

# Planning Committee

## 15 December 2020



Working in partnership with **Eastbourne Homes**

Time: 6.00 pm

**PLEASE NOTE: This will be a 'virtual meeting' held remotely in accordance with section 78 of the Coronavirus Act 2020 and section 13 of the related regulations.**

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**Instructions for members of the Committee and Officers to join the meeting have been circulated separately.**

### Membership:

**Councillor Jim Murray (Chair); Councillors Peter Diplock (Deputy-Chair) Jane Lamb, Robin Maxted, Md. Harun Miah, Colin Murdoch, Barry Taylor and Candy Vaughan**

**Quorum: 2**

*Published: Monday, 7 December 2020*

## Agenda

- 1 **Minutes of the meeting held on 24 November 2020 (Pages 3 - 6)**
- 2 **Apologies for absence and notification of substitute members**
- 3 **Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**
- 4 **Urgent items of business.**  
The Chairman to notify the Committee of any items of urgent business to be added to the agenda.
- 5 **Land at Bay View Holiday Park, Old Martello Road. ID: 200180 (Pages 7 - 24)**

## Information for the public

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**Public Participation:** Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to submit a speech on a matter which is listed on the agenda if applicable. Where speeches are normally allowed at a Committee, live public speaking has temporarily been suspended for remote meetings. However, it remains possible to submit speeches which will be read out to the Committee by an Officer.

## Information for Councillors

**Disclosure of interests:** Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

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Working in partnership with **Eastbourne Homes**

## Planning Committee

**Minutes of meeting held remotely on 24 November 2020 at 6.00 pm.**

**Present:**

Councillor Jim Murray (Chair).

Councillors Peter Diplock (Deputy-Chair), Jane Lamb, Robin Maxted, Colin Murdoch, Barry Taylor, Candy Vaughan and Sammy Choudhury.

**Officers in attendance:**

Helen Monaghan (Lawyer, Planning), Leigh Palmer (Interim Head of Planning), James Smith (Specialist Advisor for Planning) and Neil Collins (Specialist Advisor - Planning).

**Also in attendance:** none

**29 Welcome and Introductions**

The Chair introduced members of the Committee via roll call, and officers those present during the remote meeting.

**30 Apologies for absence and notification of substitute members**

Apologies were received from Councillor Md. Miah and Councillor Choudhury was confirmed as a substitute.

**31 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**

Councillor Peter Diplock declared a personal interest in item 7 on the agenda - Land at Friday Street Farm, Stone Cross, as he had a relative who lived on Friday Street.

**32 Minutes of the meeting held on 20 October 2020**

The minutes of the meeting held on 20 October 2020 were submitted and approved as a correct record, and the Chair was authorised to sign them.

**33 Urgent items of business.**

There were none.

**34 Land at Bay View Holiday Park, Old Martello Road. ID: 200180**

Proposed siting of 71 static holiday caravans in lieu of 94 touring caravans and re-layout of the park (resulting in 91 static holiday caravans in total) together with environmental improvements. A Joint authority application with Wealden District Council. **SOVEREIGN**

The Committee was advised that Wealden District Council had resolved to grant permission to the proportion of the application that fell within its boundary.

Members expressed concerns over the period of occupancy (11 months) and the potential impact on local tourism through a loss of available touring caravan spaces. Although some reduction in towed caravans could result in a reduced impact on roads in the area, a better balance was needed.

Councillor Lamb proposed a motion to defer the application and request that planning officers enter into discussion with the applicant and renegotiate a reduction in the period of occupation (from 11 months) and a better mix of units on the site. This was seconded by Councillor Maxted and carried.

**RESOLVED** (Unanimous) that:

- 1) The application be deferred to enable further discussion with the applicant to be held on the period of occupancy in the static units and the mix between touring/camping and permanent units, and be brought back to the Committee for determination.

### **35 Land at Friday Street Farm, Stone Cross. ID: 190706**

Outline application (Matter for approval: Access) for proposed new access from Pennine Way to serve development of Land at Friday Street Farm, for up to 250 residential dwellings (35% affordable), with associated car parking, together with the introduction of new access point from Pennine Way, and creation of a network of roads, footways, and cycleways throughout the site; and the provision of 1.6ha of public open space, further children's play areas, allotments, sustainable urban drainage systems, and landscape buffers on the site. **LANGNEY**

The Chair, reminded the Committee that the its discussion and decision-making should focus only on the access onto site, as the remainder of the development site was within Wealden District area, and had been granted subject to the access being secured.

