

Planning Committee

14 December 2021



Working in partnership with **Eastbourne Homes**

Time and venue:

6.00 pm in the Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG

This meeting is open to the public to attend. Whilst seating is currently limited due to social distancing guidelines, we ask that if you are planning to attend and observe the meeting, please let us know by emailing committees@lewes-eastbourne.gov.uk and let us know if you need to use the hearing loop unit at the meeting. We will also require that you wear a face covering (unless medically exempt), observe social distancing and check in at the meeting using the OR codes provided. Priority seating will be given to speakers.

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, 6 December 2021

Agenda

- 1 Introductions**
- 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 Minutes of the meeting held on 23 November 2021 (Pages 5 - 6)**
- 5 Urgent items of business.**

The Chair to notify the Committee of any items of urgent business to be added to the agenda.
- 6 Right to address the meeting/order of business.**

The Chair to report any requests received to address the Committee from a member of the public or from a Councillor in respect of planning applications/items listed and that these applications/items are taken at the commencement of the meeting.
- 7 41 Brampton Road. ID: 210324 (Pages 7 - 24)**
- 8 Tesco's Car Park, Lottbridge Drove. ID: 210772 (Pages 25 - 38)**
- 9 28-30 Bedfordwell Road. ID: 210412 (Pages 39 - 58)**

10 Date of next meeting

To note the next meeting of the Planning Committee is scheduled to be held on Tuesday, 25 January 2022.

Information for the public

Accessibility:

Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

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Speaking at Planning

Registering your interest to speak on Planning Applications

If you wish to address the Committee regarding a planning application, you need to register your interest by emailing committees@lewes-eastbourne.gov.uk **by 12 noon on Friday 10th December**. Requests made beyond this date cannot normally be accepted. Please provide your name, address and contact number, the application number and the proposed development to which it refers. You need to make clear whether you wish to speak in favour or against the application and your relationship to the site. Please also let us know if you wish for your speech to be read out on your behalf.

The Public Speaking Scheme rules place a limit on the numbers of public speeches allowed and time allotted apply. So up to 2 members of the public can speak (up to 1 objector and 1 supporter) on a first come first served basis and that one person can act as spokesperson for a group. In addition, the ward member will be allowed to speak. Anyone who asks to speak after someone else has registered an interest will be put in touch with the first person, or local ward Councillor, to enable a spokesperson to be selected. Those who are successful, will receive an email to formally confirm their request to speak has been granted. The speech should take no longer than 3 minutes (which is approximately 500 words).

Please note:

Objectors will only be allowed to speak where they have already submitted objections in writing, new objections must not be introduced when speaking.

You should arrive at the Town Hall at least 15 minutes before the start of the meeting and will be advised which microphone to use.

The Chair will announce the application and invite officers to make a brief summary of the planning issues.

The Chair will then invite speakers to the meeting table to address the Committee in the following order:

- Objector
- Supporter
- Ward Councillor(s)

The objector, supporter or applicant can only be heard once on any application, unless it is in response to a question from the Committee. Objectors are not able to take any further part in the debate.

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).

Councillor right of address:

Councillors wishing to address the meeting who are not members of the committee must notify the Chairman and Democratic Services in advance (and no later than immediately prior to the start of the meeting).

Democratic Services

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Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 23 November 2021 at 6.00 pm.

Present:

Councillor Jim Murray (Chair).

Councillors Peter Diplock (Deputy-Chair), Penny di-Cara, Jane Lamb, Colin Maxted, and Candy Vaughan.

Officers in attendance:

James Smith (Specialist Advisor for Planning), Leigh Palmer (Head of Planning First), Helen Monaghan (Lawyer, Planning), and Emily Horne (Committee Officer)

48 Welcome and Introductions

Members of the Committee and Officers present introduced themselves to all those who were present during the meeting.

49 Apologies for absence and notification of substitute members

Apologies had been received from Councillor Murdoch and Councillor Taylor. Councillor di-Cara confirmed that she was acting as substitute for Councillor Taylor. Absence was noted for Councillor Miah.

50 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.

There were none.

51 Minutes of the meeting held on 19 October 2021

The minutes of the meeting held on 19 October 2021 were submitted and approved as a correct record, and the Chair was authorised to sign them.

52 Urgent items of business.

There were no urgent items and no officer addendum for the meeting.

53 20 Upperton Road. ID: 210647

Application for variation of conditions 2 (approved plans), 3 (external materials), 4 and 5 (vehicular access) following grant of planning permissions 170868 and 180829 to allow for revised design, layout, access and parking

arrangements and external finishing to the approved development -
UPPERTON

The Specialist Advisor (Planning) presented the report. The Committee was reminded that the application sought to regularise the works that had not been built in accordance with the approved plans and to provide additional car and cycle parking spaces which were required as a condition of the prior approval.

Mr Smallwood, resident, addressed the Committee in objection to the application. Mr Bateman, Agent, spoke in support of the Application. Councillor Rodohan, Ward Councillor, spoke in objection.

Members discussed the proposal and raised strong concerns regarding the front elevation of the building, and the lack of block paving, canopy, feature wall, temporary planting, fencing, and screening of the sub-station. Members stated that they considered the development to be an eyesore, and that it was unfinished and of poor quality, and was not in accordance with what had been agreed.

The Committee sought clarification from Officers on the provision of bins, disabled parking spaces / access, electric charging points, cycle storage and the enclosure of the sub-station.

Officers advised the screening of the sub-station was acceptable and would explore the potential for a secure enclosure around it, if the application was deferred.

A typographical error was noted at paragraph 8.3.6 the word 'not' should be inserted after the words 'appearance of the development is'.

Councillor Murray proposed a motion to defer the application to enable officers to seek revised plans. This was seconded by Councillor Vaughan and was carried.

RESOLVED: (unanimously) that the application be deferred for officers to negotiate improvements to the scheme; and to be determined at a future Planning Committee meeting following any required consultation.

54 Date of next meeting

Resolved:

That the next meeting of the Planning Committee is scheduled to commence at 6:00pm on Tuesday, 14 December 2021, be noted.

The meeting ended at 7.03 pm

Councillor Jim Murray (Chair)

Agenda Item 7

Report to: Planning Committee
Date: 14th December 2021
Application No: 210324
Location: 41 Brampton Road, Eastbourne, East Sussex, BN22 9BN
Proposal: Demolition of existing industrial units and erection of 7 industrial terraces (providing 31 B2/B8 units) with associated access, car parking and landscaping.

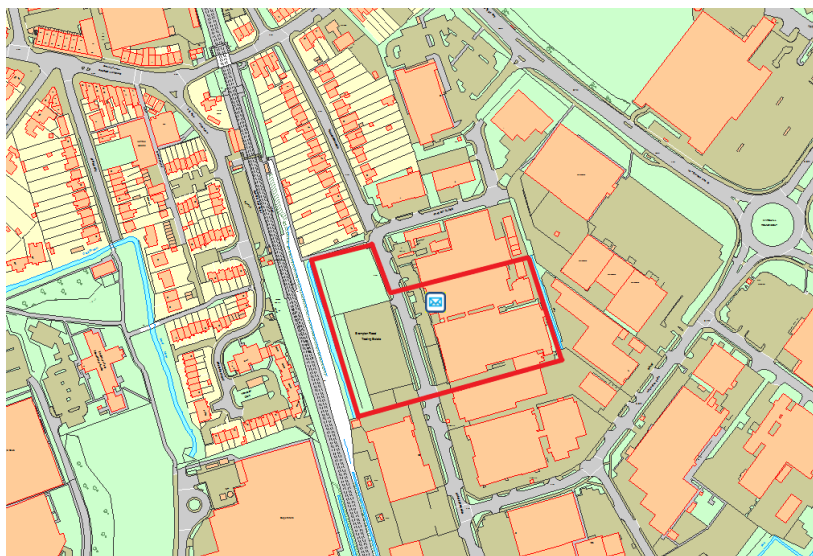
Applicant: Mr David Connor
Ward: Hampden Park

Recommendation: Approve subject to conditions and S106 Agreement to include:

- Reconstruction and widening of the existing eastern access points including tactile paving at the junction with Brampton Road;
- Removal of the existing western accesses onto Brampton Road with reinstatement of the footway and kerbing;
- Construction of new access points serving the western site with tactile paving;
- £5000 TRO contribution;
- Directional signage;
- allocated parking bays; and
- Local Construction and Employment Training Plan

Contact Officer: **Name: Neil Collins**
Post title: Senior Specialist Advisor - Planning
E-mail: neil.collins@eastbourne.gov.uk
Telephone number: 01323 410000

Map Location:



1. **Executive Summary**

- 1.1 This application is brought back to Committee following deferral by Members at the June Committee meeting to address various concerns, including: deficiency in parking provision; the relationship of Unit G to the neighbouring public footpath and residential occupiers; drainage issues; EV charging facilities; and cycle storage provision.
- 1.2 The application seeks planning permission for demolition of existing buildings on the site and the comprehensive redevelopment to provide improved employment floor space. The redeveloped scheme would comprise 31 units falling within the B2 (General Industrial) and B8 (Storage and Distribution) use classes and this would be predominantly flexible upon uptake by future occupants, other than Unit G, which would remain B8 along with the retained unit on site.
- 1.3 The applicant has revised the application broadly in the following ways: an amended parking layout has been provided; buildings on the west of Brampton Road have been moved to allow for drainage infrastructure; the curtilage on the northern side of Unit G has been re-modelled; accesses have been widened to allow for improved access by commercial vehicles; EV charging facilities are proposed and cycle storage facilities have been shown on the submitted plans.
- 1.4 Officers have liaised closely with ESCC Highways regarding the parking issues for clarification on the likely parking demand generated by the development, according to adopted standards. ESCC has now confirmed that there is no further objection to the proposed parking provision based upon increased provision of 11 additional spaces.
- 1.5 The retained unit (B8) generates a parking demand of 32 spaces. The proposed floorspace would generate a parking demand of 182 spaces. Therefore, the total number of spaces provided would be 167 rather than the previously proposed 156 spaces.
- 1.6 Whilst this is a shortfall of 15 spaces against the standards, ESCC Highways has confirmed that the existing buildings require 118 spaces against the standards, but currently have 71 space provision, therefore operating at a significant shortfall of 47 spaces. As such, the proposal offers a vastly improved situation against the existing and would lead to a reduction in on-street parking.
- 1.7 In addition to this, the applicant has confirmed that flexible parking provision would be provided within the units for commercial vehicles at peak times. ESCC has confirmed that smaller units, such as those proposed, have a larger number of vehicle movements from service/delivery vehicles, such that the full parking demand is rarely required. ESCC has requested the allocation of parking spaces in front of access doors by S106 to ensure control of those spaces during morning loading.
- 1.8 ESCC has requested a number of conditions, including a Travel Plan to include targets for reduced car use and a Monitoring Programme to ensure targets are being met.
- 1.9 The number of employees is not known at this stage, as such the exact cycle storage requirement is also unknown. The proposal includes 26 long-stay

cycle parking spaces for the use of staff, with a further 15 short-stay spaces provided for visitors to the site. This has been agreed by ESCC Highways.

- 1.10 Buildings on the western portion of the site have been moved away from the western curtilage to allow for drainage infrastructure to be implemented. This has been agreed with both Southern Water and ESCC as Lead Local Flood Authority, who have requested conditions requiring approval of the drainage design, together with a maintenance and management plan.
- 1.11 The boundary treatment of the northern curtilage (adjacent to the public footpath from Brampton Road to Hampden Park Station) has been revised. A proposed acoustic fence would be set back from the footpath edge, with planting in front to provide a less enclosed experience for users of the footpath. Motion sensor lighting is also proposed on Unit G to improve the safety of the path, subject to approval of detailed design by condition to prevent impacts on neighbour amenity.
- 1.12 The Sussex Police Crime Prevention Design Advisor has not raised any significant concerns regarding opportunities for crime.
- 1.13 Taking account of the above revisions to the scheme, Officers consider that the previous policy conflicts have been adequately addressed and the application is therefore recommended for approval, subject to conditions and S106 Agreement (as detailed above).
- 1.14 The following report remains unaltered from the previous report to Committee (for ease of reference), including the schedule of conditions, which will be revised to take account of the above changes and updated by Addendum.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework

- 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
- C7: Hampden Park
- D1: Sustainable Development
- D2: Economy

D5: Housing
D7: Community Sport and Health
D8: Sustainable Travel
D9: Natural Environment
D10: Historic Environment
D10A: Design.

