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| App.No: 130907 (PPP) | Decision Due Date: 11 February 2014 | Ward: Upperton |
| Officer: Leigh Palmer | Site visit date: 6 January 2014 | Type: Planning Permission |
| Site Notice(s) Expiry date: 18 December 2013 | | |
| Neighbour Con Expiry: 18 December 2013 | | |
| Weekly list Expiry: 26 November 2013 | | |
| Press Notice(s): 3 December 2013 | | |
| Over 8/13 week reason: Previous officer left the Council. | | |
| Location: Serco Ltd, Serco Yard, Bedfordwell Road, Eastbourne | | |
| Proposal: Residential development of 102 dwellings (flats and houses), including the conversion of the existing Pump House into flats, together with access roads and parking spaces. | | |
| Applicant: Orbit Housing Ltd | | |
| Recommendation: Grant planning permission subject to conditions and a satisfactory Legal Agreement. If a satisfactory Legal Agreement cannot be reached within 9 months from the date of this application then the application be refused. | | |

Executive Summary

This scheme proposes the redevelopment of a previously developed land and given the previous permission for residential development in 2011, the site being an identified housing site, the efficient use of the site for an identified housing need, it is considered that the redevelopment of the site to provide 102 houses and flats is acceptable in principle subject to conditions and an agreed Section 106 legal agreement to secure affordable housing and other infrastructure requirements as outlined by this report.

Planning Status:

Vacant commercial site.

Constraints:

Building of Local Interest

Pump House
Henry Currey
1881

TPO Trees

108

Bedfordwell Road Depot, Bedfordwell Road.

Public Sewer**Archaeological Notification Area****Aquifer****Flood Zone 3a****Source Protection Zones**

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Willingdon Levels Catchment Area**Relevant Planning Policies:**Eastbourne Core Strategy Local Plan 2006-2027

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C2: Upperton Neighbourhood Policy

D1: Sustainable Development

D5: Housing

D8: Sustainable Travel

D9: Natural Environment

D10: Historic Environment

D10A: Design

D11: Eastbourne Park

Eastbourne Borough Plan 2001-2011

UHT1: Design of New Development

UHT4: Visual Amenity

UHT6: Tree Planting

UHT7: Landscaping

HO1: Residential Development Within the Existing Built-up Area

HO6: Infill Development

H07: Redevelopment

H09: Conversions and Change of Use

HO20: Residential Amenity

TR1: Locations for Major Development Proposals

TR2: Travel Demands

TR5: Contributions to the Cycle Network

TR8: Contributions to the Pedestrian Network

TR11: Car Parking

BI1: Retention of Class B1, B2 and B8 Sites and Premises

BI4: Retention of Employment Commitments

NE4: Sustainable Drainage Systems

NE23: Nature Conservation of Other Sites

LCF4: Outdoor Playing Space Contributions

Sustainable Building Design SPD
Trees and Development SPG
Eastbourne Townscape Guide SPG

National Planning Policy Framework 2012

Site Description:

The application site is located to the north of Bedfordwell Road, where the road splits with Whitley Road going east and Upper Avenue, opposite to the South. Access into the site is from Bedfordwell Road.

The surrounding area is predominately residential of 2 and 3 storeys among various adjoining land uses such as industrial area (to the south), allotment gardens (to the north) with the railway line into Eastbourne that runs adjacent to the site (east).

The site contains the 1881 Pumping Station building that is identified as a Building of Local Interest. The Pump House is built of yellow brick, with red brick detailing. The strong, clean lines are accented by deep cornice with machicolations. A slate roof with lantern to the main and subsidiary space Cast iron windows, with fixed glass accentuate the verticality of the building. Rainwater goods are run internally, maintaining the visual purity of elevations. The main and subsidiary spaces are top lit from lanterns. Internal flooring where it still exists is a mix of red and blue brick, with cast and wrought iron stairs with original wooden block treads. To basement level, massive cast iron members and junctions are visible, which presumably had a function of supporting the floor to which the pumps themselves were housed, or the building generally. Each floor level of the building is single space, with the original metal ties and trusses of the roofspace exposed. The Pump House was originally one space, with the boiler house as a subsidiary part to the main building. an internal floor has been introduced since the pumping machinery was removed.

The application site has been used for various uses over time, the most recent being the Serco depot and storage of van and lorry fleets. Since the previous application, the single storey buildings on the site have been demolished and the site cleared. There are marked changes in levels (approximately 6.5m between Bedfordwell Road entrance and the lower site level to 4.5 m around the Pump House.

To the east of the application site is the mainline railway that forms the eastern curved site boundary. The western boundary to the site abuts land that is occupied mostly by allotment gardens and a former nursery while the southern part of the western boundary adjacent to the access road is occupied by residential properties. A man made open drainage ditch also runs along the edge of the south western boundary adjacent to the allotments. This triangular section of the site to the north west corner is located within the Eastbourne Park Flood Storage area. To the south of the site are the residential properties that run along Bedfordwell Road and to the western boundary with properties in Mayfield Place and Bedfordwell Court.

The site contains seventeen trees which are subject to Tree Preservation Order 108.

Relevant Planning History:

EB/2003/0476

Part change of use and conversion from Class B1 (Business) to form twelve loft apartments. including insertion of two new floors in the upper part of the existing building.

Granted subject to conditions.

