

SCRUTINY COMMITTEE – SOVEREIGN CENTRE TASK GROUP

6th June 2018

Sovereign Centre – Planning Policy Position

1.0 Introduction

- 1.1 At its meeting in September 2017, Scrutiny committee endorsed the creation of a Sovereign Centre Task Group.
- 1.2 The proposed scope for the Task Group is:
- To make informative recommendations following consultations with relevant professionals regarding what types of development may be appropriate for the current Sovereign Centre site once it becomes vacant, as well as identifying what may not be appropriate in the best interest of the public and the Council's strategic objectives.
- 1.3 The proposed terms of reference of the task group are:
- i) To understand the planning policy considerations of the Sovereign Centre site;
 - ii) To consider options for the site, as presented by officers and;
 - iii) To recommend a preferred option for the site to the Cabinet on 20 March 2019.
- 1.4 This reports aims to provide members with an initial understanding of the planning policy considerations relating to the future development of the Sovereign Centre site.

2.0 Context

- 2.1 The Sovereign Centre occupies a coastal location approximately 1.5 miles (2.5km) north east of Eastbourne town centre. It is located adjacent to the Sovereign roundabout at a gateway to the seafront from the A22 and A259 from the east. The Sovereign Centre site, including the drop-off area to the front of the building and the open space to the rear of the building, amounts to an area of approximately 1.67 hectares.
- 2.2 The site was originally part of the shingle bank that made up the Crumbles. Prior to the construction of the Sovereign Centre, part of the site was used as a landfill site that was tipped until 1975. The household waste was removed during the development of the Sovereign Centre.
- 2.3 Historic mapping and planning application data also suggests that part of the

site was used as a tramway depot, servicing the Eastbourne Miniature Tramway that ran for just under a mile between Princes Park and the Crumbles from 1955 until 1969.

- 2.4 The original Sovereign Centre was built and opened in 1977. Later, a large extension was added, which opened in 1989. The Sovereign Centre contains lanes swimming, training pool, playpool, gym, sports hall, café and associated offices and storage. Immediately to the west of the Sovereign Centre is Monarch House, a block of 52 flats that was constructed at the same time as the 1989 extension.
- 2.5 The Sovereign Centre attracts approximately 600,000 visits each year, although usage is mainly from local residents as it is not considered to be an attraction for visitors. However, the Sovereign Centre does have some issues in terms of the building that means that it is not as effective or attractive as it could potentially be.
- 2.6 It is understood that there are a number of design issues with the Sovereign Centre, particularly due to the location of the entrance to the centre meaning that fully clothed users share the same space as bathers. This means that there is a general perception that the Sovereign Centre is unclean. It is also understood that the income from the Gym at the Sovereign Centre subsidises the cost of the swimming pools.
- 2.7 In December 2016, Cabinet approved the construction of a new leisure centre adjacent to the Sovereign Centre in order to:
- address the weaknesses in design of the current centre
 - spend capital on a new building with a 40 year life rather than addressing maintenance issues on a building dating from the 1970/80s
 - provide additional facilities which will extend the leisure offer to both residents and visitors
 - provide a building which is attractive to commercial operators and so able to fund the revenue costs of the capital investment.
- 2.8 This proposal involves the demolition of the existing Sovereign Centre, which will then provide an opportunity for alternative future uses of this key site on the seafront.

3.0 Planning History

- 3.1 Since the implementation of the Town and Country Planning Act 1947, which established that planning permission is required for land development, various planning permissions have been granted in respect of the Sovereign Centre site.

- 3.2 Through the late 1950s to mid-1960s, there were a number of temporary permissions for the retention of an existing tramway garage and depot building.
- 3.3 In 1963, an application for the construction of an Oceanarium was approved, and later that year a permission was granted for the construction of a swimming pool on the Oceanarium site.
- 3.4 An outline application for an indoor swimming pool sports complex was granted permission in 1973 (EB/1973/0734). The reserved matters application was approved in 1974 (EB/1974/0027).
- 3.5 Following the construction of the original Sovereign Centre, an outline application for a squash centre and ancillary facilities adjacent to the existing Sovereign Centre (EB/1983/0052) was approved in 1983, although this permission was never implemented.
- 3.6 An outline application for a front extension to the Sovereign Centre and the construction of residential/holiday accommodation (Monarch House) was approved in 1985 (EB/1985/0301), with conditions including a requirement for the residential element to be fully integrated with the remainder of the development and not laid out or designed so that it has a visual appearance of being a separate entity. The subsequent reserved matters application (EB/1986/0638) was approved unconditionally in 1987.
- 3.7 Since the construction of the Sovereign Centre in 1989, there have been permissions granted for: a draught lobby to emergency exit in 1989; advertising banners in 1993 and 1998; installation of replacement entrance doors in 2001; an entrance canopy at front of building in 2003; and external hoarding in 2005. An application for installation of solar panels to the south facing and flat roof was made in 2012 but withdrawn before it could be determined.