2.3 Eastbourne Borough Plan 2001-2011

UHT1: Design of New Development
UHT4: Visual Amenity
UHT6: Tree Planting
UHT7: Landscaping
HO1: Residential Development Within the Existing Built-up Area
H07: Redevelopment
H09: Conversions and Change of Use
HO20: Residential Amenity
TR1: Locations for Major Development Proposals
TR2: Travel Demands
TR5: Contributions to the Cycle Network
TR8: Contributions to the Pedestrian Network
TR11: Car Parking
BI1: Retention of Class B1, B2 and B8 Sites and Premises
BI2: Designated Industrial Areas
BI4: Retention of Employment Commitments
NE4: Sustainable Drainage Systems
NE23: Nature Conservation of Other Sites.

2.4 Eastbourne Employment Land Local Plan 2016

EL1: Economy and Employment Land
EL2: Industrial Estates.

2.5 Supplementary Planning Documents and other relevant documents

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

3. **Site Description**

3.1 The application site comprises two parcels of land, one on each side of Brampton Road. The eastern parcel comprises existing industrial buildings, which have been developed and extended over time. The buildings are

occupied by TEVA, a pharmaceutical manufacturing and logistics company, and includes buildings falling within the B2 (General Industrial), B8 (storage and distribution), B1 (office – now Class E) and ancillary floorspace including a canteen.

- 3.2 The eastern portion of the site is currently accessed from two points on Brampton Road.
- 3.3 The site is located within the Hampden Park Ward and the Hampden Park Neighbourhood, as defined by the Core Strategy 2013. It is also located within a designated Industrial Estate.
- 3.4 The site falls across all three of the Environment Agency's Flood Risk Areas: 1 (Low Risk), 2 (Medium Risk) and 3 (High Risk) although zones 2 and 3 only affect a small north eastern portion of the site.

4. Relevant Planning History

- 4.1 The site has been the subject of an extensive number of planning applications over the years, the majority of which are small scale applications for alterations/extensions/plant associated with the established industrial use of the site. As such, applications have not been listed here for reference.

5. Proposed Development

- 5.1 The application seeks planning permission for the demolition of buildings on the eastern side of Brampton Road and the redevelopment of the site to provide a total of 31 commercial units falling within the B2 (General Industrial) and B8 (Storage and Distribution) use classes. The units would be arranged in terraces and would comprise associated car parking facilities and landscaping.
- 5.2 Within the defined application site, the applicant also seeks to retain a large industrial building measuring 1,273m².
- 5.3 The proposal would result in a net reduction of in floorspace compared to the existing buildings and this is because of the existing buildings being multi-storey.
- 5.4 The proposed buildings are part two-storey, part single (double height) storey and comprise ancillary office space, reception area and facilities. They comprise asymmetrical dual pitched roofs, with the larger south facing pitch accommodating solar voltaic panels for small scale renewable energy generation.
- 5.5 The unit sizes vary across the site, ranging from a footprint of 129m² in Unit C, to 263m in Unit B.
- 5.6 The units would be accessed via multiple access points from the public highway on Brampton Road.

6. Consultations

- 6.1 External:
- 6.2 ESCC Highways

- 6.2.1 ESCC Highways has not yet provided detailed comments regarding the transport impacts of the proposal. As such, any comments will be reported to the Committee within an Addendum Report or addressed for a future Committee meeting should significant elements of the proposal need to be revised to overcome concerns.
- 6.3 Southern Water
- 6.3.1 Southern Water has confirmed that foul sewer network reinforcement works may be required to ensure sufficient capacity to deal with the anticipated foul sewer discharge rates. Southern Water has also requested that occupation be phased to align with the delivery of any required reinforcement works and has requested a condition to secure this.
- 6.3.2 RPG, acting for the applicant, has responded on this point, and put forward their assessment that the discharge rates are calculated to be less than the existing, thus not requiring any additional reinforcement works. At the time of writing a response is yet to be received. Therefore, a condition has been included with this recommendation and will be removed with Southern Water's agreement, prior to determination.
- 6.3.3 Southern Water has also requested other conditions as detailed in Section 10 of this report.
- 6.4 ESCC SUDs & Pevensey and Cuckmere Water Level Management Board
- 6.4.1 In their consultation response, ESCC SuDS has raised concerns about the proposed surface water drainage methods for the site. This has been rebutted by RPG and, at the time of writing, is with ESCC for further comment. Comments will follow within an Addendum Report if received before the Committee meeting.
- 6.5 Environment Agency
- 6.5.1 No objection to proposal. No conditions recommended.
- 6.6 Sussex Police – Designing Out Crime Officer
- 6.6.1 No significant concerns with the proposal from a crime perspective – recommendations made to the applicant to reduce opportunities for crime.
- 6.6 Internal:
- 6.7 Specialist Advisor – Quality Environment
- 6.7.1 No comments received.
- 6.8 Specialist Advisor – Planning Policy
- 6.8.1 Considers the proposal to accord with the objectives of adopted policy and would improve the industrial offer in the Borough, meeting the identified need for small start-up business employment floor space.
- 6.8 Specialist Advisor - Regeneration

- 6.8.2 In support of the application, which would provide needed small business, start-up, and SME employment floorspace, whilst retaining an also much needed larger industrial unit.
- 6.8.3 The application qualifies for a local labour agreement as it meets the thresholds for a residential development as detailed on page 11 of the Employment and Training Supplementary Planning Document adopted November 2016.

7. Neighbour Representations

7.1 10 representations have been received regarding the application, which raise the following concerns:

- Noise impacts
- Pollution
- Transport impacts
- Loss of green space / wildlife habitats
- There are existing empty industrial buildings on the estate.
- Parking.

8. Appraisal

8.1 Principle of Development

- 8.1.1 Given the location of this site within a designated Industrial Area, as defined by the Core Strategy 2013, consideration of the application is governed principally by related Core Strategy policy D3: Economy, policies ELP1 (Economy and Employment Land) and EL2 (Industrial Estates) of the Employment Land Local Plan 2016, together with saved policies BI1, BI2 and BI4 of the Eastbourne Borough Plan 2003.
- 8.1.2 The Employment Land Local Plan (ELLP) explains (at paragraph 2.21) that economic growth has changed in recent years and that Eastbourne has seen lower levels of inward investment particularly due to the age and quality of the existing stock. Paragraph 2.22 describes that the majority of existing stock was built in the 1960's and 1970's and will 'not necessarily meet the needs of existing and future businesses' and describes the opportunity to redevelop to provide higher quality and more suitable stock. It goes on to confirm that the ELLP needs to '*ensure it provides the right space...including new, high quality floorspace*'.
- 8.1.3 Policy D2: Economy of the Core Strategy 2013 outlines the objectives for employment land, including, '*Maximising the use of existing employment sites, through redevelopment for employment use and increased density on existing industrial estates, and the upgrading of the existing stock*'. Policy ELP1 of the ELLP also confirms a '*presumption in favour of sustainable economic development*' in assessing proposals concerning employment land and (in policy EL2) that, '*within the designated Industrial Estates, redevelopment and intensification of under-utilised sites to provide B class use floorspace will be supported*'.

- 8.1.4 It is noted that this proposal would lead to a net loss of employment floorspace when compared to the existing. However, the proposal would incorporate high quality units built to modern standards, which would be attractive to businesses inside and outside of the Borough. They would comprise improved thermal and acoustic performance compared to the older existing units and would have improved access arrangements and parking facilities.
- 8.1.5 The proposal would retain a large industrial unit on the eastern side of Brampton Road, comprising 1,273m², for which there is an identified high demand. The scheme would also comprise smaller units, which is considered to be particularly beneficial in offering accommodation for smaller start-up and fledgling businesses and meets another of the objectives of policy D3, *‘Supporting development which provides for, or achieves, units for new start-up businesses’*.
- 8.1.6 This approach is further supported by the Employment Land Local Plan (ELLP), which confirms in Policy ELP1, that job growth and prosperity will be achieved by ‘promoting development which provides for new start-up businesses and small enterprises’. It goes on to explain (at paragraph 3.11) that, *‘The majority of economic activity in Eastbourne is undertaken by small businesses’* and, *‘In order to encourage such businesses and encourage local ‘home grown’ employment growth, it is important to provide new units suitable for small and start-up businesses’*.
- 8.1.7 This proposal would introduce high quality employment floor space suitable for business start-ups, which meets ELLP Objective 2 – Encourage Small and Start-up Businesses and Objective 3 – Diversify the Local Economy by providing agile units which can be used together if more space is required. As such, it is intended that incoming businesses could occupy single or multiple units bespoke to their floorspace requirements and offering the growth requirements where possible in the future.
- 8.1.8 The Council’s Regeneration Team have confirmed that Locate East Sussex, the Council’s inward investment partners have highlighted an insufficient supply of flexible, modern industrial provision in the county and that the proposed units would fulfil this unmet need.

Taking account of the above considerations, the proposal is considered to meet the overarching objectives of adopted policy and would provide for the ongoing in employment needs of the Borough, both for existing and inwardly migrating businesses.

8.2 Trees / green space / wildlife habitats

- 8.2.1 The application site comprises a green space at its northern point. This comprises a large open grassed area that is fenced off from public use and is predominantly unused, other than for a small amount of staff recreation. The space does not comprise any significant features other than a low-level hedge, which runs from north to south along the western boundary of the site.

- 8.2.2 The space is not designated or protected for its wildlife, biodiversity, or amenity value. As such, its loss is not prohibited by any national or local policy.
- 8.2.3 There are street trees lining Brampton Road, which soften the appearance of the site on both sides, when viewed from the public highway, although they become sparser on the southern portion of the site. A condition is recommended to ensure that these trees are protected during demolition/construction works.
- 8.2.4 A further condition is recommended requiring a detailed landscaping scheme, which would include types, species, and numbers of planting, together with surface treatment and boundary enclosures.

8.3 Amenity for future occupants

8.3.1 Privacy

8.3.2 The proposed buildings would occupy land adjacent to residential occupiers in the northern part of Brampton Road. However, the buildings would not comprise any windows that would overlook neighbouring residents. As such, no privacy issues are envisaged. However, industrial units can be altered without the formal grant of planning permission, so a condition has been attached to ensure that the northern elevation of Unit G (the northern most terrace) could not be altered without the prior grant of planning permission.

8.3.3 Taking account of the above stipulation, no other privacy issues have been identified.

8.3.4 Daylight / Sunlight / Outlook

8.3.5 Unit G would be closest to neighbouring residential occupants. The buildings on this northern most part of the site would be adjacent to a public footpath, which runs from Brampton Road to Hampden Park Train Station. This includes a soft landscaped verge at the mouth of the footpath on Brampton Road. The buildings would also be set back from the site boundary shared with the public footpath.

8.3.6 An assessment of the impact of the proposed buildings, taking account of their height, roof design and proximity to neighbouring residential windows, has concluded that there would be no significant impact upon light serving adjacent dwellings.

8.3.7 It is also considered that the siting of Unit G would neither encroach upon, nor be overbearing or enclosing upon the occupiers of number 38, the nearest of the dwellings to the north of the site. It is noted that a buffer strip is retained between the north elevation of Unit G and would allow for planting to soften the development and this would be addressed within the Landscaping Plan, required by condition.

8.3.8 Noise

8.3.9 Whilst a degree of noise conflict is expected between the normal operation of the industrial estate and neighbouring residential occupiers, the proposal would bring the useable floorspace closer to neighbours than the existing arrangement.