2003-10-06

EB/2008/0609

Residential development to provide 154 new homes, including 47 units of affordable housing, a change of use of part of the existing pump house building (from B1,B2,B8) to Class C3 residential use with ancillary car parking, landscaping with new vehicle and pedestrian access from Bedfordwell Road.

Granted subject to conditions.

2011-03-11

Proposed development:

The application involves the construction of 83 new build dwellings and conversion of the existing pump house building to provide 19 flats. The new build dwellings would comprise:

- 17 x 1 bedroom flats
- 26 x 2 bedroom houses
- 38 x 3 bedroom houses
- 2 x 4 bedroom houses.

The conversion of the pump house building would create:

- 2 x 1 bedroom flats
- 13 x 2 bedroom flats
- 2 x 2 bedroom maisonettes
- 2 x 3 bed maisonettes.

The current scheme does not include a link road adjacent to the railway line (included in earlier draft of the previous scheme, but not included in final approved version) thus bringing the development closer to the railway line but proposing a reduced density of housing. Most of the new development is located to the north of the site, north of the pump house building reached via an extension of the existing access road. Adjacent to the entrance to the site opposite the existing block of flats fronting Bedfordwell Road would be 4 x 3 bedroom, 2 storey houses. Surrounding the pump house would be a block of part 2 storey, part single storey flats to the south west, 3 x 2.5 storey 2 bedroom houses to the west and 8 x 2.5 storey 3 bedroom houses to the north with associated off street parking areas.

Into the site is a row of 9 x 2.5 and 3 storey houses to the south west side of the site with private rear gardens backing onto the rear of houses along Waterworks Road. Opposite these houses are a terrace of 4 x 2.5 storey houses facing the entrance road and partly facing onto an open landscaped area. To the east corner of the site is a terrace of 4 x 2 storey houses and 2 x 3 storey semi-detached houses with private

gardens backing onto the rear of houses along Whitley Road. Opposite these houses to the north west is a terrace of 2.5 storey terrace houses centrally located close to the north east boundary of the site.

The proposed houses and flats are of a simple design and standard construction incorporating pitched tiled roofs and gable end frontages. A total of 142 car parking spaces would be provided mostly situated within the front gardens of the houses and in allocated areas for the flats.

The application will lead to the loss of forty two trees from the site of which two are subject to Tree Preservation Order 108. The scheme indicates retention of thirty trees on and adjacent to the site of which seventeen are subject to Tree Preservation Order 108. One of the TPO trees is an Elm which is in such a condition that removal is the only option available. The other tree is a Sycamore which requires removal to facilitate development. Their replacement would be included in a comprehensive landscape scheme.

An affordable housing statement has been submitted stating that 29% of the new development units would be affordable which equates to 24 units made up of 6 x 1 bedroom flats, 7 x 2 bedroom houses and 11 x 3 bedroom houses. The 19 units contained within the pump house have been excluded from the affordable housing calculation on the grounds of viability due to the increased cost of converting this historic building. The proposed tenure split is 16 rented units and 8 shared ownership.

A viability statement has been submitted in support of the proposal to justify the reduced affordable housing provision. The statement sets out that the cost of refurbishing/converting the pump house would be expensive and would not result in receivable revenue which would be negated by cost. The works would include a new roof, removal of structural concrete floors, treatment of the underground water course beneath the building, clean and repair external brickwork, replacement windows, structural repairs, improvements, thermal improvements, provision of lifts and communal heating system. The development of the remaining site would also involve remediation of site contamination, abnormal drainage, piling and treatment of levels across the site. This viability statement has been referred to the District Valuation Service (South East) for an independent appraisal of the sites residual valuation and recommendation of the amount of affordable housing provision based on costs of developing the site including S106 contributions, infrastructure and highway improvements. .

Consultations:

Internal:

Planning Policy Manager - Supported in principle subject to the signing of a S106 agreement to secure the appropriate level of affordable housing on-site and other developer contributions.

Historic Buildings Advisor – No objection in principle subject to amendments to external alterations to the pump house, additional plans and conditions.

Head of Environmental Health – An updated noise impact assessment is required due to the site layout changing from the previous approved scheme.

Housing Services Manager - The Viability Statement does not provide the information required to assess viability of developing the scheme in accordance with planning policy requirements. If the results of the District Valuation Office viability assessment show that the full contribution for affordable housing is not viable, then a negotiated provision of affordable housing will be secured via a Section 106 Legal Agreement.

Local Highway Manager – No objection subject to a revised plan showing a higher level of on-site parking, a contribution of £24,000 towards Real Time Information Signs at the two closest bus stops in Firle Road & Cavendish Avenue, a bus shelter at the Firle Road bus stop, a financial contribution of £88,750 to local transport initiatives, a travel plan, travel plan audit fee of £6000 and conditions.

Arboricultural Officer – No objection subject to conditions.

Parks and Gardens Manager – No objection subject to a financial contribution towards off-site play areas, playing fields and open space provision of £607,633.62 based on 367 bed spaces.

External:

Police Crime Prevention Officer – No objection subject to a good lighting scheme.

Environment Agency – No objection subject to conditions and recommendations set out in the submitted Flood Risk Assessment.