4.0 Site Analysis

- 4.1 The Sovereign Centre is an irregular shaped building, facing approximately north-west, with a footprint of approximately 6,335 sqm. The design and layout of the building clearly shows that it was constructed in two phases, with the original, smaller building to the rear adjacent to the promenade, and the extension to the front of the building being larger with a more modern appearance. The site area, including the drop-off space to the front and open space to the rear, amounts to approximately 1.67 hectares.
- 4.2 The Sovereign Centre site itself is relatively flat, although at the rear it slopes up towards the promenade. The site also drops down towards the car park to the

north-east of the site. There is also a lower area at the front part of the site to allow access to a subway underneath Royal Parade.

- 4.3 The Sovereign Centre building has a number of elements of different heights. It is approximately 4/5 storeys tall at its highest point, although the majority of the building is approximately 3/4 storeys tall. The front part of the building has a pitched roof, whilst the rear part of the building has a flat roof.
- 4.4 The existing car park to the north-east of the Sovereign Centre is approximately one storey lower than the existing ground floor level of the Sovereign Centre and contains approximately 280 spaces. Parts of the Sovereign Centre are also subterranean, including the sports hall in the eastern part of the building. To the west of the Sovereign Centre building is a small enclosed area that was previously used as a play area ancillary to the leisure centre.
- 4.5 National Cycle Network Route 21 runs adjacent to the site between the Sovereign Centre and the car park, from the roundabout to the promenade.
- 4.6 There are tall buildings surrounding the Sovereign Centre site, which offers the opportunity to provide a large sized building on the site that is still in keeping with surrounding locality.
- 4.7 Monarch House, immediately to the east of the Sovereign Centre, is five storeys in height with undercroft parking, and therefore approximately 18 metres tall at its highest point. It contains 52 flats, predominantly consisting of 2-bedrooms. The building is stepped at the sides so is not a solid block of the same height, but each part has a flat roof. As such, it has been described as being 'inspired by a gleaming ocean liner'. The development also contains communal lawned gardens to the rear of the building.
- 4.8 The topography of the site means that, although the parking is at lower ground floor level from the entrance to the site via Royal Parade, the land to the south of the site rises to the promenade, making it appear as basement parking from this perspective.
- 4.9 Adjacent to the Sovereign Centre site to the north is Regency Park, a modern development that contains four large blocks of flats alongside a number of three-storey townhouses. The Regency Park blocks are six storeys in height with undercroft parking, approximately 20 metres tall. These buildings also have flat roofs.

5.0 Land Ownership

- 5.1 Eastbourne Borough Council owns the freehold to the whole of the Sovereign

Centre site. With regard to Title, the site is divided into three areas:

- Title EB8435 –Land at The Crumbles lying to the south of the road from Langney Point to Crumbles Road
- Title ESX315839 – part of the Promenade and Foreshore Eastbourne)
- Title ESX274439 – Land at The Crumbles

5.2 The majority of the proposed development site is subject to various restrictive covenants, one of which prevents the land from being used “as a school or for any educational purpose or as a public house or beershop”.

5.3 In addition, there is a restriction on the use of the site for “any trade or business whatsoever or otherwise as a private dwellinghouse without the consent in writing of the Duke his heirs or assigns”.

5.4 The formal consent of the Chatsworth Estate for any proposed development in contravention of the restrictions would therefore be required.

6.0 Planning Policy Considerations

6.1 The Development Plan for Eastbourne that identifies the planning policy position is made up of a number of planning policy documents, including the Eastbourne Borough Plan 2001-2011 (adopted 2003, saved indefinitely 2007) and the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013).

6.2 The Core Strategy identifies 14 separate neighbourhoods in the town. The Sovereign Centre site is located within the Seaside neighbourhood, but immediately adjacent to the boundary with the St Anthony’s & Langney Point neighbourhood.

