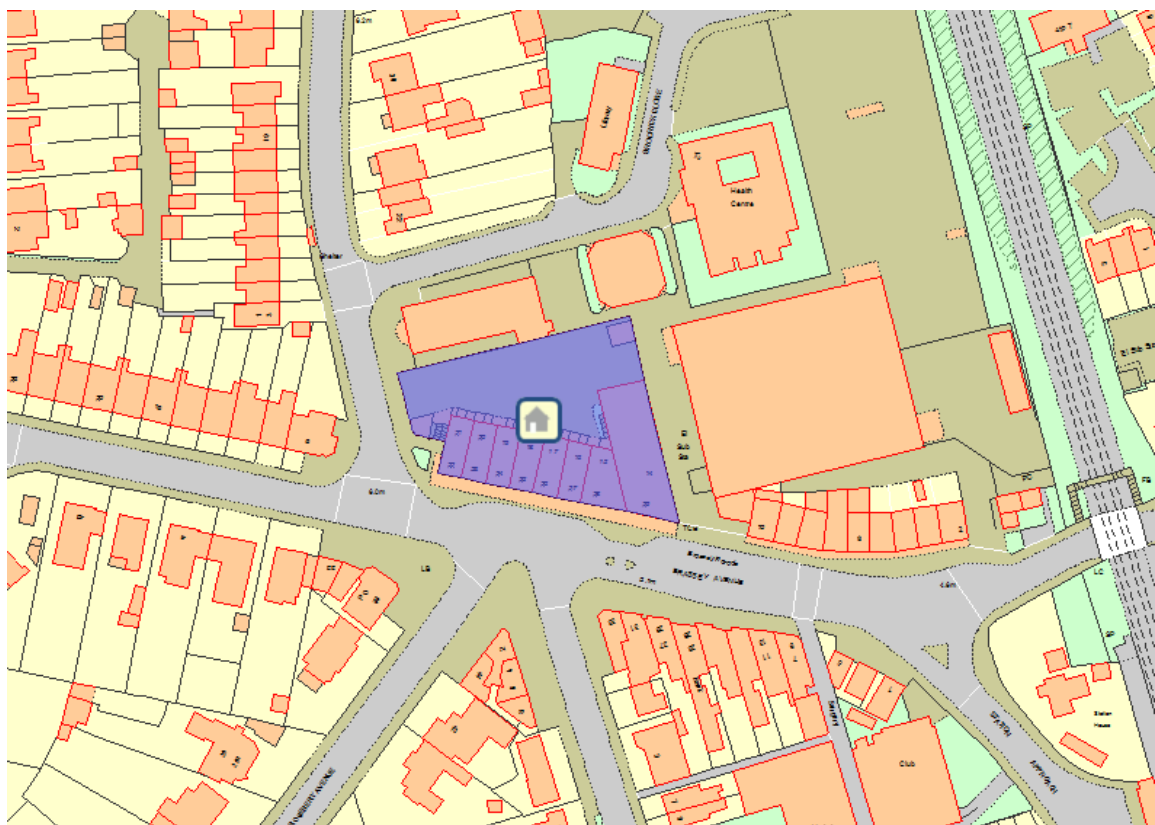


App.No: 180913	Decision Due Date: 26 th December 2018	Ward: Hampden Park
Officer: James Smith	Site visit date: 7 th November 2018	Type: Planning Permission
Site Notice(s) Expiry date: 21 st October 2018		
Neighbour Con Expiry: 21 st October 2018		
Press Notice(s):		
Over 8/13 week reason:		
Location: 14-29 Brassey Parade		
Proposal: Construction of an additional storey and re-modelling of existing building to provide 22 additional residential units (to include sub-division of 1 existing flat into 2 units) together with the retention of 7 existing flats at first floor level thereby resulting in an combined total of 29 residential units. Configuration to comprise: 17 flats (9 x studio units and 8 x 1-bed units) at second floor level; 5 no. 1-bed flats on first floor together with retention of existing 7 x 2-bed flats.		
Applicant: Mr Ashley Bennett		
Recommendation: Approve conditionally subject to S106		

Contact Officer(s): **Name:** Chris Wright
Post title: Interim Senior Specialist Adviser (Planning)
E-mail: christopher.wright@lewes-eastbourne.gov.uk
Telephone number: 01273 085461