County Archaeologist – No objection subject to conditions. The site is located within an area of archaeological interest being within an area adjacent to the Willingdon Levels that was recognised for its Bronze Age period to the current day. In light of the potential archaeological significance of this site and the scale of the proposed development, the County Archaeologist is of the opinion that the area should be subject of a programme of archaeological works and a condition be imposed with the grant of planning permission until the implementation of a programme of archaeological work that is a written scheme of investigation including a timetable for the investigation to be submitted by the applicant and approved in writing by the local planning authority.

County Ecologist - No objection subject to habitat mitigation strategies secured by conditions.

ESCC Development Control Manager – No objection subject to an agreed Section 106 legal agreement to secure contributions towards the provision of additional County Council infrastructure relating to early years, primary and secondary education, libraries and household waste and recycling amounting to a total of £242,272.

Conservation Area Advisory Group - The Group supported the proposed retention and reuse of the Pump House. They support concerns raised by the Specialist Advisor (Conservation and Design) about the impact the proposal would have on the exterior of the building, due to a lack of detail on the plans.

Southern Water - No objection subject to conditions and informatives.

Network Rail Southern – No response.

Southdowns Badger Protection Group – No response.

Seeboard – No response.

South East Water – No response.

Southern Gas Networks – No response.

Neighbour Representations:

13 objections and 1 support have been received and cover the following points:

- No details of sustainability initiatives or green technologies.
- Too much housing and not enough parking proposed, should be 2 spaces per dwelling. Residents will park in surrounding streets which local business staff do already. Parking is a nightmare in Mayfield Place and Gorringer Road at present and it is almost impossible to park near our homes.
- No public transport close to site and lack of bus services to town centre.
- Trees in south west corner and adjacent to Mayfield Place need to be pruned or removed for safety reasons.
- Increased, noise, pollution and vibration from construction traffic. Screening or fencing should be erected to minimise these.
- Increased noise and traffic from over 200 new residents.
- Will cause more congestion at the already congested junction of Bedfordwell Road, Whitley Road and Upper Avenue will adversely affect highway safety.
- Proposal will have significant impact on local facilities and schools.
- No community centre, halls, or social activities proposed to bind the new community together.
- Overlooking to surrounding houses and private gardens from the flats within the pump house.
- Concerns about flooding impact from the development on the allotments and adequate fencing between the allotments and the development.
- The development is welcomed and will enhance this underused site.

Appraisal:

The main considerations in the determination of this application are the acceptability of the change of use from employment uses to residential, the acceptability of the layout, siting and design and external alterations to the pump house, the quality of the residential accommodation, the impact of the proposal on surrounding residential amenity, its impact on the character and appearance of the area, the provision of sufficient car parking spaces for residents and visitors, impact on the surrounding road networks and highway safety.

Principle of Development

Policies BI1 and BI4 of the Eastbourne Local plan aim to prevent the loss of land or buildings currently or last in class B1, B2 or B8 use for non-employment use will not be granted unless the site or premises is genuinely redundant and is unlikely to be re-used or redeveloped for industrial or commercial use.

However, the principle of residential development of the site has been established by the grant of planning permission (EB/2008/0609) in March 2011. In addition, the site is identified for residential development within the Eastbourne Core Strategy Local Plan (2013) and is included in the Council's 5 Year Housing Land supply. Bringing forward development on this site is therefore of critical importance to the Council's spatial development strategy (Policy B2), in order to meet local housing need and housing targets. The development conforms to the Neighbourhood policy (Policy C2: Upperton) in that it 'delivers new housing through redevelopment and increases the provision of affordable housing'. The proposed development conforms to the National Planning Policy Framework (NPPF) through bringing back into use a redundant employment site for residential use and is considered in principle as sustainable development.

The site was identified in the Strategic Housing Land Availability Assessment (SHLAA) and the accompanying schedule of development sites for the Eastbourne Core Strategy Local Plan as having the potential to accommodate 121 net dwellings (based on previous pre-application discussions). Although the application proposes 19 dwellings less than this target, the proposal provides a mixture in sizes and types of housing units (ranging from 1 bed flats to 4 bed houses) some with private gardens. This is beneficial for local housing need, and is in character with the immediate surrounding residential area. Opportunities to create a range in size of family housing units are supported in the Council's Strategic Housing Market Assessment and the quantum of housing development is therefore supported in principle.

Paragraph 51 of the National Planning Policy Framework states that planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area should be approved provided that there are not strong economic reasons why such development would be inappropriate.

Paragraph 17 of The National Planning Policy Framework 2012 states that Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Bringing forward development on this site is therefore of critical importance to the Council's spatial development strategy (Policy B2), in order to meet local housing need and housing targets. The development conforms with the Neighbourhood Policy (Policy C2: Upperton) in that it 'delivers additional housing through making more efficient use of land'.

As such, it is considered that given the previous permission for residential development in 2011, the site being an identified housing site, the efficient use of the site for an identified housing need, it is considered that the redevelopment of the site for housing is acceptable in principle in accordance with Policies C2 and B2 of the Eastbourne Core Strategy and the aims of National Planning Policy Framework 2012.

Layout, Siting and Design

Policy D10A of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Local Plan require development proposals to harmonise with the appearance and character of

the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout.

Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character.

The proposal would provide 52 less dwellings than the previous permission resulting in a significantly less dense site layout and reduced scale. The proposed housing and blocks of flats are simple in design and of standard, traditional construction. The majority of the new development beyond the pump house would not be visible from the public arena except from trains on the adjacent line and from surrounding houses and businesses. The reduced scale of the current proposed development allows the 4 storey pump house to become the main focal feature of the site being a significant local landmark of historic importance.