The Interim Head of Planning advised that the addendum to the agenda summarised the off-site highways works which were required by East Sussex County Council (ESCC) Highways prior to commencement of the wider works at the site, in order to offset the harm caused by traffic as a result of the development of up to 250 units. He added that, until there was assurance that those measures were delivered, there remained concerns. The Committee was advised that a legal agreement providing controls and assurances over the off-site mitigation measures would need to be negotiated prior to any decision.

A written representation supporting the proposal was read aloud by the Interim Head of Planning on behalf of Mr Stuart Wilson of JNP Consulting Engineers (Agent).

Councillor Shuttleworth, Langney Ward Member, addressed the Committee and spoke on behalf of Langney residents who had raised concerns over the development and over delivery of the mitigation works.

Members expressed concerns over the uncertainty of the funding available for the mitigating works proposed by ESCC and the associated harm from the increase in traffic movements.

The Chair, Councillor Murry, proposed a motion to defer the application to allow planning officers to secure the necessary legal agreements to provide assurances over mitigating works requested by ESCC. This was seconded by Councillor Taylor.

**RESOLVED** (Unanimous) that:

- 1) The application be deferred to allow the Planning Service to enter discussion with Wealden District Council and East Sussex County Council to secure section 106 and 278 agreements; and
- 2) Following discussions, the application be brought back to the Planning Committee for further consideration.

**36 Mansion (Lions) Hotel, 32-35 Grand Parade. ID: 200280**

Conversion of rear part of hotel at 15-21 Hartington Place to 21N° two-bedroom flats. **MEADS**

The Interim Head of Planning confirmed that this was a change of application and had been necessitated by the lack of funds now available to the applicant.

The Chair, Councillor Murry, proposed a motion to approve the application in line with the officer's recommendation. This was seconded by Councillor Diplock.

**RESOLVED** (by majority of 7-1) that:

- (1) Planning permission be granted subject to the conditions set out in the report.

Councillor Taylor requested that his vote against approval of Planning permission be recorded.

**37 The Cottage, 2 Wharf Road. ID: 200260**

Demolition of existing buildings and erection of block of nine self-contained

flats over three storeys. **UPPERTON**

The Senior Planning Specialist Adviser addressed points raised during the consultation period.

There was a mix of views over the character of the proposed design, although it was generally accepted that the development would provide a necessary mix of housing in the area. Members expressed concern over a lack of disabled parking and a loss of trees. The Senior Planning Specialist Adviser explained that, should there be a change of occupation and a necessity in the future, disabled parking could be applied for through East Sussex County Council. It was further explained that there were no mature, substantial trees in the area and landscaping was included in the design, with an appropriate level of trees agreed by condition.

Members referred to the roof edge of the building design and expressed concern that the current design was not in keeping with the character of the area.

Councillor Maxted proposed a motion to approve the application in line with the officer's recommendation and an additional condition that allowed planning officers to address the design of the roof edge. This was seconded by Councillor Diplock.

**RESOLVED** (Unanimous) that:

- 1) Planning permission be granted, subject to the conditions set out in the report; and
- 2) Planning officers discuss other options available for the roof design, with the applicant, to include an overhang.

The meeting ended at 7.50 pm

Councillor Jim Murray (Chair)

**Report to:** Planning Committee  
**Date:** 24 November 2020  
**Application No:** 200180  
**Location:** Land at Bay View Holiday Park, Old Martello Road  
**Proposal:** Proposed siting of 71 static holiday caravans in lieu of 94 touring caravans and re-layout of the park (resulting in 91 static holiday caravans in total) together with environmental improvements. Joint authority application with Wealden District Council (Ref: WD/2020/0494/MAJ)

**Applicant:** Bay View Holiday Park Ltd  
**Ward:** Sovereign  
**Deadlines:** **Decision Due Date:** 31<sup>st</sup> October 2020  
**Neighbour Con. Expiry:** 10<sup>th</sup> March 2020

**Recommendation:** Approve with conditions.  
**Contact Officer:** Name: Chloe Timm  
Post title: Senior Caseworker  
E-mail: [chloe.timm@lewes-eastbourne.gov.uk](mailto:chloe.timm@lewes-eastbourne.gov.uk)  
Telephone number: 01323 415962

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## Map Location:



## **1. Executive Summary**

- 1.1 The application was reported to Planning Committee in November where consideration of the item was deferred to allow officers to negotiate with the applicant on two grounds. Firstly to secure a reduction in the number of static homes in order to allow a proportion of touring and canvas camping to sustain at the site and secondly to increase the extent of the closed period where the units could not be occupied.
- 1.2 In response to the above the applicant has agreed to increase the period of closure to 2 months and thereby only allowing occupation for 10 months in any one calendar year, The applicant has not agreed to reduce the number of static homes within the proposal.
- 1.3 The condition controlling the occupancy period at the end of this report has been amended accordingly.
- 1.4 A statement is expected outlining the justification for these points and will be reported to committee via the addendum report
- 1.5 The report that follows is as reported to committee in November
- 1.6 The Application site straddles the Borough Boundary with Wealden District Council and in broad terms the division line is the access road into the site with the site being roughly split one third EBC two thirds WDC. The site provides tourist accommodation with a 'camping site on the EBC portion and a mix of camping and static pitches on the WDC side.
- 1.7 The EBC part of the site proposes to contain 41 plots with an additional 31 plots proposed for the WDC part of the site.
- 1.8 WDC have resolved to grant planning permission for their portion and within their assessment they were content that the flood risk is mitigated by the existing sea wall/defences and that the flood evacuation plan would further reduce the risk to life..
- 1.9 The proposed development will see the removal of the touring caravan plots on the site to be replaced with static caravans.
- 1.10 The use of the site will remain as tourist holiday accommodation
- 1.11 The application is considered to support the use of the site as providing and supporting the range of holiday accommodation within the area.
- 1.12 The proposal is considered to comply with national and local policies and is therefore recommended for approval subject to conditions

## **2. Relevant Planning Policies**

- 2.1 National Planning Policy Framework 2019:
  2. Achieving sustainable development
  3. Plan-making
  4. Decision-making
  5. Delivering a sufficient supply of homes
  8. Promoting healthy and safe communities



- 9. Promoting sustainable transport
  - 11. Making effective use of land
  - 12. Achieving well-designed places
  - 15. Conserving and enhancing the natural environment
- 2.2 Eastbourne Core Strategy Local Plan 2006-2027
- B1: Spatial Development Strategy and Distribution
  - B2: Creating Sustainable Neighbourhoods
  - C14: Sovereign Neighbourhood Policy
  - D1: Sustainable Development
  - D5: Housing
  - D7: Community Sport and Health
  - D8: Sustainable Travel
  - D9: Natural Environment
  - D10: Historic Environment
  - D10A: Design
- 2.3 Eastbourne Core Strategy Local Plan 2001-2011:
- UHT1: Design of New Development
  - UHT4: Visual Amenity
  - UHT6: Tree Planting
  - UHT7: Landscaping
  - HO2: Predominantly residential Area
  - 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
  - BI4: Retention of Employment Commitments
  - NE4: Sustainable Drainage Systems
  - NE23: Nature Conservation of Other Sites
  - LCF4: Outdoor Playing Space Contributions
  - NE14: Source Protection Zone
  - UHT1: Design of New Development

UHT4: Visual Amenity

US5 Tidal Risk

2.4 Supplementary Planning Documents and other relevant documents:

Affordable Housing SPD

Sustainable Building Design SPD

Trees and Development SPG

Eastbourne Townscape Guide SPG

**3. Site Description**

3.1 The application site forms part of the Bay View Holiday Park accessed via Old Martello Road. The site falls under the jurisdiction of two local authorities.

3.2 The northern part of the site falls under Wealden District Council and the site subject to this application is the southern area which falls under Eastbourne Borough Council.

3.3 Bay View Holiday Park is an established tourist accommodation site which also has a 9-hole golf course.

3.4 The site has one vehicular entrance centrally located between northern and southern parts of the site and is bounded by the residential properties.

**4. Relevant Planning History**

4.1 850354

Touring caravan site with access and ablution block

Planning Permission

Approved Conditionally

22/07/1985.

**5. Proposed Development**

5.1 The application is seeking permission for the siting of 71 static caravans in lieu of 94 touring caravan plots.

5.2 The proposal includes a soft landscaping scheme and the intention to retain the existing boundary trees/hedgerows on site

**6. Consultations**

**External**

Designing Out Crime:

6.1 The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and fear of crime, do not undermine the quality of life or community cohesion. With the level of crime and anti-social behaviour in Eastbourne district being above average when compared

with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends and site specific requirements should always be considered

Southern Water:

- 6.2 Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:
- 6.3 A formal application for connection to the public sewerage system is required in order to service this development, please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the link:  
[www.southernwater.co.uk/developing-building/connection-charging-arrangements](http://www.southernwater.co.uk/developing-building/connection-charging-arrangements)
- 6.4 Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development is required. This should not involve disposal to a public foul sewer.
- 6.5 The Councils Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the development.
- 6.6 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.
- 6.7 The design of drainage should ensure that no land drainage or ground water is to enter public sewers network.
- 6.8 It is possible that a sewer now deemed to be public could be crossing the site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
- 6.9 We request that should this application receive planning approval; the following condition be 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
- 6.10 Southern Water has raised issue with the location of existing sewer infrastructure in relation to the proposed building, but has advised that if the LPA is minded to grant permission that drainage works should be approved by condition following Southern Water's prior approval.