- 8.3.10 Unit G would be the nearest building and would turn its back on the nearest neighbours to the north. This is considered to go some way to shielding noise from activity from neighbours, as this would take place on the opposite site of the buildings.
- 8.3.11 A condition would be attached to prevent further apertures being made in the northern elevation of Unit G to prevent exacerbated noise conflicts. However, as Use Class B has the potential to generate significant noise from normal use, it is also considered necessary to impose a condition requiring that Unit G is only used for B8 (storage and distribution), to provide a buffer between neighbouring residents and B2 uses.
- 8.3.12 A condition has also been attached to ensure that the ground floor doors on the northern elevation would only be used in emergency situations to prevent activity on the northern side of the building.
- 8.4 Accessibility and impacts upon highway networks.
- 8.4.1 Policy TR2 of the Eastbourne Borough Plan states that development proposals should provide for the travel demands they create and shall be met by a balanced provision for access by public transport, cycling and walking. Additionally, Policy D8 of the Core Strategy recognises the importance of high-quality transport networks and seeks to reduce the town's dependency on the private car.
- 8.4.2 It should be noted that, at the time of writing, ESCC Highways is yet to comment on the application. Therefore, although comments are anticipated before the Committee meeting, Officers are seeking the delegated authority of the Committee to negotiate any revisions that may be required by ESCC.
- 8.4.3 Accessibility
- 8.4.4 The development would be accessible by foot, train, bus, cycle, and car. The site is located close to Hampden Park Train Station and numerous other means of public transport nearby. Numerous bus stops are in the vicinity, including on Mountfield Road and Lottbridge Drove. Taking this into account, the site is very accessible, including via sustainable means of transport.
- 8.4.5 Trip Generation
- 8.4.6 The submitted Transport Assessment concludes that there would be a marginal increase in the trip generation when compared to the existing arrangement. This is to be expected given the nature of the proposed multiple units compared to the single operation of the TEVA site despite the floor space reduction. The increase would not have a significant impact upon the surrounding road network in the context of the existing arrangement. It is noted that adopted policy supports intensification of designated industrial areas and that this marginal increase in trips to and from the site is expected within the plan period in relation to increased employment activity.
- 8.4.7 Parking
- 8.4.8 The proposal would provide 156 parking spaces for vehicles in relation to the development. These would be arranged around

central courtyards between the buildings. ESCC standards require that 182 spaces be provided, falling 26 spaces short of the standards. However, it is considered that overspill could be accommodated within Brampton Road. The concerns of neighbours regarding overspill into the upper part of Brampton Road has been considered. It is noted that almost all properties in this section of Brampton Road have off street parking and that additional cars would be unlikely to impact upon the ability for residents to park at their home addresses, particularly at the southern part of the residential portion of Brampton Road.

8.4.9 Taking the above into account, together with the presence of other public transport means, on balance the parking provision is acceptable.

8.4.10 Vehicle manoeuvring

8.4.11 The applicant has demonstrated by way of swept path diagrams that LGVs and HGVs would be able to access and egress the site in a forward gear.

8.5 Other matters

8.5.1 Sustainability / Energy

8.5.2 In line with Core Strategy Policy D1 and the Sustainable Building Design SPD, the proposed buildings would comprise thermal insulation to modern standards, together with micro renewable energy generation in the form of solar voltaic panels on the roof of the buildings to mitigate the energy demands of the development.

8.5.3 Drainage

8.5.4 *Surface Water*

8.5.5 The applicant has submitted a Flood Risk and Drainage Strategy for the site, which includes a scheme for the management of surface water within the site in the interest of preventing flooding both on and off-site. This includes permeable paving and below ground surface water attenuation tanks.

8.5.6 *Foul water disposal*

8.5.7 The applicant is proposing to use existing infrastructure for foul water disposal. Southern Water has raised concern that the infrastructure may need reinforcing prior to use and has requested that connection to the foul sewer network be phased to allow for such works to be aligned.

8.5.8 The applicant has responded to this concern by providing the calculated foul water discharge rates, which are anticipated to be lower than the existing. This is, at the time of writing, with ESCC SuDS for comment and the Committee will be updated regarding any comments received prior to the meeting.

8.5.9 Construction Management

8.5.10 A Demolition, Construction and Environmental Management Plan (DCEMP) would be required by condition to ensure that demolition/construction related traffic would be suitably managed in

relation to the site, including delivery times, parking, types of vehicles and construction traffic movement on and around the site. The Plan would demonstrate how the environmental impacts of construction upon neighbouring occupants would be mitigated. The plan would also include pollution mitigation measures, including dust suppression, wheel washing, commitment to not burning on site, etc.

8.5.11 Flood Risk

8.5.12 The site falls across all three of the Environment Agency's Flood Risk Areas: 1 (Low Risk), 2 (Medium Risk) and 3 (High Risk) although zones 2 and 3 only affect a small north eastern portion of the site.

8.5.13 The applicant has submitted a Flood Risk Assessment (FRA) in support of the application. The Environment Agency has responded to consultation and has not raised any objection to the proposal regarding flood risk issues. Therefore, the development will be carried out in accordance with the FRA by condition of permission.

8.5.14 Community Infrastructure Levy

8.5.15 The development is CIL liable.

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 conditions and a S106 Agreement or Unilateral Undertaking (to be determined) to cover local labour agreement.

10.2 Planning permission would be subject to the following conditions:

10.3 **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).

10.4 **Approved Plans** - The development hereby permitted shall be carried out in accordance with the following approved drawings:

Existing Site Location Plan: 21 Rev A
Proposed Site Location Plan: 24 Rev A
Proposed Block Plan: 25 Rev A
Proposed Site Layout: 26 Rev A
Proposed Ground Floor: 27 Rev A
Proposed Unit A - Plans: 28 Rev A
Proposed Unit A - Elevations: 29 Rev A
Proposed Unit B - Plans: 30 Rev A

Proposed Unit B - Elevations: 31 Rev A
Proposed Unit C - Ground Floor: 32 Rev A
Proposed Unit C - First Floor: 33 Rev A
Proposed Unit C - Elevations: 34 Rev B
Proposed Block Plan: 45 Rev A
Proposed Site Layout: 46 Rev A
Proposed Ground Floor: 47 Rev A
Proposed Unit D - Plans: 48
Proposed Unit D - Elevations: 49
Proposed Unit E&F - Ground Floor: 50
Proposed Unit E&F - First Floor: 51
Proposed Unit E&F - Elevations: 52
Proposed Unit G - Plans: 53
Proposed Unit G - Elevations: 54
Flood Risk Assessment and Drainage Strategy, by RGP, dated April 2021: 21/012/FRA01.
Transport Statement, by RPG, dated April 2021: 21/5755/TS02.

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

- 10.5 **External Materials** - The external surfaces of the development, hereby approved, shall be finished in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory appearance.

- 10.6 **SuDS Scheme** - No above ground works shall commence until a surface water drainage scheme and maintenance and management plan have been submitted to and agreed in writing by the local planning authority. The surface water drainage scheme should be supported by an assessment of the site's potential for disposing of surface water by means of a sustainable drainage system. Surface water run off to the surface water sewer network shall be limited to a rate agreed with Southern Water and shall incorporate any required mitigation measures. Thereafter, the approved scheme shall be carried out or supervised by an accredited person. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM). The implementation of the surface water drainage scheme shall thereafter be carried out in accordance with the approved details prior to the occupation of the dwelling hereby approved.

Prior to submission of the scheme, the applicant shall first contact ESCC SuDS Team and Southern Water to ensure their agreement with the scheme.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve existing habitats

- 10.7 **Surface Water Drainage Scheme Implementation** - Following completion of the drainage works, evidence (including photographs taken at different times throughout the build) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development, hereby approved, showing that the drainage system has been constructed in accordance with the approved detailed drainage designs.

Reason: To reduce the risk of flooding, both on and off site.

- 10.8 **Parking spaces** - No part of the development shall be occupied until the car parking spaces have been constructed and provided in accordance with the approved plans. The spaces shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure car-parking spaces are provided prior to occupation and retained thereafter.

- 10.9 **Landscaping** - Prior to first occupation of the development, hereby approved, a Landscaping Plan shall be submitted to and approved in writing by the Local Planning Authority, which shall provide details of the treatment of all parts of the site not covered by buildings. Details shall include:
- a) a scaled plan showing all hard and soft landscaping, including vegetation to be retained and planting of trees and plants;
 - b) details of all hard surfaces, including facing material specifications;
 - c) all boundary treatments, including facing material specifications;
 - d) a schedule detailing sizes, species and numbers of all proposed trees/plants; and
 - e) sufficient specification to ensure successful establishment and survival of new planting.
 - f) visibility splays adjacent to the vehicular access on Waterworks Road.

The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.

Any newly planted tree that dies, is removed, or becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and enhance the character, amenity, and biodiversity of the area.

- 10.10 **Demolition, Construction and Environment Management** - Prior to commencement of the development (including demolition), hereby approved, a Demolition, Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority, which 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 times of any deliveries related to the development, which should avoid peak travel times;
- the storage of plant and materials used in construction/demolition of the development,
- the erection and maintenance of any security hoarding;

- the provision and utilisation of wheel washing facilities or any other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- dust and/or any pollutants;
- confirmation of no burning of materials on site;
- measures to manage flood risk during construction; and
- details of public engagement both prior to and during construction works.

Prior to submission of the CEMP, the applicant shall first contact ESCC Highways to ensure their agreement with the submitted details.

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

- 10.11 **Arboriculture** - Prior to commencement of the development, hereby approved, an Arboricultural Impact Assessment, including a scheme for the protection of retained trees in accordance with BS 5837:2012; a Tree Protection Plan(s) (TPP); and an Arboricultural Method Statement (AMS). Specific issues to be dealt with in the TPP and AMS shall include:

- a) Location and installation of services/ utilities/ drainage.
- b) Details of construction within or adjacent to the Root Protection Area (RPA) or that may impact on the retained trees.
- c) A full specification for the construction of all hard landscaped areas, including details of the no-dig specification and including relevant sections through them.
- d) Specification for protective fencing to safeguard retained trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- e) Specification for scaffolding and ground protection within tree protection zones.
- f) Arboricultural supervision and inspection by a suitably qualified tree specialist
- g) Reporting of inspection and supervision

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, pursuant to section 197 of the Town and Country Planning Act 1990

- 10.12 **Landscaping** - Prior to the completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.

Details shall include:

- a) a scaled plan showing all hard and soft landscaping, including vegetation to be retained and planting of trees and plants;
- b) details of all hard surfaces;
- c) all boundary treatments;

- d) a schedule detailing sizes, species and numbers of all proposed trees/plants
- e) sufficient specification to ensure successful establishment and survival of new planting.

Any new tree(s) that die(s) are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which die, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details unless agreed otherwise with the Local Planning Authority.

Reason: To safeguard and enhance the character, amenity, and biodiversity of the site.

- 10.13 **Travel Plan** - Prior to first occupation of the development, hereby approved, a Travel Plan Information Pack (TPIP) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan Information Pack shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport and/or as advised by the Highway Authority. The TPIP shall include details of sustainable methods of transport available to future occupiers of the development and the routing of commercial and other vehicles navigating to the site from elsewhere, to include avoidance of the residential portion of Brampton Road. The approved TPIP shall be issued to first occupants of the development, prior to occupation.

Reason: To encourage and promote sustainable transport and manage the ongoing impacts of commercial vehicles on adjacent residential areas.

- 10.14 **Cycle Parking** - Details of secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the facilities shall be provided prior to first occupation of the development, hereby approved, and retained solely for the parking of cycles, in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

- 10.15 **Removal of PD rights** - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement or extension, window, rooflight or other aperture other than those expressly authorised by this permission shall be constructed in the north elevation of Unit G without planning permission being first obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

- 10.16 **Restricted use of doors on Unit G** - The ground floor doors on the northern elevation on Unit G shall only be used in an emergency or for maintenance and no other time other time, unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the occupiers of neighbouring properties from noise disturbances.

10.17 **Restriction of Use** - Notwithstanding any inferences within the approved drawings/documents, the use of all floor space forming part of Unit G shall be restricted to Use Class B8 (Storage and Distribution) within the meaning of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To safeguard the amenities of the occupiers of nearby properties.

10.18 **Hours of operation** - The use, hereby approved, shall only operate within the following hours:

- 08:00-20:00 - Monday to Friday;
- 08:00-18:00 on Saturdays; and
- Not at all on Sundays and Bank Holidays

Reason: In the interest of protecting the amenity of neighbouring occupants

10.19 **Acoustic Fence** - Details of sound insulation of Unit G, or an acoustic wall on the northern boundary of the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the noise mitigation measures shall be fully implemented in accordance with the approved details prior to first use of the development, hereby approved, and retained as such for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

10.20 **Restrictive Use** - Notwithstanding the details within Town and Country Planning (Use Classes) Order 1987 (as amended) none of the units hereby approved shall be permitted to change to Use Class B1 or Class E.