The number and layout of the houses within the site appears to be well structured around the site with reasonably good sized rear gardens with parking areas to the rear of buildings as well as the front which would avoid a cumulative visual impact of vehicles visible within the street scene. The houses have been grouped into terraces of mainly 3, 4 and 5 houses which would break up the expanse of development into more aesthetically pleasing sections and provide relief and views through the buildings. There are several small areas of landscaped communal open space provided centrally within the main housing area and around the pump house building to provide amenity areas for residents and welcome relief from the monotonous provision of off-street parking spaces to the fronts.

Details of tree planting and hard and soft landscaping indicated on the submitted layout plans would be secured by condition requiring the submission of a comprehensive landscape scheme.

As such, it is considered that the layout, siting and design of the development are acceptable and constitutes an efficient use of the space in accordance with the aims of the National Planning Policy Framework and Policy UHT1 of the Eastbourne Local Plan and Policies C2 and B2 of the Eastbourne Core Strategy.

Conversion of Pump House

Policy D10 of the Eastbourne Core Strategy states that all significant heritage assets will be protected and enhanced and where practicable there is a presumption in favour of protection of all heritage assets from inappropriate change including Buildings of Local Interest.

The Pump House is registered as a Building of Local Interest. The Council's Eastbourne Townscape Guide Supplementary Planning Guidance states that buildings of local interest be retained and ideally enhanced. Proposals which would adversely affect the character or appearance of buildings of local interest will not be permitted.

In principle, the conversion of the pump house to flats is welcomed as it would involve the reuse of a vacant and derelict historic asset where the original use is no longer relevant. The proposed 19 flats within the Pump House appear to be well laid out within

the building and would provide well proportioned accommodation and an acceptable mix of flat sizes. The communal lobbies to the main part of the building are proposed to be naturally lit by the roof lantern and light dispersed below through glass block floors. However, the 3 x 2 bedroom flats within the third floor roof void of the building do not contain any windows and would be lit only by high level roof lights approximately 3.5 metres above floor level. This would provide sub-standard accommodation with no outlook or view out from habitable rooms (especially the living area) or easy access to natural ventilation which would be contrary to Policy H5 of the Eastbourne Core Strategy which requires all new housing to be built in accordance with Lifetime Homes Standards. Revised plans have been requested from the applicants to address this issue but the plans have not been forthcoming. As such, a condition is recommended that prior to commencement of development, a revised plan is submitted showing either insertion of windows to the living areas or a reconfigured layout of the second and third floors to provide maisonettes where the main living areas would have access to the large windows on the second floor and the bedrooms on the third floor served by the high level rooflights.

With regard to external alterations, the submitted documents refer to 'restoration and renewal' of such items as the roof, lanterns and other items. This is welcomed and it is recommended that such works be like for like, and where more whole sale replacement is required, that this be subject to condition. Exterior alterations involving the removal of a window to allow a door is acceptable in principle subject to a condition requiring details of the material, profile, finish and door furniture.

The applicant has not provided a section of the site, so it is not possible to ascertain floor levels, or how these will be treated at window junctions. A condition is, therefore, recommended that full details be submitted showing the impact of the floor structures on the windows and position of glazing bars. Additionally, full details of alterations to the windows and glazing to facilitate opening casements for ventilation will be required by condition.

The submitted plans do not show any ventilation to bathroom, kitchen or living spaces. Nor are any services (water/gas/electricity), means of removal of foul water, soil stacks shown on the plans. It is recommended that these be run internally to avoid any detrimental clutter on the exterior facades and a condition is recommended to secure this aspect.

As recommended within the Townscape Guide SPG, as there are a number of significant external alterations to the windows, roof and roof lantern, a condition is also recommended that the building be fully inspected and recorded prior to work commencing on the pump house building alone.

Living Conditions

Policy NE18 of the Eastbourne Local Plan relating to noise states that where planning permission is sought for developments in the vicinity of a noise/vibration source appropriate insulation measures will be required.

As the site is located next to a railway line, the applicants have submitted a noise impact assessment dated February 2010 which is identical to that submitted for the previous scheme and does not address the amended site layout and scale of the current proposal.

The current scheme has omitted the link road next to the railway line, as it is no longer required, and shifted the housing over to the boundary approximately 12 to 16 metres closer to the railway. The report sets out analysis of the previous proposal without the link road where the area that would be occupied as the link road remained as open space or green corridor. The report concludes that neither of the development scenarios previously would breach international standards and thereby would provide an acceptable living environment (internal and external) for the occupiers of the new and converted properties. They also concluded that acceptable living conditions could be achieved with the use of double glazing to the buildings and the erection of a close boarded fence to act as an acoustic barrier for the link road.

As such, it is considered that on balance, it is unlikely that the impact of noise from trains on living conditions within buildings in the current layout would have any significant difference to that of the previous scheme given the sound levels taken at the site boundary next to the railway were within acceptable levels where average noise levels were below 55dBA LAeq16hr. However, as trains can be intermittent resulting in single short lived high noise levels above 55dba, several times per hour, it is considered that a condition is necessary for the report to be updated and recommendations made with specific regard to this issue, especially during the night and in the summer months when windows would be opened for purposes of ventilation. It is considered that an updated report should also address the impact of increased vibration from the railway on the housing closest to the boundary which is significantly closer to the railway line than the previous scheme and mitigation recommendations made accordingly.