1 Amended Scheme

- 1.1 This application is bought back to the Planning Committee following its previous consideration at the meeting on 11th December 2018, where Members resolved to approve the application subject to the completion of a S106 Agreement to secure provision of affordable housing.
- 1.2 Since this resolution negotiations have been undertaken and the applicant has made the decision to amend the scheme as follows.
- 1.3 The additional storey, which would have had the appearance of a mansard roof extension, has been deleted from the scheme. This means that the proposed development will be only one storey higher than existing now.
- 1.4 Instead of providing 29 residential flats together with the 7 flats previously approved on the first floor (36 flats in total), the scheme has been reduced by 12 flats so there will be 22 new flats plus the 7 flats previously approved on the first floor (29 flats overall).
- 1.5 The applicant has also submitted a Financial Viability Assessment to demonstrate that even the revised and reduced scheme will not be capable of providing affordable housing. Usually the starting point for affordable housing provision would be 40%, or 11.6 units in this case.
- 1.6 The local planning authority has sought an independent review of the Financial Viability Assessment in order to establish its veracity.
- 1.7 The independent advice given to the local planning authority is that the proposal development is not viable and therefore cannot provide any affordable housing units.
- 1.8 The reasons for this include the build cost, sales prices and the benchmark land value adopted by the applicant.
- 1.9 In view of the above, officers' recommendation is to approve the application as before. A copy of the committee report presented on 11th December 2018 follows, and the suggested conditions have been amended to reflect the addendum report also presented at planning committee on 11th December 2018.

1 Executive Summary

- 1.1 The application has been brought to Committee due to it constituting major development.
- 1.2 The proposed scheme would provide a more efficient use of the site, and a valuable contribution towards housing provision within the Borough. This is in accordance with National Planning Policies which encourage mixed use development, vertical extensions and a more intensive use of brownfield sites in sustainable locations.
- 1.3 The design and scale of the proposed building is appropriate for its surroundings. The building can also be accommodated without degrading the amenities of neighbouring residents. It would also provide suitable living conditions for future occupants.
- 1.4 The proposed scheme would not result in an increase in traffic and parking demand that would be detrimental to the free flow of traffic or highway safety.
- 1.5 As the development would result in a net increase of more than 11 residential units, a proportion of affordable housing would be expected to be provided at a rate of 30% of the total increase. This provision would be secured through the use of a Section 106 Legal Agreement.

2 Relevant Planning Policies

2.1 National Planning Policy Framework (Revised 2018)

2: Achieving sustainable development
4: Decision Making
5: Delivering a sufficient supply of homes
9: Promoting sustainable transport
11: Making effective use of land
12: Achieving well designed places

2.2 Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution Sustainable Centre
B2: Sustainable Neighbourhood
C7: Hampden Park Neighbourhood Policy
D4: Shopping
D5: Housing Low Value Neighbourhoods
D10a: Design

2.3 Eastbourne Borough Plan Policies 2007

UHT1: Design of New Development
UHT2: Height of Buildings

UHT4: Visual Amenity
HO20: Residential Amenity
SH7: District, Local and Neighbourhood Centres
TR11: Transport & Parking

3 Site Description

- 3.1 The site is occupied by a parade of shops which are accommodated within a two-storey red brick building which has a split level shallow pitched roof. The majority of the first floor level is occupied by residential flats, other than above unit 14, with this area having been retained for storage use by the retail unit which formerly occupied 14 Brassey Parade (which has since been converted to D1 use). The shops face on to Brassey Parade and include a flat roof overhang above the shopfronts. The unit at the eastern end of the building projects further to the rear, creating an L-shaped footprint. To the rear of the building is a service yard/parking area whilst there is decked access provided to the first floor flats. This also appears to be in informal use as a balcony by some properties.
- 3.2 There are other parades of shops on the opposite side of the road and to the east, forming a cluster around Hampden Park Railway Station. This cluster forms the Hampden Park (Brassey Parade) District Shopping Centre. To the rear of the site is Hampden Park Hall, which is a building of local interest as well as a Health Centre and Library. To the west of the site, the form of development becomes predominantly residential. There is no set vernacular within the immediate surrounding area, buildings of a variety of designs, scales and ages being present.