Reason To accord with the terms of the application and to ensure that the B2-B8 uses are retained.

10.21 **Phased connection to the foul sewer** - The development, hereby approved, shall not be occupied until a schedule for phased connection to the foul sewer has been submitted to and approved in writing by the Local Planning Authority following liaison with Southern Water.

Reason: To prevent flooding of the foul sewer network.

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 written representations.

12. **Background Papers**

12.1 None.

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Agenda Item 8

Report to: Planning Committee
Date: 14th December 2021
Application No: 210772
Location: Land at Tesco Car Park, 21 Lottbridge Drive
Proposal: Erection of a coffee shop with drive thru facility, replacement car parking and associated works
Applicant: Eastbourne Borough Council
Ward: St Antonys
Recommendation: Grant permission subject to conditions
Contact Officer: **Name:** Neil Collins
Post title: Senior Specialist Advisor
E-mail: neil.collins@lewes-eastbourne.gov.uk
Telephone number: 01323 410000

Map Location:



1. **Executive Summary**

- 1.1 This application is brought before the Planning Committee due to the significant number of objections received following public consultation.
- 1.2 The proposal involves the creation of drive through facilities comprising 2 coffee shop units falling within Use Class E, together with access and parking arrangements, landscaping and boundary enclosure. Existing 'click and collect' and recycling facilities would be relocated as part of the development proposals.
- 1.3 Amendments have been received during the course of the application to address officer concerns regarding impacts upon neighbour amenity through noise disturbance, including (but not limited to) curtailing opening hours from 24 hr opening to 6am-11pm, securing the site during non-opening hours to prevent improper use and an improved acoustic wall on the rear site boundary, which has also been extended to cover relocated recycling facilities.
- 1.4 The proposed use is acceptable in this location and would provide employment opportunities through the creation of approximately 30 new FTE jobs.
- 1.5 The application would bring about environmental improvements to this part of Tesco's car park, is acceptable in terms of the visual and amenity impacts and would comply with both national and local planning policy.
- 1.6 The application is recommended for approval, subject to conditions. At the point of writing, the recommendation is subject to the final agreement from ESCC Highways following liaison during the application and this will be updated in addendum to Committee or at the meeting itself.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework

2. Achieving sustainable development
4. Decision-making
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
16. Conserving and enhancing the historic environment

2.2 Eastbourne Core Strategy Local Plan 2006-2027:

- B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods
C5: Ocklynge & Rodmill Neighbourhood Policy
D1: Sustainable Development
D2: Economy
D4: Shopping
D8: Sustainable Travel
D9: Natural Environment
D10: Historic Environment
D10a: Design

2.3 Eastbourne Borough Plan 2001-2011:

BI 7 Design Criteria
NE4: Sustainable Drainage Systems
NE7: Waste Minimisation Measures in Residential Areas
NE18: Noise
NE28: Environmental Amenity
UHT1: Design of New Development
UHT4: Visual Amenity
UHT5: Protecting Walls/Landscape Features
UHT7: Landscaping
US3: Infrastructure Services for Foul Sewage and Surface Water Disposal
US4: Flood Protection and Surface Water Disposal
US5 Tidal Risk
HO20: Residential Amenity
TR6: Facilities for Cyclists
TR11: Car Parking

3. **Site Description**

- 3.1 The application site forms part of an established retail site - currently operating as Tesco Extra 24 hour superstore – which includes café, pharmacy and dry cleaning services in-store and a petrol filling station and car wash facilities within the larger site curtilage. The Tesco site is part of the larger established Admiral Retail Park, which also includes MacDonalld's 'Drive-Thru' restaurant adjacent to Tesco petrol station to the north.
- 3.2 The application site itself comprises approximately 0.5 acres in the south-eastern portion of the larger site, which is currently is use as part of the car park facilities for the store, but also accommodates existing 'click and collect' and recycling facilities.

- 3.3 The site is bounded on its northern side by Lottbridge Drove, which is met by a large roundabout directly east of the site connecting to Seaside, which forms part of the southern boundary of the site.
- 3.4 The site includes the existing vehicular access serving the wider Tesco site from Lottbridge Drove, but the site can also be accessed via an existing secondary access to the north via a shared service road serving the wider Admiral Retail Park, again from Lottbridge Drove.
- 3.5 The nearest residential occupiers are located on the opposite side of Lottbridge Drove to the north and to the south of the site, fronting Seaside and Northborne Road, the gardens of which back onto the car park area (although separate from the defined application site). The nearest buildings on Seaside are currently in commercial use, occupied by the Seaside Dental Practice.
- 3.6 The site is partly located within an Archaeological Notification Area, which centres on Seaside roundabout, relating to the highly significant remains of a preserved 11th-century boat that was uncovered in 1963.
- 3.7 The development site is located within the Environment Agency's Flood Zone 3.

4. Relevant Planning History

- 4.1 There have been numerous historic applications concerning the wider site, but none are relevant to the consideration of this application and, as such, have not been listed in this report.

5. Proposed Development

- 5.1 The application seeks permission for redevelopment of this portion of the Tesco site to create two coffee shop outlets, including drive through facilities. Two single storey buildings are proposed, which would be roughly centrally placed on the site and intended for occupancy by Starbucks and Greggs, comprising 185m² and 167m² respectively. The new floorspace would fall into Use Class E (Commercial).
- 5.2 The proposal includes landscaping of the site, incorporating soft landscaping features, including new tree and other planting and boundary enclosures, including an acoustic wall on the south west part of the curtilage, which would allow for climbing planting.
- 5.3 The site would be accessed via the existing access from Lottbridge Drove and an improved pedestrian access would replace the existing from Seaside with an additional pedestrian access provided to Lottbridge Drove.
- 5.4 The scheme would include the creation of car parking facilities for 34 vehicles (including 4 electric vehicle charging spaces) together with 8 cycle spaces.
- 5.5 The proposal includes the relocation of existing 'click and collect' facilities to the main building and recycling facilities just outside of the newly created curtilage which, as a result if revised plans, would also be enclosed by an acoustic wall.

- 5.6 During the course of the application, the applicant has proposed a change to the original 24 hour opening arrangement to 6am-11pm and the site would be secured by a vehicular access gate to prevent vehicular use during non-opening hours - in the interests of preventing neighbour disturbance throughout the night.
- 5.7 The applicant has also proposed other amendments to the original submitted scheme following Officer feedback on the proposal, including: the provision of 4 EV rapid charging points, with scope to expand the number to meet future demand; green roofs have been proposed for both units; and an increase in height from 1.8m to 2.4m for part of the acoustic wall separating the site from the Tesco car park, nearest to residential occupiers.
- 5.8 Refuse and recycling storage facilities for the units would be provided within the site.

6. Consultations

6.1 Specialist Advisor (Planning Policy)

6.1.1 The 'Coffee Shops' will fall within Class E and are 'Main Town Centre Uses'. As paragraph 87 of the National Planning Policy Framework states "Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date Local Plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered." The site is within the car park of a larger retail development but is not identified as a designated centre in the retail hierarchy (Core Strategy Policy D4) and is therefore considered an 'out of centre' location, which means the sequential test needs to be applied.

6.1.2 The aim of the sequential test is to ensure that main town centre uses are directed towards town centres first, and only where they cannot be accommodated in or on the edge of town centres should main town centre uses be permitted elsewhere. Therefore, the purpose of the sequential test is to direct retail development to the most sustainable location(s) and at the same time protect the vitality of town centres.

6.2 Specialist Advisor (Environmental Protection)

6.2.1 No objection to the proposal subject to the imposition of a condition requiring approval of plant and machinery in operation at the site.

6.3 Environment Agency

6.3.1 No objection to the proposed development as submitted, subject to the imposition of a condition to ensure accordance with the recommendations in the submitted Flood Risk Assessment.

6.4 ESCC Highways

- 6.4.1 At the time of writing, formal response has not been received from the Local Highway Authority (LHA). However, both EBC officers and the applicant have liaised with the LHA through the application period. Objection is not envisaged, taking account of the discussions, subject to the consideration of further parking surveys requested by the LHA to determine parking demand following development.
- 6.4.2 Full and detailed comments will be updated by way of addendum to Committee, together with any resulting changes to the recommendation.
- 6.5 **ESCC Flood Risk Team (SuDS)**
 - 6.5.1 No objection subject to agreement of the Environment Agency on flood risk issues and any required mitigation measures and subject to condition requiring a maintenance and management plan for the proposed drainage system.
- 6.6 **County Archaeologist**
 - 6.6.1 No objection subject to the imposition of conditions requiring: A Programme of Archaeological Works in accordance with a Written Scheme of Investigation; an Archaeological Site Investigation and Post-Investigation Assessment; and a Construction Method Statement to ensure remains are preserved in situ.

7. Neighbour Representations

- 7.1 A significantly high number of letters of objection have been received in relation to the application, on the following grounds:
 - 7.1.1 Noise disturbance;
 - 7.1.2 Odour pollution;
 - 7.1.3 Anti-social behaviour;
 - 7.1.4 Traffic impacts;
 - 7.1.5 Parking;
 - 7.1.6 Air pollution;
 - 7.1.7 Road safety;
 - 7.1.8 Lighting spill;
 - 7.1.9 Littering;
 - 7.1.10 Sufficient facilities already available nearby;
 - 7.1.11 Unhealthy food choices.
- 7.2 One letter of support has also been received.

8. Appraisal

- 8.1 **Principle of Development**

- 8.1.1 In decision making, Local Planning Authorities are required by the National Planning Policy Framework (NPPF) to consider the balance between the 3 overarching objectives of sustainable development: social, economic and environmental benefits.
 - 8.1.2 The development would result in the creation of employment opportunities, both in the construction and ongoing operation of the site. The development as a whole would create 22 full-time equivalent jobs but offering a range of full-time and part-time flexible work. The development would also result in significant investment in the Borough, both in terms of the physical development of the site and the ongoing business rates yielded by the Council.
 - 8.1.3 The proposed buildings would be used within the scope of Use Class E and are 'Main Town Centre Uses', as defined by the NPPF.
 - 8.1.4 Paragraph 87 of the NPPF states "Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date Local Plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered." The site is within the car park of a larger retail development but is not identified as a designated centre in the retail hierarchy (Core Strategy Policy D4) and is therefore considered an 'out of centre' location.
 - 8.1.5 The submitted Planning Statement provides justification for the elected site, noting that no existing town centre or edge of town centre sites have been identified that would offer alternative locations for the development. In applying the sequential test, applicants are only required to identify sites that could accommodate the entire development proposals. In this case, the proposed floorspace provision, together with the drive-thru facilities and associated car parking. The drive-thru is intended to capture passing trade from customers already visiting the extensive array of existing retail and restaurant uses located in the vicinity.
 - 8.1.6 It is also noted that the intended occupants already occupy units in a primary location within Eastbourne Town Centre.
 - 8.1.7 Taking account of the operational characteristics of a drive-thru development of the nature proposed, together with the target customers already visiting the site and its environs, the location is acceptable in meeting the requirements of adopted policy when balancing the planning considerations and would maintain the vitality or viability of local centres within the borough.
- 8.2 Impact of the proposed development on amenity of neighbouring occupiers:
- 8.2.1 The application site is located in close proximity to residential occupiers, particularly those located in Seaside and Northborne Road to the south/south-west. There is significant concern from

neighbouring residents regarding disturbances generated by the proposed development.