In any event it is considered that an acoustic fence is necessary to be erected on the boundary with the railway to protect outdoor gardens and amenity areas, details of which would be required by condition, similar to that of the previous permission.

Affordable Housing Provision

Policy D5 seeks to deliver housing within the sustainable centres and sustainable neighbourhoods and must take appropriate account of the need identified in the most up-to-date strategic housing market assessment with particular regard to size, type and tenure of dwellings. All development will be required to contribute towards affordable housing where there is a resultant net gain of 1 or more residential units (C3 Use Class).

As the development proposes a net gain in residential dwellings, consideration should be given to Policy D5: Housing of the Eastbourne Core Strategy Local Plan. As a starting point it is expected that 40% of the development should be affordable housing, which equates to 40 units on site and 0.8 units through a commuted sum payment. The applicant has provided a financial viability statement stating that due to excessive costs, they are unable to provide the full quantum of affordable housing units on-site. However, the viability statement is not supported by evidence of a comprehensive viability assessment setting out costs, values and margins to justify the reduced provision. The Council's Housing Strategy team have been consulted and consider that the Viability Statement does not provide the information required to assess viability of developing the scheme to meet planning policy requirements.

The proposed scheme to provide 24 affordable units (16 affordable rent and 8 Low Cost Home Ownership) falls under the policy requirement and results in a total percentage of 23.5%. Policy compliance for this site would require 40% of the total housing to be

affordable (30% of which can be LCHO and 70% Affordable Rent, let on secure tenancies) amounting to 31 units of affordable housing. It is not possible for this to be varied without supporting evidence validated by the District Valuation Office. The applicants state in their affordable housing statement that the pump house has been excluded from their calculation due to the excessive costs of refurbishing the building for which no details have been submitted for scrutiny. Therefore, they are proposing to provide 24 units out of 83 units of the main new build housing which amounts to 29%.

As such, the Council have commissioned the District Valuation Service (DVS) to provide an independent viability assessment of the scheme to validate the applicant's claims. As it may not be possible for this to be resolved before the Planning Committee meeting, it is recommended that the affordable housing provision be negotiated via a Section 106 legal agreement (if planning permission for the scheme is approved) based on the recommendation from the District Valuation Service.

The affordable housing statement states that the affordable housing units would be spread evenly around the site. It is recommended that once an acceptable level of affordable housing is agreed, a layout plan would be required by condition showing the exact locations of the units on the site.

Residential Amenity Impact

Policies HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy B2 of the Eastbourne Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

It is considered that the redevelopment of the site to provide new housing would significantly improve the visual appearance of the site and local area when viewed from surrounding residential properties. The proposed development would not impact on levels of sunlight or daylight reaching surrounding residential properties due to the modest scale of the proposed buildings, sensitive siting of development and the location of the site itself next to the train line to the east and allotments to the south west. A bank of mature trees screens the site from residential properties along Mayfield Place.

Objection has been received concerning overlooking from the flats within the pump house to surrounding houses and gardens and the flats at Bedfordwell Court. It is considered that as the pump house is located on the other side of the access road to Mayfield Place and Bedfordwell Court, and set back from the road, the siting would not constitute overlooking or loss of privacy to surrounding houses on the opposite side of a public road as this is a normal housing street pattern layout. In addition, the nearest section of the pump house to Bedfordwell Court would be approximately 37 metres and approximately 33 metres from the side of no.1 Mayfield Place. This is considered to be a more than adequate separating distance to avoid direct overlooking of windows or private gardens.

With regards refuse provision, due to the provision of housing units only, it is assumed that each house would have use of individual wheelie bins and recycling facilities which

would be stored at the front or rear of each house. Details of refuse provision and locations for the flats would be required by condition. The internal road network has been designed to accommodate a refuse truck and hammerhead turning areas have been provided within the centre of the site and at the end of the access road to facilitate turning.

Several representations have been received concerning the control of construction traffic, pollution and associated vibration from construction vehicles. It is considered that due to the scale of this proposal, a Construction Environmental Management Plan is required to be submitted to address the potentially intrusive impacts of the construction phase/s on local residents and the surrounding road network and secured by condition.

As such, it is considered that subject to conditions, the proposal would not significantly impact adversely on surrounding residential amenity in accordance with Policies HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Access, Car Parking and Highway Considerations

Policy TR1 states that major development proposals should be located on sites within the town centre or edge of town centre and accessible by a variety of means of transport.

Policy TR11 of the Eastbourne Local plan states that new development must comply with approved maximum car parking standards as set out in the East Sussex County Council Highways SPG parking standards.

Policy D8 of the Eastbourne Core Strategy states that new development that generates significant demand for travel should be provided in locations that are well served by a variety of transport methods and supported by travel Plans.

New development should provide for the needs of pedestrians and cyclists, and contribute towards sustainable travel schemes wherever possible.

The applicants have provided a Transport Assessment in accordance with Policy TR2 of the Eastbourne Local Plan to support the proposed scheme including a justification of the proposed parking provision, internal road layout, trip generation and parking surveys of surrounding streets. East Sussex Highways have been consulted and consider the Transport Assessment has demonstrated that reduced traffic levels would be produced by this development when compared to the previous scheme as well as the previous use. It should be noted that the site has not been used significantly for several years and therefore although as a technical exercise the level would be lower the highway network would have adjusted to take into account this change.

