balanced assessment of the potential impact of the development, with particular emphasis on the impact upon the prevailing character of the surrounding area as well as other relevant factors set out in the NPPF and consistent Local Plan policies, including highway safety, residential and environmental amenity, sustainability and biodiversity.

Impact upon Future occupants

Relevant policy: Policy B2 (Creating Sustainable Development) of the Eastbourne Core Strategy 2013 and para. 130 of the NPPF:

The proposed development is for the erection of 2no single storey dwellings with two bedrooms with a gross internal floor (GIA) space of 61m² approx. The nationally described space standards advise the

minimum GIA for a one storey, two-bedroom property for three persons is 61m², the proposal therefore, meets this standard. The proposal also meets the minimum size requirements for the bedspaces proposed.

The proposal includes two off road parking spaces and a garage for each of the properties. Each property will have private outdoor amenity space, space for cycle storage and bin storage.

The dwellings will provide a good level of accommodation for future occupiers.

Impact upon the amenity of neighbouring occupants

Relevant policy: Policy B2 (Creating Sustainable Development) of the Eastbourne Core Strategy 2013, saved policy HO20 (Residential Amenity) of the Eastbourne Borough Plan 2003 and para. 130 of the NPPF.

Due to the location of the proposed dwellings, there will be no harmful impacts to the amenities of the occupiers surrounding in terms of over-looking, loss of privacy, loss of light or overshadowing.

Light pollution to surrounding occupiers was raised as an objection to the proposal, the layout of the bungalows and the placement of windows and doors is as such that they will not cause any unacceptable light pollution to the surrounding properties.

Design quality and impact upon the street scene and visual amenity of the area:

Relevant policy: Policy D10a (Design) of the Eastbourne Core Strategy 2013, saved policies UHT1 (Design of New Development) and UHT4 (Visual Amenity) of the Eastbourne Borough Plan 2003 and paragraphs 8 and 130 of the NPPF

The design and materials of the proposed dwellings are in keeping with the dwellings surrounding and have been designed to match. The proposed dwellings are thought to harmonise with the character of this section of Sevenoaks Road.

Impact upon existing trees and landscape features

Relevant policy: UHT5 (Protecting Walls/Landscape Features) of the Eastbourne Borough Plan 2003 and paras. 131 and 180 of the NPPF.

Whilst the site will be cleared of the current trees and vegetation, the proposal includes new hedges to be placed around the boundary and trees centrally located between the two proposed properties in replacement for what would be removed to make way for the development.

The gardens are proposed to be laid to lawn with a patio area

Impact upon highway network, access and/or pedestrian/highway safety:

Relevant policy: Policy D8 (Sustainable Travel) of the Eastbourne Core Strategy 2013 and policies TR7 and UHT1 (Design of New Development) of the Eastbourne Borough Plan 2003 and para. 110 of the NPPF.

The application proposes two off road parking spaces per dwelling, the East Sussex Highways Parking Demand Calculator advises a demand of 2.2 spaces per dwelling, the proposal therefore meets the demand. The measurements of the car parking spaces meet the standards as required by East Sussex Highways Guidance.

Other Matters

A similar scheme for this site has previously been approved under 220364, this new application has been submitted to alter the layout to ensure the development does not impact existing drains within and surrounding 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:

The dwellings will provide a good level of accommodation and will not have a harmful impact on the amenities of the surrounding occupiers or the surrounding area. The proposal is found to be compliant with national and local planning policies.

Recommendation:

Approve, subject to conditions.

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**.