4 Relevant Planning History

4.1 180487

Conversion of retail storage space (A1/A2), with alterations to existing dwelling (C3), to form five self-contained dwellings (C3) with amendments to fenestration. Approved conditionally 11/7/18

5 Proposed development

- 5.1 The proposal involves providing an additional two storeys over the footprint of the existing building in order to facilitate to provision of 29 new residential flats. These would be distributed over the first, second and third floors. Additional first floor flats would occupy the former storage area over 14 Brassey Parade. The remaining 24 units would be within the building extensions. Ground floor retail units and existing first floor flats would not be affected by the proposed scheme.
- 5.2 The proposed vertical extension would be of a flat roof design, with the top storey slightly recessed from the building frontage and clad in a contrasting material. The overall height of the building would be approximately 12.35 metres, with the footprint remaining as existing. This represents an increase in height of approximately 4.5 metres. The accommodation provided would include 5 new flats in place of the first floor storage area serving 14 Brassey Parade. A similar conversion of this floorspace was approved under 180487. The majority of flats

would have 'juliette' style balconies.

5.3 The full occupancy of the proposed building is shown overleaf:-

Floor	Commercial	Studio	1 bed 1 person	1 bed 2 person	2 bed 3 person	2 bed 4 person
Ground	8 Units	0	0	0	0	0
First	0	0	1	4	0	7 (existing)
Second	0	7	1	3	0	1
Third	0	7	3	1	1	0
TOTAL	8	14	5	8	1	8
8 commercial units, 29 x new residential units, 7 x existing residential units						

5.4 The development would utilise the existing car park to the rear of the site, which currently provides 20 car parking spaces in total. Two of these car parking spaces would be removed in order to allow for provision of waste and recycling storage area. Of the retained 18 spaces, 9 would be allocated to the existing A1/D1 uses and the remaining 9 allocated to the 2 bedroom flats within the development. There would be zero car parking provision for the 1 bedroom flats.

6 Consultations

6.1 Specialist Advisor (Planning Policy):

6.1.1 The application site is situated in the 'Hampden Park Neighbourhood' as identified by Policy C7 in the Eastbourne Core Strategy (2013). Policy C7 of the Core strategy explains that the vision for the 'Hampden Park Neighbourhood' is; 'Hampden Park will increase its levels of sustainability and reduce the levels of deprivation in the neighbourhood whilst assisting in the delivery of housing and employment opportunities for the town'. This application looks to compliment the vision by assisting in the delivery of housing.

6.1.2 Policy SH7 of the Borough Plan identifies this area as a 'District Shopping Centre' on the Retail Hierarchy. The site is covered by Policy D4 (Shopping) identified in the Core Strategy, with the principle to "ensure that everyone has access to a good range of shops that meet local needs. The Council will seek to encourage the continuing vitality and viability of shopping centres, whilst preserving the predominance of A1 use class". The Eastbourne Borough Plan states that a valid consideration in maintaining the vitality and viability of district, local and neighbourhood centres is the balance of A1 retail uses to A2/A3. It will become less viable if too many non-A1 uses get accepted, as this may result in 'dead frontage' which is unattractive to customers. This application results in a loss of 163.1m² of A1 floorspace. This floorspace does not appear to have been in use as a primary retail, and appears to be more 'back office' or for storage. It will not affect the number of Commercial units, and is not deemed significant.

6.1.3 The NPPF requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of

housing. As of 1st April 2018, Eastbourne is only able to demonstrate a 3.26 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. The NPPF would view this application with a 'presumption in favour of sustainable development,' as described in paragraph 14 of that document. It is not considered that the proposal would be contrary to the NPPF as a whole, or contrary to any specific policies in the NPPF.

6.1.4 Contrary to the Planning Statement, the site does not count as a Windfall Site, as it is in the SHELAA. There will be a gain 29 addition dwellings. As it is a development of Development of Flats it will not be CIL liable.

6.1.5 It is liable towards a contribution to affordable housing as the development is for more than 10 units. However the Planning Statement describes how they are unable to include the adequate staircases required by fire regulations within the development, and so cannot provide any affordable housing units. They state they do not need pay a commuted sum as it a development of 1 and 2 bedroom flats within a 'Low Value Neighbourhood.' There is no supporting evidence provided supporting this conclusion outside of the Planning Statement.

6.1.6 The size of the bedrooms and flats are above the standard specified within the 'Technical Space Standards – nationally described space standard.'

6.1.7 As there are already a mix of flats and commercial uses on this site, it is not considered that there will be any issues concerning HO20: Residential Amenity which considers noise, general disturbance or odour. Therefore, from a policy perspective, despite the loss of some A1 floorspace, the application is acceptable.