Highways consider that the traffic generated by this development is acceptable as it has been demonstrated that the highway network locally can accommodate the increase. The access to the site will be in a similar position to the existing which is acceptable. Any works on the public highway will need to be controlled by legal agreement/licence between the applicant and East Sussex County Council.

The previous permitted scheme proposed 140 spaces for 154 units of housing and was granted planning permission on this basis. The current scheme proposes 142 spaces for 102 units of housing. East Sussex Highways recommend that more parking spaces are provided on site due to its location outside the Town Centre and to prevent overspill

parking onto surrounding streets. However, it is considered that the proposed parking provision is a significant improvement on the extant permission. It is also considered that the site location is fairly central, close to the town centre and public transport where Eastbourne train station is approximately a 5 minute walk away. The site is fairly well served by bus services with bus stops located under 400m from the site. In order to make bus travel more attractive, East Sussex Highways consider that Real Time Information Signs should be provided by the developer at the two closest stops in Firle Road & Cavendish Avenue. A contribution of £24,000 (2 real time signs at a cost of £12,000 each) is requested to install these facilities. A bus shelter is also required at the Firle Road stop which should be installed by the applicant at their expense to further enhance bus facilities in the area and secured by a Section 106 Legal Agreement.

The Transport Assessment confirms that provision of cycle parking would be in gardens or sheds of the proposed houses or garages and storage areas. It is considered that the proposed houses would accommodate their own storage of bicycles within their own curtilage without the need for any further requirement. However, full details of secure cycle storage for all flats should be submitted for approval prior to occupation of the development and this would be secured by condition.

A draft Travel Plan is included as part of the Transport Assessment which is acceptable for this stage of the process and includes reference to areas that need to be considered such as car share, cycling, walking as well as setting up a Car Club. A full Travel Plan will need to be secured by Section 106 legal agreement to include the following:

- The agreement of a "measures" approach which; a) specifies targets / outcomes; and, b) identifies both specific measures designed to achieve the agreed targets / outcomes and the remedies and/or sanctions that shall be applied if the targets / outcomes are not achieved.
- The appointment of a Travel Plan Coordinator to coordinate implementation of the TP and take responsibility for achieving targets including handover arrangements from the developer to a management or residents' group.
- Appropriate monitoring reports, including multi-modal travel surveys to be carried out annually for five years following occupation/operation of the Development based on the standard survey requirement in East Sussex, i.e. a Level 2 TRICS survey (known in this context as SAM: Standard Assessment Methodology).
- A Travel Plan Audit fee of £6000 (Six thousand pounds).

With regard to off-site highway improvements, it is considered that works should be undertaken to provide improved pedestrian facilities at the A2021/Firle Road traffic signals. This will provide a safe, convenient walking route to the Town Centre facilities and a broader area including schools, etc as well as the bus stops previously mentioned. This will again help the development to achieve the aims of the Travel Plan. Without this change there is no formal crossing point on the A2021 in the vicinity of the site which could create a barrier to potential pedestrian and bus use. This work would be secured within a Section 106 legal agreement.

Being a strategic site allocation within the Eastbourne Core Strategy, a financial contribution would be sought towards the strategic road network junctions and bus service improvements within Eastbourne and South Wealden areas. Highways consider the two closest initiatives relevant to this site are the proposed bus lanes along both the A2270 & A259, with the aim of reducing congestion along these corridors which are two of the main routes into and out of Eastbourne. As such, it is considered that a contribution of £88,750 will be required to part fund these schemes secured by a Section 106 legal agreement.

It is considered, therefore, that the site is located in a sustainable location. Given this and also to support the drive to reduce the number of trips by the private car, the car parking density is below the maximum adopted thresholds and would be supported by a green travel plan which would be secured via a Section 106 legal agreement. As such, it is considered that the proposed development is unlikely to give rise to any adverse impacts upon highway capacity or be likely to give rise to a material increase in indiscriminate on street parking that would give rise to highway and or pedestrian safety issues and thus would accord with Policy TR11 of the Eastbourne Local Plan and Policies C2 and D8 of the Eastbourne Core Strategy.

Outdoor Playing Space

Policy LCF4 of the Eastbourne Local Plan states that all residential developments for 15 or more dwellings will be required to make provision for outdoor playing space at a level to satisfy adopted standards, in order to meet the needs generated by the new development. In assessing the level of provision, regard will be made to the viability of the proposed development, including the economics of provision and other planning objectives for the site.

The proposed development offers some small pockets of amenity space around the site, however, it does not appear that any children's playgrounds or playing fields would be provided on the site. Therefore, in line with the requirement for an off-site contribution for the previous scheme, the Parks and Gardens Manager recommends a financial contribution of £607,333.62 towards off site playing areas, playing fields and open space provision for the current proposal based on a maximum of 367 new residents at the site and would be secured within a Section 106 legal agreement.

As the applicants are claiming financial viability circumstances, this matter will be taken into consideration by the District Valuation Office in their independent assessment of the scheme as set out in Policy LCF4 and resolved within a Section 106 legal agreement.