ESCC Archaeology:

- 6.11 If the Local Planning Authority is minded to grant planning permission, then we ask that conditions are proposed to mitigate the risk to loss/damage to heritage assets.
- 6.12 The proposed development is within an Archaeological Notification Area defining the site of a 19<sup>th</sup> Century Martello Tower (Tower 63). Typically, Martello Towers were constructed intervals along low lying coastal areas in parts of England as a defence against seaborne attack and/or invasion. A number were present at roughly 500m intervals between Eastbourne and Normans Bay. Tower 64 to the west of the site is designated as a Grade II listed building and a scheduled monument, testament to the historical significance and rarity of these fortifications.
- 6.13 The example within the application site was apparently destroyed in the Second World War (extant 1941 but reduced to rubble 1946). Due to their substantial mass it is issue that structural remains associated with the foundations or its basement level still exist below modern ground surface.
- 6.14 Additionally, evidence associated with a Coastguard boathouse and flagstaff dating from 1830s may be encountered during the proposed development.
- 6.15 Although the site is recorded as being used for landfill on the DEFRA website it is not clear what form this took and whether such activity harmed the Martello Tower and Coastguard Boathouse or buried any surviving remains below the depth of impact associated with this application.
- 6.16 Considering the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to either be preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss. These recommendations are in line with the requirements given in the NPPF.
- 6.17 In furtherance of this recommendation, we shall be available to advice the applicant how they can best fulfil any archaeological condition that is applied to their planning permission and how to provide a brief setting out the scope of the programme of works. The written scheme of investigation, referred to in the recommended condition wording above, will set out the contracted archaeologists detailed approach to undertake the programme of works and accord with the relevant sections of the Sussex Archaeological Standards.

East Sussex County Council Sustainable Drainage Team:

- 6.18 It is our understanding that the proposals are mainly for a change in the layout of the caravan park with significant change in the existing impermeable area of the application site. Therefore, there is likely to be a significant impact on the flood risk associated with surface water management.
- 6.19 Nevertheless, leaving surface water to be on the ground is likely to have an impact on neighbouring properties. Therefore, the applicant should introduce measures to stop surface water from running off onto neighbouring

properties and land. The surface water runoff from the impermeable areas on site should be stored on site until it can percolate into the shingle on site.

- 6.20 The application is located within Flood Zone 3 and the Flood Risk Assessment indicates that there will be a 'danger for all' flood hazard on parts of the site during a flood event with a 1 in 200 (plus climate change) annual probability of occurrence. Therefore, the application site should have a robust emergency plan, which should be agreed with the emergency planning teams.
- 6.21 If the Local Planning Authority is minded to grant permission, the PCWLMB and LLFA requests the following comments act as a basis for conditions to ensure surface water runoff from the development is managed safely:
- 6.22 Prior commencement details of how overland surface water runoff will be retained on site without running off to neighbouring properties/land shall be submitted and agreed with the Local Planning Authority.
- 6.23 Details of measures to manage flood risk, both on and off the site, during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.

### **Internal**

#### Specialist Advisor – Planning Policy:

- 6.24 This application seeks to site 71 static holiday caravans on a site which is currently used for up to 94 touring caravans. There are already 20 static caravans on the site. The application does not increase the size of the current site. Most of the application site lies outside of Eastbourne and is within Wealden District. The part of the site that is in Eastbourne is within the Sovereign Harbour Neighbourhood.
- 6.25 Policy C14 of the Core strategy explains the vision for the Sovereign Harbour Neighbourhood as "*Sovereign Harbour will increase its levels of sustainability through the delivery of community infrastructure and employment development...*" It also states that it will "*[Increase] the importance of the Waterfront as a leisure and tourist centre...*" This may be a way to increase the level of tourism for the waterfront, under the assumption that this application would be good for business.
- 6.26 The application site is outside of the "Built-up Area Boundary" of Eastbourne, as described in NE1 of the Eastbourne Borough Plan, and replicated on the Policies Map which formed part of the Eastbourne Core Strategy. Policy NE1: Development outside of the Built-up Area Boundary states that "*Development will not be permitted outside of the built-up area boundary as defined on the Proposals Map. Exceptions will only be made where...the need for a non-urban location can be satisfactorily demonstrated*" In this instance, as the holiday park is already in existence and functioning at this location, it can be seen to be compliant with this policy.
- 6.27 The supporting text for Policy D3: Tourism and Culture in the Eastbourne Core Strategy states that "...the Council will seek to protect and enhance the quality of the resort's existing accommodation stock as well as supporting measures to enhance the levels of accommodation where appropriate." This