- 8.2.2 The application is supported by technical assessments regarding noise generated from the proposal. This includes a detailed Noise Assessment by Sharps Redmore Acoustic Consultants, which provides details of an environmental noise survey of the site during both daytime and night-time hours, together with an assessment of noise generated from plant and the general activity from the site (including the drive-thru facility and parking). A further Technical Note by Sharps Redmore has been submitted that specifically focusses on the potential disturbance from the order point systems used in drive-thru developments. The assessments focus on the potential for noise disturbance when measured from the nearest noise sensitive receptors; the curtilages of 389 and 404 Seaside. The assessments conclude that the noise emissions from both fixed plant and machinery and the activities associated with the site would be within the WHO (World Health Organisation) guideline noise values during both daytime and night-time hours.
- 8.2.3 An acoustic wall is proposed for the south-west site boundary to mitigate noise disturbances to neighbouring occupants. The original submission comprised a screen measuring 1.8m in height, which would provide planting on the southern side to assist in the visual appearance of the site from neighbouring properties.
- 8.2.4 Further mitigation measures were requested by officers and amendments have been received in response, including an increased height of the acoustic wall to 2.4m on the southern boundary and extension of the acoustic wall to enclose the relocated recycling facilities. The originally proposed 24-hour opening has been revised to 6am-11pm, together with a security gate at the entrance to the site to prevent night-time use outside of these hours. The revised hours would include the servicing of the development, such that service vehicles would also visit the site within the hours of operation to prevent disturbance between 11pm-6am. A Delivery and Servicing Management Plan has been submitted, which details service vehicle procedures to mitigate noise disturbances from these visits.
- 8.2.5 The Council's Specialist Advisor in Environmental Protection has confirmed that the submitted information demonstrates that the noise generated from the proposal would be within acceptable tolerances. However, to ensure that the plant and equipment meets the anticipated noise emissions, the Specialist Advisor has requested that a condition is imposed requiring the prior approval of specifications for noise generating plant and equipment. This would include both extraction plant and the external system employed to take orders from drive-thru customers. The condition would also ensure that plant and equipment operate at the same level as approved for the lifetime of the development, to protect residents from potential future changes to noise generated by plant.

- 8.2.6 Odour disturbance is raised as an additional concern by residents. It is not envisaged that the intended occupants (which generally offer hot drinks and light snacks) would cause odour disturbance, given that primary cooking facilities do not form part of the proposals. However, it is noted that the potential for different businesses to occupy the building post-decision could bring a change in food being offered for consumption on or off the premises. It should be noted that primary cooking on site with a significant proportion of take away would likely require a change of use to a designated Hot Food Take away under the Sui Generis use class, thus requiring a separate planning permission. However, primary cooking for consumption on site could operate under the proposed Class E and therefore, the requirement for approval of plant specifications would include an assessment of the potential for alternative foods to be prepared on site to ensure that required mitigation is provided and maintained for the lifetime of the development.
- 8.2.7 Turning to the potential for disturbance from the lighting of the site, the lighting scheme has been designed with a mixture of low level and pole lighting, both of which would ensure that lighting is directed away from neighbouring occupants in the interest of their amenity. This would be secured by planning condition. The proposed timber acoustic fence on the south western part of the curtilage would prevent intrusion to neighbouring occupants from vehicle headlights in hours of darkness, which would be an improvement on the existing arrangement.
- 8.2.8 The site would be secured between 11pm and 6am, such that it would not be in use at all during these times and would offer an improved situation for neighbouring occupants during these hours, given that the site can currently be used at any time, including the reported anti-social behaviour from vehicles using the site out of daytime hours.

8.3 Design and landscaping

- 8.3.1 The existing site comprises a car park with a small amount of periphery soft landscaping features. The site is open in character and relatively featureless.
- 8.3.2 The proposed buildings would be single storey, although they would be roughly to the eaves height of the neighbouring residential buildings in Seaside. The proposed design of the buildings would be high quality and the resulting development would enhance the visual appearance of the site and wider area. The proposed buildings would comprise a scale and form that would be sympathetic to the prevailing character of the area – a continuation of the lower height residential terraces in Seaside. The buildings would be set back from the edge of the site, such that the open character of the site would generally be maintained.
- 8.3.3 A landscaping scheme has been submitted with the application documents, together with an Arboricultural Impact Assessment.

- 8.3.4 The proposed landscaping scheme would soften the development and provide high quality planting, whilst retaining as much of the better-quality existing landscaping features as possible, including trees of merit across the site. It would offer both visual and biodiversity improvements for the site. A tree protection and landscaping condition would be applied to ensure the soft landscaping features were delivered and retained should trees die within 5 years of implementation.
- 8.3.5 The site would be enclosed by a boundary fence around the non-street facing sides of the curtilage, which would range from 1.8m to 2.4m in height at it's tallest to provide acoustic protection for neighbouring residents. The enclosure would allow for climbing plants to soften the residential/car park side of the fence over time.

8.4 Drainage and Flood Risk

- 8.4.1 The site is located with the Environment Agency's Flood Risk Area 3 and as such, the EA has been consulted with regard to the application and the submitted Flood Risk Assessment. EA has confirmed that there is no objection on flood risk grounds, subject to the recommendations of the FRA being captured by condition of any permission.
- 8.4.2 The site is predominantly hard surfaced and surface water currently discharges to public surface water sewer. A survey of the site has concluded that the ground conditions offer little opportunity for infiltration via soakaways. However, the proposals would incorporate surface water attenuation measures prior to discharge into the mains sewer, including the green roofs of the proposed buildings, but also sub-terranean surface water attenuation tanks. This would be an improvement on the current arrangement and is welcomed in principle. ESCC Flood Risk Team has been consulted and has no objection to the drainage proposals, subject to a maintenance and management plan for the attenuation features, which would be secured by condition. In addition, a condition would be attached requiring that details are submitted to demonstrate that the SuDS features have been installed on site in accordance with the approved scheme.
- 8.4.3 Taking account of the above considerations, the proposal would provide sustainable drainage improvements for the site and would meet adopted policy in ensuring that the drainage demands of the development are managed.

8.5 Highways, Access and Parking

- 8.5.1 The application is supplemented by a Transport Assessment. In summary, the TA concludes that: the parking demand for the existing store would be met by the resultant Tesco parking area; the majority of trips generated by the proposal would be existing trips on the surrounding transport network (passers-by and visiting sites in the vicinity); the road network has the capacity to accommodate additional trips generated by the development and there would be no

significant impacts upon the transport network directly resulting from the proposal.

- 8.5.2 There is a record of poor highway safety in the vicinity of the site, with some significant and unfortunately severe accidents in the last 5 years, including one fatality. Of these accidents, it is noted that most are recorded as being a result of human error and that none concern the access/egress from the site, being mainly associated with Seaside roundabout. The relatively low number of additional trips generated by the proposal would not prejudice highway safety. It is noted that the positioning of advertisements for the site would potentially have highway safety implications, but that this would be reserved for a separate Advertisement Consent application.
- 8.5.3 A Junction Capacity Assessment has also been undertaken for both the site access and the Birch and Seaside roundabouts, which concludes that the existing infrastructure is sufficient to service the increase in use generated by the development. Taking account of the submitted information, it is considered that the proposal would not prejudice the safety of highway users.
- 8.5.4 There are a total of 545 existing customer spaces in the Tesco car park including 30 accessible spaces and 25 parent and child spaces. Of these spaces, 75 are within the application site boundary.
- 8.5.5 The proposal includes the provision of 34 car parking spaces, three of which would be accessible spaces and 4 would be provided with electric charging facilities, with other spaces provided with the infrastructure to come online to meet future demand. This would provide 77% of the required 44 space demand that would be generated by the development, set against ESCC's "Guidance for Parking at Non-Residential Development".
- 8.5.6 The proposal would result in the overall loss of 58 spaces (545 existing compared to 487 proposed). Therefore, there would be a total of 453 spaces to serve the existing McDonald's and Tesco units, with 34 spaces to serve the proposed drive-thru units.
- 8.5.7 Given the shortfall in parking provision, the applicant has supplemented the application with a parking survey to understand the level of parking demand. This was undertaken in June and again, at the request of the ESCC Highways Officer, more recently to provide a more accurate understanding of the parking demand for the existing unit. The parking surveys conclude that the development could sufficiently accommodate the additional overspill from the proposed development. At the time of writing, formal response is awaited on this final matter from ESCC Highways and this will be updated in Addendum to Committee.
- 8.5.8 The development would relocate the existing 'Click and Collect' facilities to the main building. This in itself would reduce a significant number of vehicle trips across the car park area to service the pick-up point for customers.

- 8.5.9 Eight cycle parking spaces would be provided to encourage access to the site by bicycle. This would take the form of Sheffield style stands. Notwithstanding the submitted plans, the cycle parking must be secure and covered to provide an acceptable degree of weather protection and security and, therefore, final details of the cycle store would be secured by condition.
- 8.5.10 The applicant has also prepared a Framework Travel Plan, which outlines how sustainable travel will be promoted.
- 8.5.11 Pedestrian access is currently provided from Seaside, which would be improved, and a separate pedestrian access would be provided to Lottbridge Drove to improve the pedestrian permeability of the site.
- 8.5.12 Taking the above into account, the transport impacts of the development are acceptable in policy terms, subject to final confirmation from ESCC Highways.

8.6 Archaeology

- 8.6.1 The proposed development is within an Archaeological Notification Area (ANA). The County Archaeologist has been consulted regarding the application and has advised that the ANA relates to the highly significant remains of a preserved 11th-century boat that was uncovered in 1963 in connection with drainage infrastructure improvements immediately adjacent to the site. The boat was only partially exposed but found to lie on a shingle bank that separated the marsh from the sea in the middle ages at approximately 1.4 to 2.1m below the level of the carriageway at that time. The boat remains in situ and its full extent and potential for other similar remains to survive is a consideration. Radiocarbon dating undertaken in 2008 of some of the organic samples retrieved in 1963 indicate that it is broadly contemporary with the Norman invasion of 1066. Regardless of its possible association with the invasion a boat of this age is nationally, if not, internationally important.
- 8.6.2 The application is supported by a Heritage Assessment (Southwest Archaeology report 210825 dated 26th August 2021). This report is generally well research and provides a comprehensive account of the site's archaeological potential. However, the report overlooks the fact that radiocarbon dating or organic material associated with the boat (caulking) has been undertaken which provides a calibrated date for construction/refurbishment of the vessel in the 10th-11th centuries AD, which elevates the significance of this vessel and potentially worthy of preservation in situ. The Heritage Assessment identifies the potential for peat deposits and associated archaeological and/or palaeoenvironmental remains to exist within the site.
- 8.6.3 In light of 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 be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss.

- 8.6.4 The written scheme of investigation will set out the contracted archaeologist's detailed approach to undertake the programme of works and accord with the relevant sections of the Sussex Archaeological Standards.
 - 8.6.5 Any permission will be subject to the three conditions requested by the County Archaeologist to ensure that the heritage significance of the site is protected.
- 8.7 Other Matters
- 8.7.1 Refuse would be stored within designated refuse storage facilities away from residential occupiers and would be collected by private contractors to keep the site clean and clear of any litter. The applicant has also confirmed that the site would be litter picked regularly by staff to ensure the ongoing cleanliness of the site. This would be secured by condition of permission.
 - 8.7.2 The development would be liable for a CIL payment as per Eastbourne current charging schedule.

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 The proposed commercial use is sympathetic to the existing commercial use of the site and the character of the area in general. The proposal offers an employment generating use in an otherwise underused part of this site. It would bring about environmental, visual and drainage improvements to the site whilst offering additional amenities to the area.
- 10.2 The submitted scheme demonstrates that neighbour amenity would be protected to recognised standards and that planning conditions would sufficiently control both the implementation and ongoing operation of the site in the interests of neighbour amenity, including opening hours and plant and other potential disturbances.
- 10.3 The proposal complies with adopted local and national policies and is recommended for approval subject to the following conditions:
- 10.4 Time Limit.
- 10.5 Approved Plans/Documents.
- 10.6 Drainage - Details of sustainable drainage system.

- 10.7 Drainage - Drainage scheme Maintenance and Management Plan, approved and implemented prior to first use.
- 10.8 Drainage – Prior to first use - Evidence (including photographic) to demonstrate that the approved drainage scheme has been implemented in accordance with the approved details.
- 10.9 Plant and equipment – Prior to first use – approval of plant and equipment specification details and implemented and maintained in accordance for the lifetime of the development.
- 10.10 Archaeology – Prior to commencement - Programme of works in accordance with a Written Scheme of Investigation.
- 10.11 Archaeology – Prior to first use – Site Investigation and Post-Investigation Assessment.
- 10.12 Archaeology – Prior to commencement - Construction Method Statement to ensure remains are preserved in situ.
- 10.13 Construction and Environmental Management Plan – prior to commencement.
- 10.14 Boundary enclosures – Implemented as approved prior to first use and retained in accordance.
- 10.15 Surfacing and marking out of parking and turning areas.
- 10.16 Electric vehicle parking - provided prior to first use.
- 10.17 Hours of use – in perpetuity.
- 10.18 Secure site out of hours - in perpetuity.
- 10.19 Protection of trees during construction.
- 10.20 Landscaping - Implementation of landscaping plan as approved and replacement of trees that die within 5 years.
- 10.21 Cycle parking and bin storage details – approved and provided prior to first use.
- 10.22 External lighting details – implemented as approved prior to first use and maintained for lifetime of development.
- 10.23 Flood Risk – Implemented in accordance with recommendation of approved FRA.
- 10.24 Litter Management Plan – approved prior to first use and implemented in accordance.