6.2 Highways ESCC:

6.2.1 Following the submission of an amended Transport Statement, Highways have indicated that the proposed development is acceptable in terms of highway impact and parking provision. Full comments and suggested conditions are awaited and will be provided as an addendum item.

6.3 Southern Water:

6.3.1 Southern Water has undertaken a desk study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that there is an increased risk of flooding unless any required network reinforcement is provided by Southern Water. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme.

6.3.2 Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

Southern Water hence requests the following condition to be applied:

“Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development”.

- 6.3.3 It may be possible for some initial dwellings to connect to the pending network reinforcement. Southern Water will review and advise on this following consideration of the development program and the extent of network reinforcement required. Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of works required (if any) and to design such works in the most economic manner to satisfy the needs of existing and future customers.
- 6.3.4 Southern Water supports this stance and seeks through appropriate Planning Conditions 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.
- 6.3.5 Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors. We request that should this application receive planning approval, the following condition is attached to the consent:

“Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.”

7 Neighbour Representations

- 7.1 3 letters of objection have been received from neighbouring residents and 1 from Hampden Park Community Centre, which the site backs on to. A summary of concerns raised is provided below:-
- Would be overdevelopment and the building would be taller than the community centre.
 - Parking provision totally inadequate and would lead to more on-street parking.
 - Additional traffic will result in difficulties in lorries entering and leaving the site.
 - Access to the community centre has been obstructed during past construction works. An extended ‘no obstruction’ box should be provided, or a ‘no entry’ box.
 - A fence should be provided to prevent waste from blowing into the community centre curtilage.
 - A condition should be used to require commercial vehicles to switch off engines whilst unloading on site.

- Building is not in keeping with surrounding area and would look unsightly.
- May impact on the small businesses on the ground floor, causing them to leave.
- Existing premises is in a poor start and there are concerns this would also be the case with the proposed building.

8 Appraisal

8.1 Principle of development

- 8.1.1 The proposal involves the provision of additional residential units on a brownfield site. This would be achieved by way of a vertical extension to the existing building. Para. 118 (e) of the Revised NPPF (2018) maintains that Local Planning Authorities should 'support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.'
- 8.1.2 Para. 123 of the NPPF goes on to state 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.' This is relevant in the determination of this application given the current failure for the Borough to be able to demonstrate a 5 year supply of housing land.
- 8.1.3 It is therefore considered that the principle of a vertical extension providing higher density residential development is acceptable, provided other relevant planning policies are complied with.
- 8.1.4 The proposed development would not result in the loss of any retail units, the only retail floorspace being lost is in the form of a former store room which served the convenience store that formerly occupied 14 Brassey Parade. The use of the ground floor unit has since changed to a hydrotherapy centre (Use Class D2) and the storage space is not required for this use.
- 8.1.5 As no viable retail space would be lost as a result of the scheme, it does not conflict with Eastbourne Core Strategy Policy D4 and Eastbourne Borough Plan Policy SH7, which seeks to prevent shopping facilities within District Shopping Centres. Furthermore, the proposed scheme represents mixed-use development, which is encouraged by para. 118 of the NPPF.
- 8.1.6 The proposed residential use would not compromise the ongoing viability of the commercial operations at ground floor level, none of which are considered to generate significant levels of noise and activity that may result in future occupants making complaints.
- 8.1.7 Given that the proposed development involves a net increase of over 11 residential units, there is a requirement for affordable housing to be taken into

consideration. The Council's Affordable Housing SPD (2017) states that, within a low-value area such as where the development site is located, affordable housing should be provided at a ratio of 30% of the total number of new units. This equates to units. As such, 8 affordable units should be provided on-site, with the additional 0.7 of a unit funded by way of a commuted sum.