application could be an enhancement of the existing function of this tourist accommodation.

- 6.28 The Eastbourne Tourist Accommodation Study produced in 2015 states that "...it is crucial that the accommodation stock remains fit-for-purpose and meets the requirements of current and future visitors to the area in terms of quality, type and quantity." The application could be seen to be in keeping with the recommendations of this study.
- 6.29 Policy TO4: Improvements to Existing Accommodation with the Borough Plan states that "Developments and alterations which upgrade and improve the quality of accommodation and other related facilities will be granted planning permission [subject to residential and visual amenity considerations]" There should not be any new visual or residential considerations when judging the proposed static caravans compared to the touring caravans at capacity.
- 6.30 As the proposal is for a change in the type of Tourist Accommodation at the existing site, it is supported by policy. This type of development requires a non-urban location and is acceptable outside of the built-up area.
- 6.31 No principle objections on policy grounds.

Specialist Advisor – Environmental Health:

- 6.32 Conditions are advised requiring submission of details of hours of working, prevention of pollution and prevention of burning material on site during the construction period.

Specialist Advisor (Regeneration):

- 6.33 As the mobile homes are unlikely to be classified as permanent, year-round residential units it was agreed not to seek a local labour agreement for this application.

Specialist Advisor (Trees)

- 6.34 With regards to the existing trees: I am in broad agreement with the findings of the tree report and its recommendations – it would be prudent to ensure that the tree retention, pruning and protection measures are specifically mentioned in the list of 'approved plans and particulars' in the event planning approval is given.
- 6.35 With regards the proposed soft landscaping scheme: on the basis that the peripheral trees are to be retained the soft landscaping is primarily aimed at providing some screening and a degree of ornament. Overall, I have no significant adverse comments to make.

## **7. Neighbour Representations**

- 7.1 Twenty-four comments have been received on the application following the statutory consultation period.
- 7.2 One comment was in support of the proposed development
- 7.3 Three comments were general observations which covered the following:
- No objection on the basis that the current bank and tree line remain
  - The tree line height is too high and needs to be reduced

- Additional traffic entering and exiting the site could be hazardous.
- 7.4 Twenty objections to the proposal were received and covered the following:
- Additional traffic
  - No provision for visitor parking
  - No electric vehicle charging points
  - Noise Pollution
  - Light Pollution
  - Additional refuse requirements
  - Increase to litter left on the beach
  - Additional footfall from humans and dogs will destroy the habitat of the shingle beach
  - Japanese knotweed on the site
  - Caravans will be used as residential dwellings
  - Unattractive layout
  - Loss of landscaping
  - Additional caravans on site unnecessary as there is provision on other sites within the area
  - Overdevelopment of the site
  - Overcrowding on the site
  - Disruption during construction works
  - Overlooking
  - No areas for outdoor activities
  - Increase to use 11 months of the year will have a negative impact on surrounding residents
  - Proposal against Wealden policy TM5 and Eastbourne policy T06

## 8. Appraisal

### Principle of Development

- 8.1 There is no principle conflict with adopted policy, which would prevent approval of the application, subject to consideration of the design and visual impact upon the character of the area and the impact upon the amenity of neighbouring occupants, pursuant to the requirements of the National Planning Policy Framework (2018), policies of the Core Strategy 2006-2027 and saved policies of the Eastbourne Borough Plan 2001-2011
- 8.2 Policy C14 of the Core strategy explains the vision for the Sovereign Harbour Neighbourhood as “*Sovereign Harbour will increase its levels of sustainability through the delivery of community infrastructure and employment development...*” It also states that it will “[*Increase*] the

*importance of the Waterfront as a leisure and tourist centre...*” This may be a way to increase the level of tourism for the waterfront, under the assumption that this application would be good for business.