6.3 The Vision for the Seaside neighbourhood as identified in the Core Strategy is: *Seaside will experience reduced levels of deprivation and enhance its level of sustainability, whilst reversing the decline in commercial and business activity, playing an important role in the delivery of housing, expanding its contribution to tourism and conserving its historic areas.*

6.4 Core Strategy Policy C3: Seaside Neighbourhood Policy states that the Vision will be promoted by a number of measures including those below that are relevant to the development of the Sovereign Centre site:

- Providing new housing through redevelopments, change of use and conversion of floorspace above shops;
- Resisting the loss of greenspaces, including playing fields, amenity spaces, play areas and parks and gardens;
- Encouraging sustainable travel through the provision of safe walking and

- cycling routes; and
- Encouraging opportunities for renewable energy generation including potential for district heating networks.

- 6.5 The Seaside neighbourhood is also identified as a 'Sustainable Neighbourhood' through Core Strategy Policy B1.
- 6.6 Borough Plan Policy TO9: Commercial Uses on Seafront restricts the change of use of properties to commercial or retail uses, other than hotels and guest houses and their ancillary restaurants/bar facilities, except in specific circumstances such as there being no material change to the external appearance of the building. The purpose of this policy is to maintain the condition of the Seafront buildings to a high standard so that it is distinguished from the Seafronts of other resorts.
- 6.7 The land adjacent to the Sovereign Centre to the east is allocated through Borough Plan Policy LCF12 and Core Strategy Policy C13 for leisure use development. This will be the site of the new leisure centre.
- 6.8 The site is just outside of the Preferred Area for Tourist Attractions and Facilities as defined by Borough Plan Policy TO7.
- 6.9 The site is within 250 metres of a former landfill site, so in order to comply with Borough Plan Policy NE16 risk will need to be assessed and if necessary any remedial action will need to take place.
- 6.10 Due to the nature of its location, the site is also in an area of Tidal Flood Risk. As such, Borough Plan Policy US5 requires that consultation on any proposal be undertaken with the Environment Agency and construction standards and floor level requirements be complied with.
- 6.11 Due to the location of Monarch House adjacent to the site, consideration will need to be given to residential amenity (Borough Plan HO20) and not cause an unacceptable loss of outlook; loss of privacy by overlooking from habitable rooms; overshadowing and/or loss of light; or noise, general disturbance or odour.
- 6.12 Borough Plan Policy UHT2: Height of Buildings requires new development be of a height similar and conform with that of the majority of surrounding buildings and take full account of its effect on the skyline and long distance views
- 6.13 In the event that a residential use for the site is proposed, a development of 11 or more units on the site would be required to make a 30% affordable housing contribution, in accordance with Core Strategy Policy D5: Housing and the

associated Affordable Housing Supplementary Planning Document.

- 6.14 Overall, existing policy within the Borough Plan and Core Strategy does not point to a particular use for the site, although it does set some parameters that will need to be considered in assessing the most suitable future use, such as the need to consider residential amenity.

6.15 *Current Status of the Local Plan*

- 6.15.1 Despite this, it should be noted that Eastbourne is unable to demonstrate a five year supply of housing land, and it has been over five years since the adoption of the Core Strategy. As such, legislation and national guidance says that the Local Plan is out of date. In this situation, applications for development should be judged against the National Planning Policy Framework (NPPF) and the presumption in favour of sustainable development.
- 6.15.2 Preparation of a new Local Plan for Eastbourne has commenced and is currently in its early stages. The new Local Plan will identify the overall development requirements for the Borough, and contain policies to meet those requirements. It also provides an opportunity to review sites and consider allocating sites for particular uses. Therefore, the new Local Plan could allocate the Sovereign Centre site for an appropriate use.
- 6.15.3 Currently, the first round of consultation on the new Eastbourne Local Plan is scheduled for summer 2019, with public examination by the Planning Inspectorate taking place in the first half of 2020 and adoption in late 2020 or early 2021.
- 6.15.4 As part of the evidence base for the new Local Plan, a Strategic Housing & Employment Land Availability Assessment [SHELAA] was published in 2017. The purpose of the SHELAA is to provide an up to date assessment of land supply in the borough and help to identify land for new housing and employment land uses to meet identified needs in the new Local Plan.
- 6.15.5 The SHELAA assessed the Sovereign Centre site and identifies it as being potentially developable for both residential and commercial uses, subject to sensitive design to the surrounding open spaces. The SHELAA provides an indicative capacity of 140 residential units, based on a flatted development with an average density of 84 dwellings per hectare; or approximately 5,000 sqm of commercial floorspace. This is an indicative capacity of the site; the actual capacity has not been tested and will depend on the type of use being proposed.