Biodiversity

Policy NE23 of the Eastbourne Local Plan states that planning permission will be refused for developments which would have a significant adverse effect, either directly or indirectly, on a habitat and/or species of flora and fauna of demonstrable nature conservation importance.

Policy D9 of the Eastbourne Core Strategy seeks to protect and support a diverse and multi-functional network of green space and promote effective conservation and enhancement of Eastbourne's wildlife.

Paragraph 118 of the National Planning Policy Framework states that opportunities to incorporate biodiversity in and around developments should be encouraged.

Biodiversity surveys and a Great Crested Newt Habitat Suitability Index assessment have been submitted in support of the application. The East Sussex County Council Ecologist has been consulted and has commented as follows:

The nearest designated site is Horsey Sewer Site of Nature Conservation Importance (SNCI) which lies approximately 160m to the east. There are no other sites designated for their nature conservation importance within 1km of the site. Given the location, scale and nature of the proposed development, there are unlikely to be any significant impacts on protected habitats or sites designated for their nature conservation importance.

Habitat of greatest value present on the site are the hedgerows, mature trees and ditches. The former allotments at the north west of the site have developed into an area of scrubby grassland which is a haven for wildlife. The hedgerows provide foraging and commuting habitat for bats, nesting habitat for birds, refugia for amphibians and reptiles and connectivity to the surrounding area. The proposed development will lead to the direct loss of the scrubland at the north west of the site. To compensate for the loss of habitats, especially mature trees, a landscaping scheme should incorporate areas of semi-natural habitat of value to wildlife and should include features that provide connectivity throughout the site and with the surrounding area, and should incorporate native species of known value to wildlife and would be secured by condition.

The Reptile Survey Report (September 2013) reported that the site currently supports a good population of slow worms and low populations of common lizards and grass snakes. This shows a decline from previous surveys carried out in 2007 which found an exceptional population of slow worms, a good population of common lizard and a low population of grass snake. The Reptile Mitigation Strategy, however, is not sufficient to ensure no net loss of reptile populations. In particular, further information is required about the proposed receptor site and further surveys are required to assess usage of the site by badgers which would be secured by condition.

National guidance (English Nature, 2004) states that planning must incorporate two aims where reptiles are present: a) to protect reptiles from any harm that might arise during the development work; and b) to ensure that sufficient quality, quantity and connectivity of habitat is provided to accommodate the reptile population, either on-site or at an alternative site, with no net loss of local reptile conservation status. The Reptile Mitigation Strategy is not sufficient to achieve those aims. The proposed Mitigation Strategy states that 100 refugia will be installed. However, best practice guidelines (HGBI, 1998. Evaluating local mitigation/translocation programmes: maintaining best practice and lawful standards) recommend a minimum of 100 refugia per hectare for medium populations of slow worms. Given that the whole development site is 2.3 ha of which 1.47 ha has been assessed as suitable reptile habitat, this proposed density is too low. A condition is, therefore, recommended that 230 refugia will be installed in total prior to first occupation of the development and monitored by a suitably qualified Ecologist.

National Guidance (EN, 2004) states that generally, reptiles should only be released at suitable sites that currently do not support the species, but where habitat enhancements can be made to accommodate them (to ensure no net loss of reptile populations). Where

only small numbers are involved, reptiles may be added to an existing population so long as some improvements are made to the habitat. Furthermore, the site should be made capable of supporting reptiles before they are relocated. The Reptile Mitigation Strategy proposes that reptiles will be relocated to the allotments north of the development site. No information has been provided as to the current status of the proposed receptor site for reptiles. It is therefore not possible to assess whether the site is suitable. Therefore, a condition is recommended requiring full details of the suitability of the proposed receptor site to the allotments north of the site to be submitted to the LPA for approval prior to commencement of development.

Drawing C115345-01-02 showing the 'exclusion fencing layout' is missing from the mitigation strategy and would be required to be submitted by condition prior to commencement of the development.

The Great Crested Newts Habitat Suitability Index Assessment indicates that the proposed development is unlikely to impact on this species and therefore no further action is required. A condition is recommended that if great crested newts are encountered during building works then works should cease and advice should be sought from a qualified Ecologist on a suitable mitigation/relocation strategy to be submitted to and approved by the Local Planning Authority prior to works continuing.

In addition, if works do not start within two years of the current surveys, the surveys should be updated to ensure that appropriate mitigation and/or compensation is provided for all protected species known or likely to use the site, and this shall be secured by condition.

Trees and Landscaping

Policy UHT6 requires new trees to be of a species that retains the distinctive character of Eastbourne and be of a size to make a significant visual impact to the locality.

Policy UHT7 requires development proposals to make improvements to the physical environment through site layout and landscaping and conditions will be imposed requiring landscape proposals to be approved before development commences.

The proposal involves the removal of 42 trees in total, 2 of which are TPO trees to facilitate the development in its submitted layout. An arboricultural report has been submitted which indicates one of the TPO trees (T3 Sycamore) is a healthy category B tree and is to be removed to facilitate development. TPO tree T4, which is an Elm, has been categorized as U and is also indicated as removed due to its condition and negligible amenity value. The remaining trees to be removed around the site to facilitate the development are categorised as C and U which are considered to have no significant amenity value or are in poor condition.

The Council's Arboricultural officer has been consulted and raises no objections to the removal of the existing trees on site subject to a condition requiring the submission of a comprehensive landscaping scheme incorporating suitable replacement trees, planting species and their locations.