- 8.3 Policy TO4: Improvements to Existing Accommodation with the Borough Plan states that “*Developments and alterations which upgrade and improve the quality of accommodation and other related facilities will be granted planning permission* [subject to residential and visual amenity considerations]” There should not be any new visual or residential considerations when judging the proposed static caravans compared to the touring caravans at capacity.

Impact of the proposed development on amenity of adjoining occupiers and the surrounding area:

- 8.4 It is considered that the siting of static caravans within the site will not give rise to a material loss of residential or visual amenity within the locality.
- 8.5 The proposed change from a site used for touring caravans to a site of static caravans for tourist accommodation only is thought to give rise to any loss of light or overshadowing to the surrounding occupiers.
- 8.6 The site as it currently stands has a grass bank and a tree lined boundary to protect views into and out of the site and the surrounding residential dwellings. This is not proposed to change and a scheme for the protection the trees on site has been submitted to ensure that this feature, which protects the privacy of the occupiers of the site and those surrounding remains in place.
- 8.7 Objections have been raised with regards to the potential noise increase from the use of the new development. It is considered that the static caravans could potentially decrease the noise from the site than the current setting of customers using their own caravans and tents on the site. The retention of the bank and the boundary trees will also help mitigate noises from the holiday park.
- 8.8 The application site is set back from the main access road of Old Martello Road and the changes to the site will not be wholly visible within the wider street scene.
- 8.9 The site does have access points onto the adjacent beach and whilst objections have been received with regards to the increased use of the shingle beach and the potential for an increase in dog fouling and litter left behind by visitors for this application to assume that this would occur due to the holiday occupants of the site would be unjust and is not a matter for consideration within this application.
- 8.10 A condition will be set for an external lighting scheme to be submitted and approved by the local planning authority to ensure that any external lighting, whether decorative or for security purposes, does not have an adverse impact on the occupiers surrounding or the setting of the seafront.

Use

- 8.11 The proposed development will not change the use of the site in terms of the provision of tourist holiday accommodation.



- 8.12 The application will see a new layout for the holiday park that will have a uniformed design with caravans on a grid-type layout each with its own parking space.
- 8.13 The proposal is to increase the use of the holiday park to be used 11 months of the year, from March to January. This will be set by planning condition to ensure the park is not used all year round.
- 8.14 As well as the condition for months of use a condition will be set to restrict the use of the caravans as short-term holiday accommodation only to ensure that the caravans are not used as permanent residential accommodation.
- 8.15 Whilst the site is outside of the Eastbourne planning/development boundary the use of the site is acceptable to be outside of the built-up area of Eastbourne.

#### Design

- 8.16 The caravans and the grid pattern on which they will be laid is in keeping with other caravan sites and is therefore considered to be appropriate and an acceptable design for the site.
- 8.17 The proposal is thought to improve the overall visual appeal of the site which is currently an open field.

#### Other matters

- 8.18 This application is a joint authority application therefore the review of the application is with regards to the southern area within the Eastbourne boundary. The northern (and larger) area of the application site is under review by Wealden District Council, who are the lead council for this application.
- 8.19 The site is adjacent to an site of nature conservation of importance, the ecological survey provided within the application has reviewed the impacts of the proposed development and has concluded the development will have a low impact to the ecological nature of the site.
- 8.20 Refuse and recycling for the site are handled by Wealden District Council and as such we are unable to comment on the objection received regarding the increased refuse and recycling the site would generate.
- 8.21 Objections have been raised with regards to the overcrowding of the site and that the number of people able to use the site at one time will increase. The current site can allow for up to 94 touring caravans, these caravans could have any number of occupants. The proposal is for 71 static caravans which is a decrease of 23 units.
- 8.22 If the site were to be fully occupied, it is felt that the number of occupants would be of a similar amount to the existing use.

### **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 considered 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 Grant planning permission subject to the following conditions:

10.2 Time Limit:

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). Approved Plans

10.3 Approved Plans

The development hereby permitted shall be carried out in accordance with the approved drawings:

Submitted 15 September 2020:

SHF.201.076.GE.R.001.B Phase 1 Geo-Environmental Report submitted

Submitted 03 June 2020

Heritage Statement and Appendices

Transport Report

Location Plan (1:1250)

Submitted 26 March 2020:

VS001 42 14 2B 01

Submitted 03 March 2020:

Planning Statement

Arboricultural Report

SHF.201. 076.HY. R.001.B Flood Risk Assessment

FRA Appendices

Preliminary Ecological Assessment

Landscape and visual Appraisal

19/009-01 Rev 3 – Phase 1 Habitat Survey

19/009-03 Rev 4 – Tree Protection Plan

19/009-05 – Details Soft Landscape Proposals (North)