- 8.1.8 The applicant has stated that, due to the requirement for affordable units to be partitioned and served by a separate entrance, they could not be provided on site as this would result in units only having access to one communal staircase, which would be over 7.5 metres from a number of said units. As such, the scheme would not be compliant with Approved Document B: Fire Safety – Volume 2 of the Building Regulations. As such, a commuted sum should be paid as per the prioritisation hierarchy set out in the SPD (para. 4.6).
- 8.1.9 The applicant has stated that, due to the requirement for affordable units to be partitioned and served by a separate entrance, they could not be provided on site as this would result in units only having access to one communal staircase, which would be over 7.5 metres from a number of said units. As such, the scheme would not be compliant with Approved Document B: Fire Safety – Volume 2 of the Building Regulations. As such, a commuted sum should be paid as per the prioritisation hierarchy set out in the SPD.
- 8.1.10 Para. 5.10 of the SPD confirms that 'Where the development is in the form of a flatted development, including new build and conversion or refurbishment of existing buildings, where it would not be possible on technical or architectural grounds to provide a separate entrance and access areas for the affordable housing separate from that fitted for housing provided at full market rates.' A commuted sum would be taken in lieu of on-site provision.
- 8.1.11 Para. 5.10 of the SPD confirms that 'Where the development is in the form of a flatted development, including new build and conversion or refurbishment of existing buildings, where it would not be possible on technical or architectural grounds to provide a separate entrance and access areas for the affordable housing separate from that fitted for housing provided at full market rates.' A commuted sum would be taken in lieu of on-site provision.
- 8.1.12 Table 3 of the Affordable Housing SPD indicates that studios, 1 bed and 2 bed flats in a Low Value Market Area have negative viability. In such cases, a scheme is exempt from payment of a commuted sum as per para. 5.11 of the SPD. As such, the applicant is not proposing to make any commuted contribution.
- 8.1.13 However, following discussions with Building Regulation Officers, it appears that there are possible ways to partition corridors within the building and still comply with Building Regulations. This would involve the use of an alarm system. It is therefore considered that affordable housing can be provided, and will be required in order for permission to be granted, unless it can be demonstrated that it would not be viable to adopt the alarm system. The application would therefore be subject to a Section 106 agreement to secure affordable housing, should it be approved.
- 8.2 Impact of proposed development on amenity of adjoining occupiers and

surrounding area:

- 8.2.1 The proposed development would increase the height of the building as well as the intensity of its use. The building is not directly adjacent to any other residential buildings, with the neighbouring structures being a large supermarket to the east and the community hall and youth support centre. The existing residential flats on the first floor of the building and there would be no projecting features such as balconies. As such, the first floor flats would be largely unaffected by the proposal, although there would be an element of overshadowing towards rear facing bedroom and bathroom windows on the easternmost flat as a result of the extension over unit 14. There would be no windows in this projecting part of the building that would face towards the first floor flats and, as such, no concerns relating to overlooking.
- 8.2.2 The nearest neighbouring dwellings outside of the site are on the opposite side of Brassey Avenue, approximately 25 metres to the south, and it is considered that this would be a sufficient distance to prevent the proposed building from appearing overbearing, causing undue overshadowing or allowing invasive views of those properties.
- 8.2.3 Whilst the intensity of the use of the site would increase as a result of the increase in residential units, it is considered that it would not be to the extent that it would be over intensive, given the site context, located within a busy District Shopping Centre. The residential use would also be compatible with the surrounding residential environment.
- 8.3 Design issues:
- 8.3.1 The proposed development would result in the creation of a sizeable four-storey building in a prominent location within the street scene. It is noted that para. 118 (e) of the Revised NPPF encourages extensions into the airspace above buildings with the caveat that they do not appear out of keeping with the general pattern of development within the street scene. Whilst the majority of buildings within the immediate surrounding area are two-storey, a significant amount of additional height is added in the form of pitched roofing. The profile of the proposed building would be lowered through the use of a flat roof design and the set back of the top-storey from the building frontage and its cladding in contrasting materials would soften its presence within the street scene and break up the mass of the building, preventing it from appearing overly dominant and drawing influence from the contrast between the roof line and elevation walls displayed on neighbouring buildings.
- 8.3.2 Furthermore, the large footprint of the building, coupled with the standalone nature of the site lend some flexibility in terms of the character of the development, with its size justifying it possessing an individual design and scale. It is considered this would be consistent with the varied nature of building design displayed within the street scene and the repeated fluctuation between building heights demonstrated throughout. It is also noted that a four-storey building of a larger footprint to the proposed scheme is already present within the neighbouring area in the form of flats at 2-46 Howletts Close, which is to the north of the site.

8.3.3 The proposed flats would be accessed from the rear of the site. Whilst it is preferential for residential buildings to be accessed directly from the street, this is not possible in this instance as the ground floor of the building is occupied by retail units. Given the presence of the shopfronts, and the large amount of windows on the front elevation, it is considered that the building would continue to engage effectively with the street scene. The stairwell access points to the rear of the site are not isolated or secluded as they are located within the car park which would be in frequent use. The access points would also be well overlooked by the windows of neighbouring buildings, ensuring a good level of surveillance. As such, it is considered that the site access points would be secure and safe.