As such, the proposal would accord with Policies UHT6 and UHT7 of the Eastbourne Local Plan.

Sustainable Development

Policy D1 requires all new development to be sustainable and be well designed and constructed and demonstrate that it has taken account of the principles of sustainable development. All new residential developments should demonstrate that they meet the minimum requirement of Code Level 4 for all new homes from April 2013.

The design and access statement confirms that the development would be constructed to an enhanced Code Level 3 of 68 points due to financial viability, which is a lower level than that required by 'Policy D1: Sustainable Development' of the Eastbourne Core Strategy Local Plan. The standards proposed through the application align with current Building Regulations, however their Viability Statement does not fully justify why the departure from local policy (Code Level 4) is acceptable based on viability. This matter will be taken into consideration by the District Valuation Office in their independent assessment of the scheme and will be resolved within a Section 106 legal agreement.

Flood Risk

Policy US4 of the Eastbourne Borough Local Plan requires all development to make adequate provision for floodplain protection and surface water drainage.

Policy D11 of the Eastbourne Core Strategy states that Eastbourne Park is an essential flood storage area, which helps mitigate the effects of flooding on the surrounding built development. Any future proposals for the Park should ensure that they do not compromise its vital role as an area for flood storage and mitigation.

The site is located within the Tidal Flood Zone 3a, and although this area is protected by coastal flood defences, consideration should be given to minimising flood risk. The applicant confirms that finished floor levels will be above 2.9 metres AOD, finished floor levels 150mm above ground level, car parks and roads set at a minimum of 2.75 metres AOD and proposed SUDS measures (such as water harvesting, swales and permeable paving) will alleviate surface water flooding and drainage issues and secured by conditions.

The north western triangular section of the site adjacent to the allotments to the west is located within the Eastbourne Park flood storage area. As the proposal would result in the loss of land used for flood storage, a fluvial flood compensation is required resulting in a one off contribution based on the flood compensation required of £62,731.

The Environment Agency have been consulted and raise no objection to the proposal subject to conditions and the mitigation measures recommended by the submitted Flood Risk Assessment are included in the final development.

Southern Water has been consulted and advise that at present there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. If permission is granted conditions should be attached preventing the commencement and occupation respectively, of the development until details of the proposed means of foul sewerage disposal have been agreed and the necessary infrastructure capacity is available to adequately serve the development.

The scheme proposes that the surface water disposal will be via the existing drainage network. It is planned that there will be on site attenuation of the surface water via open ditches and swales. This attenuation would mean that the rate of surface water run off from the site would be significantly reduced from the existing situation. This reduction in surface water run off would limit the likelihood of localised flooding.

As such, subject to conditions to secure the submission of surface water drainage details, details of foul sewage disposal and any amendments to finished floor levels during the course of the development, the development would accord with Policy US4 of the Eastbourne Local Plan and Policy D11 of the Eastbourne Core Strategy.

Human Rights Implications:

It is considered that the proposal would not have any adverse impact on the amenities of nearby residents, nor have any negative impact on human rights, equality and diversity.

Conclusion:

Given the previous permission for residential development in 2011, the site being an identified housing site, the efficient use of the site for an identified housing need, it is considered that the redevelopment of the site to provide 102 houses and flats is acceptable in principle subject to conditions and an agreed Section 106 legal agreement.

Recommendation: Approve subject to conditions and an agreed Section 106 legal agreement.

Conditions:

1. Time limit.
2. Drawing numbers.

Prior to Commencement

3. Materials and samples.
4. Construction Environmental Management Plan.
5. Construction Traffic Management Scheme.
6. Updated phase 2 soil investigation and remediation.
7. Details of SUDS (Southern Water).
8. Foul sewage disposal details (Southern Water).
9. Changes to ground levels and finished floor levels.
10. Lighting Strategy.
11. Details of windows or reconfigured layout to 3rd floor of Pump House.
12. Details of new external doors (Pump House).
13. Full details of windows, glazing, ventilation and section showing floor levels.
14. Standing building survey recording.
15. Updated noise and vibration report.
16. Details of refuse facilities and recycling.
17. Details of reptiles receptor site, badgers,
18. Submission of drawing C115345-01-02 (exclusion fencing layout).
19. Programme of archaeological work.
20. Road construction details.

Prior to Occupation

21. Boundary treatment.
22. Turning spaces.
23. Details of cycle parking provision.
24. Parking spaces provided.
25. Comprehensive landscape plan and biodiversity enhancement.
26. Details of acoustic fence to railway boundary.
27. Locations of affordable housing units on site.
28. Details of secure cycle storage for flats.
29. Installation of 230 fugia and monitored by Ecologist.
30. Archaeological site investigation and post investigation assessment.

In Perpetuity

31. Restoration and renewal alterations like for like (Pump House).
32. Works cease if Great Crested Newts discovered.
33. If work not started in 2 years, all surveys updated and submitted.
34. New roads in accordance with Highway standards.
35. Development implemented in accordance with the FRA.
36. Utility pipes, soil stacks to be run internally (Pump House).
37. Contamination not identified
38. Wheel washing facilities.
39. Retained trees.
40. Details of work to trees.
41. No bonfires.
42. Working hours.
43. No contaminated material deposited.

Informative