19/009-06 – Details Soft Landscape Proposals rev 1 (South) 19/009-07

Rev 1- Design Layout

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

10.4 Construction Management Plan:

No work below ground level shall be carried out on site for the development hereby approved, until details for a Code of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Code of Construction Practice should detail good practice measures for site working to mitigate potential impacts from construction including the protection of retained features and surface water bodies on or adjacent to the site, control of run-off, application of design controls for construction equipment and construction vehicles, provision of water sprays during

delivery and dumping of sand and gravel, mixing and batching on wet rather than dry aggregate materials, minimum drop heights to be used for continuous and batch drop activities and waste disposal, hours of construction works and control of surface water during construction. The approved Code of Construction Practice shall be implemented throughout the period of work on site.

Reason: In the interests of and for the safety of persons and vehicles on the site and/or adjoining road to minimise loss of amenity to adjoining properties and to minimise potential environmental impacts.

#### 10.5 Contamination Report

Prior to works below ground level a phase 2 ground investigation report as set out in section 6 of the submitted contamination report to assess the physical character of Made Ground and subsidence/settlement risk, in addition to the contamination (and ground gas) risk shall be submitted to and approved in writing to the Local Planning Authority. The report of the findings must include:

- (i) A survey of the extent, scale, and nature of contamination
- (ii) An assessment of the potential risks to: human health, property (existing and proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems and archaeological sites and ancient monuments.
- (iii) An appraisal of remedial options and proposed of the preferred option(s).

This must be in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11. Any remediation works required by the report shall be carried out in full accordance with the approved details.

Reason: To ensure that risks a from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors (in accordance with National Planning Policy Framework, para 170, 178 and 179)

#### 10.6 Delivery Management Plan

No Development shall take place, including any ground works or works for demolition, until a Delivery Management Plan is 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:

- Schedule of static caravan delivery
- The methods of access and egress
- Routing of delivery vehicles on the ESCC highway network

- The paring of vehicles by site operatives during installation processes
- The loading and unloading of plant, materials, and waste
- The storage of plant and materials used in construction of the development

Reason: In the interests of safety of persons and vehicles on site and/or adjoining road and to minimise the loss of amenity to adjoining properties and minimise potential environmental impact.

#### 10.7 Surface Water Run Off:

Prior to commencement of any works associated with the development hereby approved details of how overland surface water runoff will be retained on site without running off to neighbouring properties/land shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out prior to first occupation of the caravans and retained as such thereafter.

Reason: To ensure that surface water is dealt with appropriately within the application site and does not affect adjoining properties/land.

#### 10.8 Soft Landscaping:

All planting, seeding and/or turfing comprised in the approved details of the landscaping plans CA19.009.05 and CA19.009.06 shall be carried out in the first planting and seeding seasons following the occupation of the caravans or the substantial completion of the development, whichever is sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping comprised in the approved details of landscaping shall be carried out before the completion or first occupation of the development, whichever is sooner.

Reason: To protect visual amenity and the character of the area and to ensure a satisfactory environment.

#### 10.9 Archaeological Works:

No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. No caravans hereby permitted shall be occupied until the archaeological site investigation and post-investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post-investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation.

Reason: To enable the recording of any items of historical or archaeological interest.

10.10 Caravans Limit On Number:

No more than 91 caravans (compliant with the statutory definition of the Caravan Sites and Control of Development Act 1960(as amended)) shall be stationed on the land edged in red on plan 'location plan(1:2500@A4) at any time.

Reason: To enable the Local Planning Authority to regulate and control the development of the land and to preserve the visual amenities of the locality.

10.11 Caravan Occupation:

The caravans shall only be occupied for holiday accommodation purposes and shall not at any time be occupied as a person's sole or main place of residence.

The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual static caravans on the site, and of their main home addresses and shall make this information available at all reasonable times (09:00 – 17:30 Monday to Friday) to the Local Planning Authority. The register shall be collected by the caravan site licence holder or his/her nominated person.

Reason: To maintain the availability of the site as short term holiday tourist accommodation and in the interests of flood risk.

10.12 Caravan Occupation Time Period:

The caravans hereby approved shall only be occupied during the period of 01 March in any given year to 31 December in the following year. For the avoidance of doubt there shall be no occupation of the caravans during the month of January and February.

Reason: To maintain the availability of the site as short term holiday tourist accommodation.