11. **Appeal**

- 11.1 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.

12. **Background Papers**

- 12.1 None.

Agenda Item 9

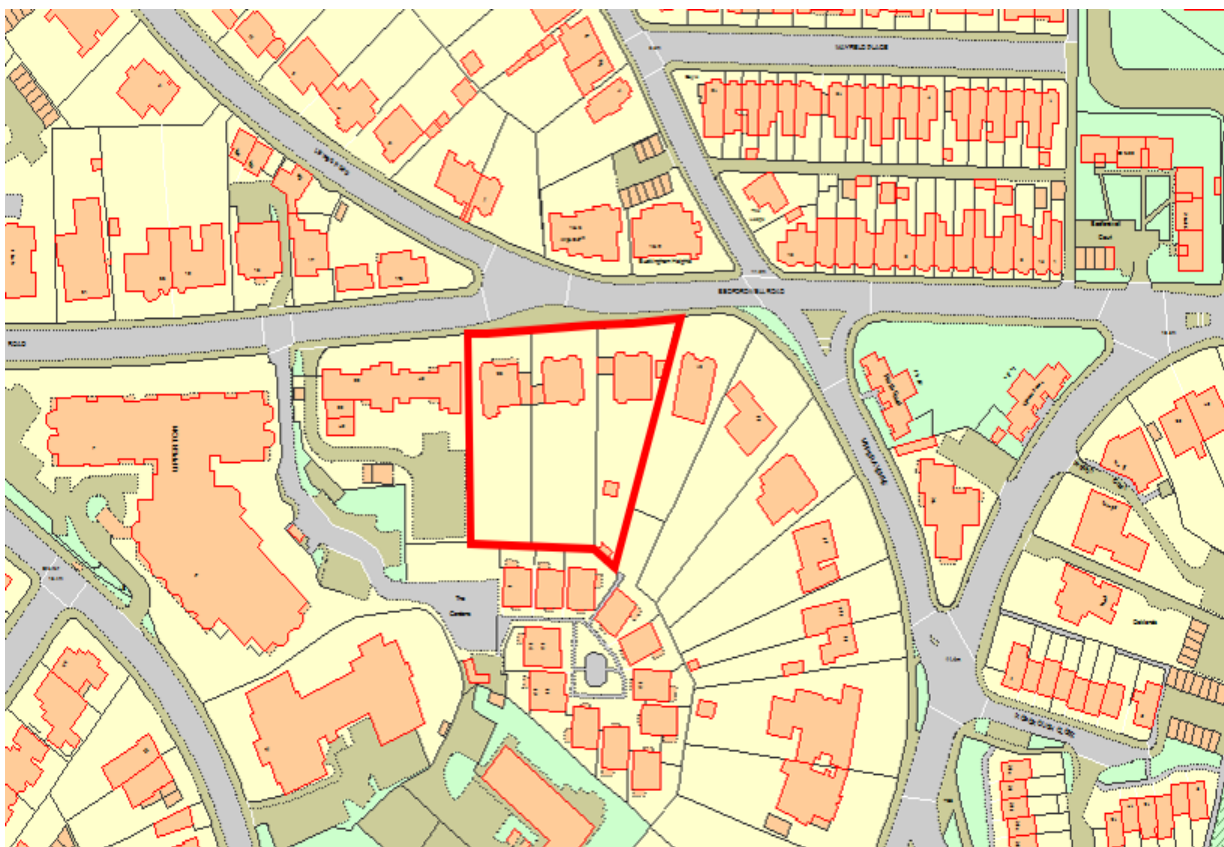
Report to: Planning Committee
Date: 14th December 2021
Application No: 210412
Location: Land at 28 to 30 Bedfordwell Road, Eastbourne
Proposal: Demolition of the existing buildings and redevelopment to provide a new care home (Use Class C2) together with associated access, car and cycle parking, landscaping and amenity space provision.

Applicant : Mr Adrian Doyle
Ward: Upperton

Recommendation: Approve conditionally, subject to legal agreement securing travel plan, local labour agreement, traffic regulation order (double yellow lines) and highway improvements.

Contact Officer: **Name:** James Smith
Post title: Specialist Advisor - Planning
E-mail: james.smith@lewes-eastbourne.gov.uk
Telephone number: 013123 415026

Map Location:



1. **Executive Summary**

- 1.1 The proposed development is considered to serve a demonstrated need for modern care home facilities.
- 1.2 It is considered that the building, whilst large, would integrate effectively with the existing street scene, where similar size buildings are common. It is also considered that the amenities of neighbouring residents would be protected.
- 1.3 The development would include improved access arrangements that would allow for two way vehicular traffic and access by delivery, emergency and servicing vehicles.
- 1.4 The development incorporates a suitable level of sustainability and ecological/biodiversity mitigation measures.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change

2.2 Eastbourne Core Strategy Local Plan 2006-2027:

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C2: Upperton Neighbourhood Policy
- D1: Sustainable Development
- D5: Housing
- D7: Community Sport and Health
- D8: Sustainable Travel
- D9: Natural Environment
- D10a: Design

2.3 Eastbourne Borough Plan 2001-2011:

- NE4: Sustainable Drainage Systems
- NE7: Waste Minimisation Measures in Residential Areas

NE18: Noise
NE28: Environmental Amenity
UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT5: Protecting Walls/Landscape Features
UHT7: Landscaping
US3: Infrastructure Services for Foul Sewage and Surface Water Disposal
US4: Flood Protection and Surface Water Disposal
HO3: Retaining Residential Use
HO20: Residential Amenity
HO17: Supported and Special Needs Housing
TR6: Facilities for Cyclists
TR11: Car Parking

2.4 Eastbourne Employment Land Local Plan (ELLP- adopted 2016).

EL1 – Economy and Employment Land

3. **Site Description**

- 3.1 The site is currently occupied by three detached 2½-storey buildings that were originally constructed as large, single dwellinghouses. 28 Bedfordwell Road has a sizeable second floor as a result of a roof extension. All three properties have sizeable rear gardens of 35-40 metres in length. There are relatively small gaps between the buildings and these gaps have been further reduced in places where extensions have been added to the side of some of the buildings. All of the properties have dropped kerb vehicular access, taken from Bedfordwell Road.
- 3.2 28 Bedfordwell Road has extant planning permission for conversion to a 10 bedroom HMO (planning ref: 190092) Permission was recently refused for applications 190094 and 190499, which were for the construction of 2 and 1 bungalows to the rear of the main building respectively.
- 3.3 29 Bedfordwell Road has extant permission for demolition and construction of a 3½-storey building accommodating 7 x residential flats (6 x 3 bedroom, 1 x 2 bedroom) approved under application 180275.
- 3.4 30 Bedfordwell Road is currently occupied by a therapist, having been converted from a residential dwelling to this use in 1997 under planning permission 960402. Permission was granted for it to be converted back to a single dwelling in 2001 under application 010165 but this does not appear to have been implemented.
- 3.5 Surrounding buildings are generally large structures, a significant proportion of which are 3 or 4-storeys in height. These include large residential

dwellings, terraces of dwellings, purpose built blocks of flats and purpose built care homes, including 'The Hawthorns' and Sovereign Lodge Care Centre which are to the west of the site. To the rear of the site, set back from surrounding roads, is a group of 10 bungalows and 4 two-storey maisonettes which make up The Gardens sheltered housing complex.

- 3.6 There are no specific planning constraints attached to the site or the immediate surrounding area. There are TPO trees adjacent to the site at 'The Gardens'

4. Relevant Planning History

- 4.1 960402 - Change of use from residential to consulting rooms and associated offices and stores (Class A2) – Approved Conditionally 23rd January 1997 (30 Bedfordwell Road)
- 4.2 000559 - Change of use from Class A2 (consulting rooms) to Class C2 (residential institution) to provide a private residential psychiatric clinic and home for the assessment, treatment and rehabilitation of patients with mental health problems. – Approved Conditionally 14th February 2001 (30 Bedfordwell Road)
- 4.3 010165 - Proposed change of use from consulting rooms (Class A2) to single private dwelling (Class C3) – Approved Conditionally 15th May 2001 (30 Bedfordwell Road)
- 4.4 140172 - Change of use from sui generis (hostel) to single private dwelling – Approved Conditionally 9th May 2014 (29 Bedfordwell Road)
- 4.5 150443 - Outline application (with Appearance, Landscaping and Scale reserved) for demolition of existing hostel and erection of 6 x 3 bedroomed flats - consideration of access and layout only. (amended to reduce the number of units and alter layout within the site) – Refused 6th November 2015 – Appeal Allowed 27th September 2016 (29 Bedfordwell Road)
- 4.6 171161 - Application for approval of reserved matters (Appearance, Scale and Landscaping) following outline approval granted on appeal dated 27 September 2016 for the demolition of existing building and erection of 6 x 3 bed Flats (Ref: 150443) – Approved Conditionally 5th September 2017 (29 Bedfordwell Road)
- 4.7 180725 - Demolition of existing building and erection of 7 flats with associated hard and soft landscaping – Approved Conditionally 6th July 2018 (29 Bedfordwell Road)
- 4.8 190092 - Change of use to 10 bed HMO (Sui Generis) to provide accommodation for no more than 20 persons – Approved Conditionally 3rd June 2019 (28 Bedfordwell Road)
- 4.9 190094 – Construction of two bungalows – Refused 31st May 2019 (28 Bedfordwell Road)

5. Proposed Development

- 5.1 The proposed development involves the demolition of the existing buildings occupying the three plots that make up the site area, the amalgamation into

one plot and the erection of a T-shaped 3½-storey residential care home. The care home would accommodate 70 x bedrooms and would include specialist facilities for people with dementia as well as a number of internal and external communal facilities. The third floor of the building would accommodate staff facilities and offices and would be formed entirely within the roof space.

- 5.2 The proposed building would have a footprint of approx. 1245 m². The T shaped floorplan would be orientated with the horizontal section flanking Bedfordwell Road and the vertical section projecting towards the rear of the site. The ridge and eaves height of the building would vary due to the articulation in the design but the majority of the building would have a ridge height of between 12.4 and 12.5 metres other than the recessed part of the frontage on the part of the site currently occupied by 28 Bedfordwell Road, where the ridge height would increase to approx. 14.2 metres. General eaves height would be approx. 9.75 metres.
- 5.3 On site car parking would be provided to the rear of the frontage section of the building, towards the western site boundary. A total of 23 x car parking spaces would be provided, two of which would be equipped with electric vehicle charging points and two of which would be provided as disabled bays. The parking area would be accessed from Bedfordwell Road via the existing unauthorised access to 28 Bedfordwell Road which would be improved to ESCC Highway standards and widened.
- 5.4 An outdoor amenity space would be provided to the eastern side of the building and this area would also support additional landscape planting. Various ancillary buildings would be provided, predominantly to the rear of the site. This would include bike and bin storage, plant housing and a potting shed. A new substation facility required to serve the development would be positioned to the front of the building towards the north-eastern corner of the site.

6. Consultations

6.1 Specialist Advisor (Regeneration)

- 6.1.1 The planning application identifies the creation of 50 full time and 30 part time jobs, with approximately 20 – 25 staff on shift at any one time.
- 6.1.2 The construction of the development will provide temporary, short term employment and increased spend in the supply chain. It is hoped the developer, a major established provider with a property portfolio of 65 communities, including the local on-site Hawthorns Retirement Village, would observe the Local Employment and Training Supplementary Planning Document (SPD) and offer a number of construction sub-contracts to local East Sussex SMEs.
- 6.1.3 The planning policy statement highlights the provision of community rooms by prior arrangement to local and public community groups. These are likely to be of interest to local not for profit employment support partners who frequently seek venues for workshops for the unemployed.