8.3.4 The table below shows the floorspace provided within each unit against the amount required by Technical housing standards – nationally described space standard. All units are compliant other than one of the 2 person studio units. The shortfall in floor area is marginal, at 1.1 m² and, given the constraints of building over the existing footprint, it is considered acceptable to allow a slightly lower provision in this instance.

Unit Type	Floorspace provided	Minimum standard
Studio (2 person)	52.6 m ²	50 m ²
	50.9 m ²	
	50.9 m ²	
	50.9 m ²	
	50.9 m ²	
	48.9 m ²	
Studio (1 person)	43.9 m ²	39 m ²
	44.3 m ²	
	44.3 m ²	
	44.3 m ²	
	44.3 m ²	
	42.3 m ²	
1 bed 1 person	40.5 m ²	39 m ²
	42.4 m ²	
	43.5 m ²	
	41.3 m ²	
	41 m ²	
1 bed 2 person	52.3 m ²	50 m ²
	55.9 m ²	
	51.4 m ²	
	51.3 m ²	
	64.1 m ²	
	52.9 m ²	
	55.8 m ²	
50.1 m ²		
2 bed 3 person	63.2 m ²	61 m ²

2 bed 4 person	83.5 m ²	70 m ²
----------------	---------------------	-------------------

- 8.3.5 All new units would be served by windows and openings that would provide a suitable level of natural light permeation, ventilation and outlook to ensure a satisfactory living environment is maintained. The proposed scheme does not incorporate any private amenity space for use by future occupants, nor is there any communal amenity space provided. Given the site constraints, it is considered that it would not be feasible to provide communal amenity space as this would compromise car parking for the proposed development as well as the existing shops. As the units are generally small, it is not considered that they represent family units, which would have a greater requirement for on-site amenity space. Furthermore, there is a large amount of public open space within walking distance of the site, including Willingdon Levels, approximately 250 metres to the south of the site.
- 8.4 Impacts on highway network or access:
- 8.4.1 The proposed development would intensify the use of the site, by way of the provision of a net increase of 29 x residential dwellings. There is an existing car park and service yard to the rear of the building which currently provides 20 x car parking spaces. This car park is accessed via Brodrick Road. This car park and access will be utilised to serve the proposed development. The overall development, which would include 7 existing 2 bedroom units, would be served by 9 parking spaces, all of which would be allocated to 2 bedroom units. A further 9 parking spaces would be available for use by visitors to the retail units within the building.
- 8.4.2 The overall development, which would include 7 existing 2 bedroom units, would be served by 9 parking spaces, all of which would be allocated to 2 bedroom units. A further 9 parking spaces would be available for use by visitors to the retail units within the building. The proposed 1 bedroom units would not be allocated any on-site car parking. 2 car parking spaces would be removed from the existing car park in order to provide space for recycling and waste storage facilities.
- 8.4.3 Whilst the level of car parking provided falls below the maximum standards prescribed by ESCC Highways, it is considered that the level of provision is sufficient due to the specific attributes of the site. The site is located within a highly sustainable area given that it has good access to public transport, Hampden Park Railway Station being within 125 metres of the site, as well as access to shops and services within the District Shopping Centre. A combination of the highly sustainable site location and the expected tenure of these small units, where expected car ownership levels are at a lower ratio, means that future occupants would have a lower reliance on the use of cars.
- 8.4.4 The submitted Transport Statement also includes a car parking survey, carried out in accordance with ESCC methodology, that demonstrates that capacity for the remaining 18 car parking spaces that the development is likely to generate demand for, could be provided on-street within 200 metres walking distance of the site, without resulting in unacceptable levels of parking stress, the current level being 44%. The survey has been assessed by ESCC Highways Officers and has received their approval.