10.13 External Lighting:

No floodlighting, security lighting or other external means of illumination shall be provided, installed or operated in the development, except in accordance with a detailed scheme which shall provide for lighting that is low level, hooded and directional, and has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: To preserve the rural and residential amenities of the locality.

10.14 Tree Protection

Tree protection fencing, which shall comply in full with BS5837:2012 Trees in relation to design, demolition & construction – Recommendations, shall be erected in the positions approved on plan 'Tree Protection Plan CA19/009-03' before the development is commenced and thereafter retained until such completion of the development, to the approval of the Local Planning Authority. Hereafter, the fencing shall be referred to as the 'approved protection zone'.

The following works shall not be carried out within the approved protection zone of any tree or hedgerow, except with the consent of the Local Planning Authority: -

- (i) Levels shall not be raised or lowered in relation to the existing ground level within the approved protection zone of the tree or hedgerow.
- (ii) No roots shall be cut, trenches dug, or soil removed within the approved protection zone of the tree or hedgerow.
- (iii) No buildings, roads or other engineering operations shall be constructed or carried out within the approved protection zone of the tree or hedgerow.
- (iv) No fires shall be lit within the approved protection zone or in a position where the flames could extend within 5 metres of the foliage, branches or trunk of the tree or hedgerow as per the requirements of BS5837:2012 Tree in relation to design, demolition & Construction – Recommendations.
- (v) No vehicles shall be driven over the area within the approved protection zone of the tree or hedgerow.
- (vi) No materials or equipment shall be stored within the protection zone of the tree or hedgerow as per the requirements of BS5837:2008 Trees in relation to construction.

Reason: to preserve trees and hedges on the site in the interests of visual amenity and the character of the area.

10.15 Arboricultural Method Statement:

The works shall be implemented in accordance with the approved details within the arboricultural method statement (included within the arboricultural impact assessment).

Reason: To preserve the trees and hedges on site in the interest of visual amenity and the character of the area.

10.16 Car Parking:

Before first occupation of the caravans hereby approved the car parking spaces and turning area shown on drawing no 19/009-07 Rev 1 shall be provided and thereafter shall be retained for such purposes to the satisfaction of the Local Planning Authority.

Reason: In the interests of and for the safety of persons and vehicles using the premises and/or adjoining road and to secure a satisfactory standard of development.

10.17 In Accordance with Flood Risk:

The development shall be carried out in accordance with the submitted flood risk assessment (ref SHF.06. HY.R.001.B) and the following mitigation measures it details:

- Static Holiday caravans have floor levels a minimum of 600mm above ordnance data and are tethered to ensure they do not move during an inundation event.

- Static Holiday Caravans affected by localised surface water and groundwater flooding should be vacated and occupants relocated.
- An existing FEMP is in place for the site, this will ensure occupants are evacuated before the site floods or know how to react should flooding occur in the site without warning.
- These mitigation methods shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To prevent the increase risk of flooding.

#### 10.18 Decking:

Prior to the erection of any decking around the caravan siting hereby approved full details of the decking to include elevations and floor plans (to include height above ground level) shall be submitted to and approved in writing by the Local Planning Authority. Only decking details approved shall be carried out on the site.

Reason: in the interests of visual and residential amenities of the area.

#### 10.19 Refuse and Recycling

Refuse and recycling facilities shall be provided in accordance with approved plans prior to first occupation of the development, hereby approved, and retained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory facilities for refuse and the parking of cycles are provided and to encourage travel by means other than private motor vehicles.

#### 10.20 Foul and Surface Water Disposal

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.

Reason: In the interests of the localised flooding and the amenity of the area.

### **Informatives:**

#### 10.21 Informative No 1 Environmental Permitting

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- On or within 8 metres of a main river (16 metres if tidal)
- On or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- On or within 16 metres of a sea defence

- Involving quarrying or excavation within 16 metres of any main river, flood defence (including remote defence) or culvert
- In a flood plain more than 8 metres from the riverbank, culvert, or flood defence structure (16 metres if it is a tidal main river) and you do not already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the national customer contact centre on 03708 506 506 (Monday-Friday, 8am-6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)

The applicant should not assume that a permit will be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

#### 10.22 Informative no 2 Potential for existing sewerage

The applicant is reminded that that if there are sewers running under the site then the ownership should be established prior to any works commencing that may affect the function of the sewer

### 11. Appeal

- 11.1 Should the applicant appeal the decision the appropriate course of action to be followed, considering the criteria set by the Planning Inspectorate, is considered to be written representations.

### 12. Background Papers

- 12.1 None