- 6.1.4 In accordance with page 11 of the Local Employment and Training SPD, adopted November 2016, the proposed development meets the threshold for a commercial development qualifying for a local labour agreement at both the construction and initial operational phases.
- 6.1.5 Regeneration requests that should the above application gain planning permission it be subject to a local labour agreement. If approved it is recommended the Avery Healthcare Group engage with Regeneration prior to commencement of development to maximise local sub-contracting opportunities and to enable preparation of the local workforce for jobs in the construction and operational phases of development.
- 6.2 Specialist Advisor (Planning Policy)
 - 6.2.1 Providing the proposal meets the criteria of HO17, there is no objection in principle from a planning policy perspective to the application.
- 6.3 ESCC Highways
 - 6.3.1 Objection removed following amendments to access to allow for suitable visibility splays and textured paving. Full comments and list of recommended conditions to be provided in the committee addendum.
- 7. Neighbour Representations**
 - 7.1 Two letters of objection received, the contents of which are summarised below:-
 - 7.1.1 Increase in traffic and parking pressure.
 - 7.1.2 Loss of architectural heritage.
 - 7.1.3 Overdevelopment of the site given the size of the existing buildings.
 - 7.1.4 Loss of green space to the rear.
 - 7.2 Three neutral letters received, the contents of which are summarised below:-
 - 7.2.1 Support the principle of development but important that any development includes parking for employees, visitors and residents.
 - 7.2.2 Concern that construction traffic would cause disruption.
 - 7.2.3 The height of the building should not exceed that of the existing buildings occupying the site.
 - 7.2.4 Important that planting is carried out to maintain privacy of neighbouring sites.
- 8. Appraisal**
 - 8.1 Principle of Development
 - 8.1.1 The proposal involves the development of garden land. It is noted that, whilst the site is within the built-up area, the National Planning

Policy Framework (NPPF) does not regard residential gardens as previously developed land. Para. 70 states that 'plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area,' whilst para. 120 instructs Local Planning Authorities, when considering planning applications that increase residential density, to pay regard to 'the desirability of maintaining an area's prevailing character and setting (including residential gardens). This does not preclude development of such sites but does instruct for increased weight to be afforded in terms of the impact of the proposed development on the established character of the surrounding area.

- 8.1.2 The Revised National Planning Policy Framework (NPPF) directs Local Planning Authorities to adopt a presumption in favour of sustainable development. One of the three overarching objectives, that form the components of sustainable development, is a social objective (para. 8 b). The social objective requires the support of 'strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.' The retention of care facilities at the site is considered to support the continued presence of a mixed community in the surrounding area, promoting cohesion and interaction between different elements of the community and, thereby, improving community well-being.
- 8.1.3 Para. 61 of the NPPF provides further context, stating that 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including... older people...and... people with disabilities). This social objective is recognised by Policy D7 of the Eastbourne Core Strategy, which states that 'The Council will work with other relevant organisations to ensure that appropriate health care facilities, including new provision and enhancements to existing facilities, are provided in the most appropriate locations to meet existing and anticipated local needs.'
- 8.1.4 Saved policy HO17 of the Eastbourne Borough Plan supports the development of residential care homes, subject to proximity to public transport, shops, open spaces, entertainment and community facilities as well as on the proviso that the property is suitable for the use and there is provision of adequate parking.
- 8.1.5 Saved policy HO3 of the Eastbourne Borough Plan maintains that planning permission will not be granted for development which would result in the net loss of the number of residential units previously committed. There are currently extant approvals for the construction of 7 flats at 29 Bedfordwell Road and the conversion of 28 Bedfordwell Road to a 10 bedroom HMO. From a housing needs

perspective, the HMO is not regarded as forming a net increase in residential units as per the Housing Flows Reconciliation (HFR) DELTA User Guide (2020) which states that 'an (an HMO), if they were a house before, cannot be counted as a net additional dwelling, as they would have been counted as a net additional dwelling in a previous year..' As such, the loss of residential units as a result of the proposed scheme is 9 units (dwelling at No. 30 + 7 flats approved at No. 29 + HMO at No. 28).

- 8.1.6 Para. 041 of the Planning Practice Guidance for Housing Supply and Delivery (2019) confirms that communal accommodation (which includes care homes) can count towards the housing delivery test. The contribution is based on ratios set in the Housing Delivery Test Measurement Rule Book (2018). The contribution in terms of net dwellings is calculated as the net increase in bedrooms divided by the average number of adults in households in England. The current average figure is based on the 2011 census and is set at 1.8 adults per household. As such, the net amount of units provided as a result of the proposed development would be 39 units (rounded up).
 - 8.1.7 As such, the proposed development would represent a gain in residential units rather than a loss, including when factoring units committed under extant planning conditions.
 - 8.1.8 The principle of the development is therefore considered to be acceptable, subject to assessment against relevant local and national planning policies and legislation.
- 8.2 Need for Proposed Use and Loss of A2 Use at 30 Bedfordwell Road
- 8.2.1 The applicant has submitted a comprehensive needs assessment as a means to demonstrate the requirement for a facility of the size proposed in Eastbourne. The report is informed by data relating to a 'target area' incorporating all areas within a 5 mile radius of the site.
 - 8.2.2 The report note that the age profile in the target area is significantly higher than the national average and that the average age in the area is likely to continue to rise.
 - 8.2.3 The report identifies a total of 53 care homes within the target area but goes on to note that only 4 of these homes have been purpose built since the turn of the century and draws attention to the number of small, converted homes that make up the total number and the pressures they are under in terms of meeting required standards.
 - 8.2.4 The report also notes the COVID19 pandemic and the impact this has had on care homes. It states that larger and more modern facilities such as the proposed development can lock down more effectively due to the range of facilities available within the building and that individual occupants can isolate more easily due to the provision of en-suite facilities in each room.
 - 8.2.5 The report concludes that, whilst there are 1,738 registered bed spaces in the target area, only 1,139 of these are en-suite, suggesting an undersupply of 275 en-suite rooms which is expected

to increase to 477 by 2025. It states that whilst there are other pipeline care homes in the target area, their impact is likely to be offset by the attrition of existing small care homes within the area. Attention is also drawn to the specialist care for dementia patients that the proposed facility would provide.

- 8.2.6 Whilst the development would occupy a site where there is extant permission for the provision of flats it is important to note that it would provide residential accommodation and that the availability of care facilities may free up existing family houses that are currently occupied by people who may move into the proposed care home.
- 8.2.7 No. 30 Bedfordwell Road is currently occupied by a health treatment centre. Whilst policy D7 of the Core Strategy resists the loss of health facilities this has to be balanced against the benefits in terms of care offered by the proposed development. It is also considered that the services offered by the existing facility are likely to be accessed from a wide catchment and are not seen as essential to the immediate locality. As such, it is considered that the existing facility could be relocated without depriving the community of an essential service.
- 8.2.8 The proposed care home is projected to create 50 full time and 30 part time jobs that would offset any loss of employment from the removal of the facility at 30 Bedfordwell Road. The Council's Regeneration Officer has also noted that community rooms would be provided and that these are likely to be of interest to local not for profit employment support partners who frequently seek venues for workshops for the unemployed.
- 8.2.9 It is therefore considered that there is sufficient demand in place for the proposed facility and that the benefits it would contribute in terms of care, community facilities and employment outweigh the loss of residential dwellings and the existing health facility.
- 8.3 Impact of the proposed development on amenity of adjoining occupiers and the surrounding area:
- 8.3.1 At it's closest point, the eastern (side) elevation of the proposed building would reach within approx. 6.85 metres of the western flank elevation of No. 31 Bedfordwell Road, a 2½-storey building that has been subdivided into flats (including through the provision of a 3-storey rear extension and valley roof infill). Due to the orientation of the buildings, the amount of separation increases moving towards the front of the plot. There are windows within the side elevation of 31 Bedfordwell Road that would face towards the proposed building. These are largely kitchen and bathroom windows where reduced outlook would not be considered to compromise overall living conditions within the flats they serve. However, it is considered the distance retained between the buildings and the orientation of the windows would allow for continued access to a good level of natural light in any case.

- 8.3.2 Planning records also show ground, and first floor level bedroom windows within the side elevation of No. 31 as well as roof lights serving a second floor lounge area. These are positioned towards the front of the building where a greater level of space is provided between it and the proposed structure and unobstructed views within a 45 degree angle available. It is therefore considered that the bedroom windows would have access to good levels of natural light and outlook whilst the roof lights would be unaffected in any case as they are angled upwards.
- 8.3.3 Windows included within the eastern elevation of the frontage building, facing towards No. 31, would be restricted to those serving hallways and stairwells and so would not present an overlooking concern.
- 8.3.4 The neighbouring building to the west of the proposed development is occupied by flats. Its eastern flank elevation does not contain any windows or openings other than high level windows serving bathrooms.
- 8.3.5 The recessed rear projection of the building would include bedroom windows facing towards No. 31. This part of the building would be set back from the side boundary by approx. 16.5 metres to the front part of the site, reducing to approx. 9.5 metres at the far end due to the tapering nature of the boundaries. None of these windows would look directly towards neighbouring windows and would instead overlook the landscaped garden of the development and, beyond that, the communal garden area serving the neighbouring flats. Due to the partial screening of the neighbouring garden by landscaping and boundary treatment, its communal use and the high levels of surveillance over amenity space that is common in densely built up areas such as the locality of the site, it is not considered that the proposed development would introduce unacceptably intrusive views towards No. 31 Bedfordwell Road. The level of set back is also considered to prevent an unacceptable overbearing relationship or undue levels of overshadowing of the communal garden.
- 8.3.6 Bedroom windows on the western side of the rear projection would overlook the car parking area of the neighbouring flats. Bedroom and amenity room windows facing towards The Gardens to the south would be provided only in the frontage element of the building, with approx. 40 metres maintained at the closest point between the proposed windows and the nearest neighbouring properties at The Gardens. Windows within the southern elevation of the rear projection, which reaches within approx. 16 metres of The Gardens, would be restricted to those serving stairwells and so would not introduce realistic potential for sustained overlooking.
- 8.3.7 The far end of the rear projection, closest to The Gardens, steps down in height and also reduces in width. Given the reduction in scale and the distance of 16 metres maintained between it and the nearest neighbouring property at 'The Gardens' it is not considered that it would introduce an unacceptable overbearing impact,

Overshadowing would not be at an unacceptable level due the degree of separation maintained and the positioning of the proposed building to the north of The Gardens.

- 8.3.8 The proposed use would be more intensive than the existing use of the buildings although it would not be considered significantly different in nature and intensity to the flatted developments and other care homes that are a common presence in the surrounding environment. The servicing and parking areas as well as the access are considered to be positioned sympathetically so as to minimise impact upon neighbouring residents. A planning condition will be used to secure a maintenance and management plan to include details of procedures to be followed to reduce nuisance to neighbours as a result of noise, light or air pollution. A condition to secure details of hard and soft landscaping would also be applied to any approval given and it would be expected for the landscaping scheme to incorporate sympathetic screening of the development.
- 8.3.9 It is therefore considered that the proposed development is compatible with the surrounding residential environment in terms of activities carried out and the intensity of those activities and that the presence of the building would not result in any unacceptable harm against the existing amenities enjoyed by neighbouring residents.

8.4 Quality of Accommodation Provided

- 8.4.1 The Council does not have any specific adopted standards for care home development in terms of unit size. However, para. 130 (f) of the NPPF states that planning decisions should help create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 8.4.2 All bedrooms and primary amenity areas within the proposed building have access to clear glazed windows with a good level of outlook and exposure to natural light and effective natural ventilation. The multiple aspect form of the development would ensure that there is access to natural light throughout the day.
- 8.4.3 The layout of the building is clear and uncluttered with all corridors being wide, awkwardly shaped rooms avoided and a communal rooms provided within close proximity of either of the two lifts which provide step free access to all floors of the building.
- 8.4.4 Interior and exterior communal amenity space will be provided and it is considered that this would encourage social interaction as well as support the provision of a wide range of activities on site, thereby enhancing its sustainability. These facilities include those tailored towards occupants who have dementia.
- 8.4.5 A crime prevention statement was included as part of the suite of documents provided with the application. This statement notes the high level of natural surveillance provided over all communal areas and access routes to the site, the provision of defensible space in

the form of landscaping and boundary treatment, the provision of access controls and security and the 24 hour presence of staff on site. Access to external communal space would be via the building only, ensuring it is fully accessible to occupants but not to the wider public.