7.0 Development Considerations

7.1 *Design*

- 7.1.1 Considering the site's location in a prominent position on the Sovereign Roundabout, adjacent to Lottbridge Drove and at the eastern end of the Seafront, the site should be regarded as a landmark site at a gateway to the town. As a landmark site, it is considered that the site could provide an opportunity for a building of considerable height, scale, form and design.
- 7.1.2 It is considered that any landmark building(s) could be of a contemporary design that adds interest to the townscape and becomes a focal point in the landscape. Furthermore, having regard to the site's prominence when viewed from Lottbridge Drove and from the seafront, the design of the rear elevation of any development must be as attractive as the front. Considering the location of the site, there would be the opportunity to incorporate viewing points at key points in any building.
- 7.1.3 When considering materials, regard should be given to the Seafront location and associated exposure to maritime conditions. Regard should also be given to energy efficiency measures in the design.
- 7.1.4 Any potential development should allow pedestrian and cycle access through from the Sovereign Roundabout to the promenade, and allow the retention of the National Cycle Network route.

7.2 *Height*

- 7.2.1 Having regard to the gateway location of the site and the surrounding buildings, this indicates that any building on the site could be a maximum of six storeys in height from the basement level of the existing Sovereign Centre. This would allow this space to potentially be used as undercroft parking. A building of this size would rise to a height of five storeys from the level of Prince William Parade, and therefore would be slightly lower than Monarch House, minimising the impact of development on the site. In addition, any building on the site should incorporate a flat roof.

7.3 *Access*

- 7.3.1 The most appropriate access would be to continue the existing arrangement via Sovereign roundabout. This will also be the access for the new leisure centre.
- 7.3.2 East Sussex County Council provide guidance on the amount of parking required depending on the type of development. Car parking will need to be considered in any potential use of the site, as a use that is going to generate a

significant number of trips will require a level of car parking provision that may not be able to be accommodated on site. A shared car park with the new leisure centre may be an option if it can be demonstrate that there will be sufficient capacity for both uses.

7.4 *Landscape*

7.4.1 The landscaping of the site should have regard to the effect of traffic movement surrounding the site, particularly on the Sovereign Roundabout, and the associated noise and disturbance on the amenities of future uses.

7.4.2 Bearing in mind the openness of Five Acre Field to the north, Sovereign Park to the east and the close proximity to the Seafront, any proposed planting should be tolerant to maritime exposure and in particular to salt laden winds.

7.5 *Services and Utilities*

7.5.1 A foul water sewer runs to the north of the site alongside Wartling Road, through the Sovereign Roundabout and alongside Prince William Parade.

7.5.2 There is a medium pressure gas pipeline running south to the east of the Sovereign Roundabout, and a low pressure gas pipeline within the boundary of the site running east-west direction along the access road and in front of the existing drop-off point and along the western side of the Sovereign Centre where it connects to the Sovereign Centre building and Monarch House. There are exclusion zones around the medium pressure gas pipeline within which development cannot take place, although it is not considered that this will significantly impact the development of the Sovereign Centre site.

7.6 *Flood risk*

7.6.1 The majority of the site, with the exception of the banked land to the south of the site, is within Tidal Flood Zone 3a (High Probability of Flooding) although the site is protected by coastal sea defences to a 1 in 200 year event standard. Development proposals would need to satisfy the 'sequential test' in order to locate the most vulnerable parts of development away from the highest areas of risk in the first instance. Certain types of development, for example residential development, would also need to satisfy the 'exception test' to show that the development would be sustainable; protect vulnerable users; and not increase the risk of flooding elsewhere.

8.0 **Conclusion**

8.1 The purpose of this report is to consider the planning policy position relating to

the Sovereign Centre site.

- 8.2 An analysis of local plan policies that apply to the site shows that there are no existing policies that point to a particular use for the site, although there are policies that should be considered in assessing the most suitable future use, such as the need to consider residential amenity.
- 8.3 However, it should also be noted that the current Local Plan is out of date, and a new Local Plan is currently being prepared to replace it. The new Local Plan provides an opportunity to allocate and plan for the most suitable and sustainable use of the site, without any of the restrictions of the existing policy.
- 8.4 The site is considered to be a gateway location, and as such could take a landmark building. The height of the surrounding development, particularly Monarch House, would allow a relatively tall building to be sited, although views through the site would be an important consideration.
- 8.5 Use of the site can now be considered within this context, and it is likely that there will be some uses that are more appropriate than others. However there is no guarantee that developers/operators of what may be considered the most appropriate uses would be interested in developing the site. Therefore, as part of the future analysis of options, some market testing may be required in order to determine the market's view of the most appropriate use of the site.