- 8.4.5 A Travel Plan has been submitted as part of the Transport Statement. This document sets out measures and initiatives to be adopted in order to encourage use of sustainable transport methods, providing information to promote the use of public transport, car-sharing and cycling. A Travel Plan co-ordinator would be employed to promote these methods, to carry out traffic monitoring work to help identify any ongoing issues and to act as a main point of contact between residents and the ESCC Travel Plan Officer.
- 8.4.6 Whilst there would be an increase in traffic as a result of the intensification of the use of the site, the level of on-site parking would decrease and, as such, the amount of vehicles entering and leaving the site would be unlikely to increase in any substantial way. It is also anticipated that car ownership amongst future occupants would be at a lower ratio due to unit size and the sustainable location of the site. As such, it is not considered that the proposed development would result in an increase in traffic that would be to the detriment of the free flow of traffic or to highway safety.
- 8.4.7 Car parking spaces would be provided in their existing location and there would be no increase in the footprint of the building. As such, the use of the service yard area to the rear of the retail units would not be compromised and delivery and servicing vehicles would be able to enter and leave the site in a safe manner. Visibility Splay and Swept Path Analysis diagrams provided as part of the Transport Statement demonstrate that delivery and servicing vehicles would be able to enter and leave the site in forward gear.

9 Human Rights Implications

- 9.1 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.

10 Recommendation

- 10.1 Approve, subject to the conditions set out below:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of permission.

Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2) The development hereby permitted shall be carried out in accordance with the following approved drawings:-

279800-31 – Location and Block Plan
279800-37B – Proposed Ground Floor Plan
279800-38C – Proposed First Floor Plan

279800-39D – Proposed Second Floor Plan
279800-42C – Proposed Elevations 1 of 2
279800-43C – Proposed Elevations 2 of 2

Reason: For the avoidance of doubt and in the interests of proper planning.

3) No development shall take place until details and, where appropriate, samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development.

4) Prior to the commencement of development, an Employment and Training Plan shall be agreed with the Local authority together with a written commitment detailing how the developer intends to undertake the works in accordance with the Local Employment and Training Supplementary Planning Document. The Employment and Training Plan must include, but not be limited to, the following details:

a) A Local Employment Strategy to include the advertising of all new construction and operational vacancies locally (i.e. in the Borough of Eastbourne and within East Sussex), a strategy to secure the recruitment and monitoring of apprentices, work experience placements for those unemployed and NVQ training places associated with the construction and operation of the development as appropriate to the development and calculated in accordance with the Local Employment and Training Supplementary Planning Document.

b) The agreed Employment and Training Plan shall thereafter be complied with and all construction works to establish the development and the operational stage of the development hereby permitted shall be undertaken in accordance with the Employment and Training Plan Strategy approved pursuant to part a) above.

Reason: To ensure that the development helps secure Local Employment and Training in accordance with the requirements of the Eastbourne Employment Land Local Plan Policy EL1 and to meet the requirements of the Local Employment and Training Supplementary Planning Document adopted on 16th November 2016.

5) No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car parking space for the development.

6) No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. The areas shall thereafter be retained for that use and shall not be used other than for the parking

of cycles.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

7) No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The plan shall provide details as appropriate but not be restricted to the following matters:

- The anticipated number, frequency and types of vehicles used during construction,
- The method of access and egress and routing of vehicles during construction,
- The parking of vehicles by site operatives and visitors,
- The loading and unloading of plant, materials and waste,
- The storage of plant and materials used in the construction of the development,
- The erection and maintenance of security hoarding,
- The provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- Details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

8) Upon the occupation/commencement of use, the applicant shall implement the measures incorporated within the approved Travel Plan. The applicant shall thereafter monitor report and subsequently revise the Travel Plan as specified within the approved document.

Reason: To encourage and promote sustainable transport.

11 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.

Item No 7	Brassey Parade	180913
<p>Further to para. 10.6 of the committee report, detailed comments have now been received from ESCC Highways which include suggested conditions to be attached to any approval. These conditions are listed below and would be added to the approval, if granted:-</p>		
<p>1. No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.</p>		
<p>Reason: To provide car-parking space for the development.</p>		
<p>2. No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.</p>		
<p>Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.</p>		
<p>3. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,</p>		
<ul style="list-style-type: none"> • the anticipated number, frequency and types of vehicles used during construction, • the method of access and egress and routeing of vehicles during construction, • the parking of vehicles by site operatives and visitors, • the loading and unloading of plant, materials and waste, • the storage of plant and materials used in construction of the development, • the erection and maintenance of security hoarding, • the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders), • details of public engagement both prior to and during construction works. 		
<p>Reason: In the interests of highway safety and the amenities of the area.</p>		
<p>4. Upon the occupation/commencement of use, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor report and subsequently revise the travel plan as specified within the approved document.</p>		
<p>Reason: To encourage and promote sustainable transport.</p>		