8.4.6 It is therefore considered that the proposed development satisfies the objectives set out in para. 130 (f).

8.5 Design

8.5.1 The existing buildings are not subject to any special designations and are not considered to possess any significant architectural merit. It is noted that permission has already been granted by the Planning Inspectorate for the demolition of 29 Bedfordwell Road and its replacement with a block of flats under 150443.

8.5.2 Three and four-storey buildings are a common presence within the surrounding area, including the flats on the adjoining plot at 26 – 27 Bedfordwell Road (three-storey), the nearby care home at the Hawthorns (four-storey) and the buildings currently occupying the site (two and 2½-storey). The height of the eaves and ridge of the proposed building will be approx. 3 metres above those of the existing buildings, with the increased height of the western section reflecting the increased height of 28 Bedfordwell Road in comparison to numbers 29 and 30, and approx. 1.5 metres higher than the block of flats approved at No. 29 under 180275. The existing buildings occupy the majority of the width of their respective plots. As such, it is considered that the wide frontage of the proposed could be compatible with the spatial characteristics of the surrounding area.

8.5.3 The building frontage has been articulated so as to maintain a sense of three separate buildings, albeit that they are interconnected across the site. This articulation also helps to break up the bulk and mass of the building, thereby preventing it from appearing overbearing or oppressive within the street scene, and also allows for the incorporation of distinctive architectural elements, including strong gable end projections, that help the proposed building to integrate with surrounding buildings that have similar features as well as increase the level of engagement with the street scene.

8.5.4 The building has four storeys and, whilst taller than the existing dwellings occupying the site, it is consistent with the height of a number of nearby properties, including the care home at The Hawthorns, which occupies a far greater ratio of its plot than the proposed development does. The fourth storey would be accommodated within the roof space, as is common with similar scale buildings on Bedfordwell Road and Carew Road. As such, the eaves height would not be excessive and the pitched roof, which slopes away from the highway, would assimilate with the existing roofscape of pitched roofing of varied heights which is a character of the street scene.

- 8.5.5 It is considered that the mixed palette of external finishes would also help break up the mass of the building. The upper floors would be predominantly clad in tile hanging which would contrast with the brick finish of the lower floors. String courses would also be used to prevent overly monotonous sections of brickwork as well as to provide definition to the building.
- 8.5.6 The building would set back from the road, allowing space for landscaping to the front which will contribute towards the street landscaping that is characteristic of Bedfordwell Road. The existing building line would also be respected, with the staggered frontage reflecting the angle of the road. Sufficient open space would be maintained to the sides of the building to prevent the plot from appearing cramped. The depth of the frontage section of the building would be similar to neighbouring properties and the rear projection would be stepped well in from the side boundaries of the plot, ensuring it does not appear overly bulky in comparison to them.
- 8.5.7 The distinctive low flint and brick wall to the front of the existing dwellings will be maintained and, where existing openings are to be closed off, this will be achieved by extending the wall using matching materials and design. The car parking area would be discretely positioned behind the frontage element and, as such, parked cars would have a minimal presence within the street scene. The parking area would be hard surfaced but would incorporate landscaping and a garden space would also be provided to the rear of the building, helping to retain a sense of the green space currently present to the rear of the site.
- 8.5.8 The site plan shows the footprint of a substation although no further details of its design have been provided. It would be positioned to the front of the site where it would have the potential to appear incongruous if not of a sympathetic design and scale. A condition will therefore be used to secure full details of the substation prior to it being installed. It is noted that the Distribution Network Operator (DNO) will have certain requirements in this regard. Provided the substation is sympathetically designed and screened it is not considered that it would have an unacceptable impact upon visual amenity.
- 8.5.9 It is therefore considered that the large scale of the proposed building is consistent with the street scene and the wider surrounding environment.

8.6 Highways and Parking

- 8.6.1 The proposed development would utilise the existing access to the side of No. 28 Bedfordwell Road. The existing access is unauthorised and does not include a dropped kerb crossover. Two existing gated dropped kerb crossovers, serving No. 29 and No. 30 Bedfordwell Road respectively, would be permanently closed off.
- 8.6.2 The access to Bedfordwell Road would be widened to provide a 6 metre carriageway, allowing two way vehicular movements as well

as access be emergency and service vehicles. A dropped kerb crossover would be provided onto Bedfordwell Road. The access would pass between the proposed building and the neighbouring flats before emerging into a car parking area a relatively short distance to the south.

- 8.6.3 The parking area would incorporate a total of 23 car parking spaces which is considered to be adequate to accommodate the needs of staff and visitors without resulting in unacceptable risk of overspill onto the surrounding highway network. Two disabled bays would be included and would be located close to the entrance lobby so as to enhance accessibility. All parking bays meet ESCC standards in terms of dimensions and adequate space is provided to allow for vehicle to manoeuvre into each space.
- 8.6.4 Six cycle parking spaces would also be provided as a means to encourage access to the site by bicycle. This would contribute towards the Green Travel Plan that the applicant will be required to submit to ESCC Highways and implement thereafter, with monitoring carried out to ensure that the use of sustainable modes of transport is being encouraged and adopted. Notwithstanding the submitted plans, the cycle parking must be secure and covered in order to provide an acceptable degree of weather protection and security and, therefore, final details of the cycle store would be secured by condition.
- 8.6.5 Pedestrian access is provided from Bedfordwell Road to the main entrance lobby, with a footway running alongside the access road and continuing into the car parking area. As such, pedestrians will be able to safely access the site without coming into conflict with moving vehicles.
- 8.6.6 Tracking diagrams have been provided to confirm that emergency, delivery and servicing vehicles can access the site and turn within the car parking area, allowing them to enter and leave in forward gear and therefore preventing any unacceptable hazard caused by reversing vehicles. This also ensures that refuse crews are able to easily access the bin store provided within the parking area.
- 8.6.7 ESCC Highways were involved in pre-application discussions with the applicant. The intensity of the use of the existing access will significant increase from the 5 trips per day likely to be associated with the continued use of No. 28 to up to 175 trips per day associated with the proposed development. In terms of Highway impact it is not considered that the increased trip rates would result in unacceptable congestion, particularly with adequate parking and access arrangements provided on-site. However, negotiations have been ongoing in regards to the visibility splays required at the site access due to a concern that parked cars may impeded this. In response to these concerns, the applicant has agreed to use a Traffic Regulation Order to provide double yellow lines along 12 metres of the southern side of Bedfordwell Road, extending from the western edge of the access. ESCC highways are satisfied that the

removal of parked cars from this section of the carriageway would allow for appropriate visibility of oncoming cars and address highway safety concerns.

- 8.6.8 The extended double yellow lines would result in the loss of approx. 2 x on street car parking spaces but this is not considered to be a degree of loss that would result in unacceptable parking stress on the surrounding highway network.
- 8.6.9 The applicant has also commissioned a Stage 1 Road Safety Audit which identifies the access as a potential hazard to sight impaired pedestrians. In response, tactile paving would be provided across the full width of the site access at a minimum depth of 1200mm as a means to identify the presence of the access to sight impaired pedestrians.
- 8.6.10 Due to the ongoing negotiations, formal comments from ESCC Highways have not yet been submitted although the officer has confirmed that the scheme is now acceptable from a highway perspective. These will be provided in the committee addendum along with recommended conditions.

8.7 Landscaping

- 8.7.1 Although the frontage of the development would be built largely over the footprint of the existing buildings and associated hardstanding, the rear projection would extend over an area that is currently green space, in the form of amenity grassland and ornamental planting.
- 8.7.2 The application is accompanied by a Preliminary Ecological Appraisal which notes that the garden area provides limited habitat function due to its enclosure (and subsequent lack of connectivity) and the traditional regular maintenance of the lawn and plants. However, a Bat Scoping Report submitted as part of the application does suggest that the existing buildings offer a degree of bat roost potential due to the presence of loose tiles and other openings that may allow bats access into the roof space of those buildings. The scoping report recommends bat emergence surveys are carried out before any commencement of demolition works so as to establish whether there are any bats present. This will be secured by planning condition.
- 8.7.3 No significant trees would be removed as a result of the proposed works, with those lost being restricted to self seeded or ornamental planting that does not have any significant visual amenity or habitat value. The site landscaping plan shows that mature hedge and landscaping to the front of the site being maintained, with existing gaps in the hedge being planted up. Some cutting back would be carried out as would be expected for boundary hedging adjacent to the road but it is considered that the existing landscaped appearance to the front of the site would be retained and enhanced overall through the new planting being proposed.
- 8.7.4 There are mature trees to the rear of the site on a grass verge area adjacent to The Gardens sheltered accommodation development.

These trees are covered by a Preservation Order (TPO55) although a number of trees that were on the original order have since been removed to accommodate The Gardens. The arboricultural impact assessment issued with the application states that roots from trees adjacent to the site boundary are unlikely to encroach into the site due to the presence of an intervening retaining wall. However, inspections for roots would be made whilst excavating the car park area and, if they are found, then no dig zones would be established to protect the trees affected. A single horse chestnut tree which overhangs the site was found to be in poor condition and, as it overhangs the car park, is recommended for removal. Whilst the loss is regrettable it is considered there are sound reasons to justify it and it is not considered that the tree, as an individual, possesses any significant amenity or habitat value. It is considered that the proposed planting that forms the site landscaping scheme would mitigate the loss as new trees planted would mature and ultimately visually integrate with the TPO trees to the rear of the site, maintaining the existing verdant character.

- 8.7.5 The Preliminary Ecological Appraisal identifies a number of Reasonable Avoidance Measures (RAMs) that should be taken to mitigate impact upon ecology and biodiversity. This includes provision of bat and bird boxes (including specialist boxes integrated into the building for use by bats and swifts), native planting and mammal gates under fences. Recommendations are also made at the construction stage including supervision of clearance works by a qualified ecologist, wildlife briefings to construction workers and covering of excavations overnight to prevent animals falling in.
- 8.7.6 Details of hard landscaping are also included on the submitted landscape plan and this includes the use of permeable paving over most hard surfaced areas, allowing for improved drainage capacity, the retention and extension of the existing flint and brick boundary wall to the front of the site and screening to outdoor amenity areas.
- 8.7.7 Overall, it is considered that the proposed scheme, whilst resulting in the loss of garden land, would maintain a verdant character to the front and rear of the site. Impact on ecology is considered to be minimal due to the site having little identified ecological value and recommended planting and habitat creation is likely to contribute towards biodiversity enhancement.

8.8 Drainage and Flood Risk

- 8.8.1 The application is accompanied by an interim drainage strategy and management plan. The drainage strategy is based on Sustainable Drainage Principles, with the hierarchy set out in para. 080 of the Planning Practice Guidance for Flood Risk and Coastal Change.
- 8.8.2 The strategy discounts the use of infiltration drainage due to the geology of the land below and around the site. As there are no water bodies nearby it is intended that surface water would be discharged into the public sewer. The strategy states that surface water from the

site currently discharges into the sewer at a rate that is estimated to be 7.5 litres per second based on rainfall intensity of 50mm per hour.

- 8.8.3 It is stated that the proposed drainage infrastructure would offer a betterment to this rate, using permeable paving and attenuation tanks to control the rate of discharge to approx. 5 litres per second (with a 30% increase in rain intensity as a result of climate change factored in). Final details of the proposed arrangement would need to be confirmed by the Lead Local Flood Authority (LLFA) and evidence of a connection agreement with Southern Water for the use of the sewer and agreed discharge rate would also need to be provided. These details would be secured by way of a planning condition.

8.9 Sustainability

- 8.9.1 The proposed car parking area would be provided with 2 x electric vehicle charging points as a means to encourage the use of low carbon transport. Cycle parking facilities would also be provided and an overarching Green Travel Plan, that sets out quantifiable targets to encourage the use of sustainable modes of transport to access and service the site, would be secured by section 106 agreement. The effectiveness of the Travel Plan would be monitored and this would inform adjustments that could be made to the plan throughout its lifetime.
- 8.9.2 The site is considered to be in a sustainable location, in relatively close proximity to bus stops that are frequently served by routes that connect with other parts of the town (including the railway station) as well as to surrounding towns and villages. The surrounding residential area provides a potential source of staff within close proximity of the site. The size of the facility provided allows for the provision of a number of facilities to support occupants and staff including a cinema room, café, lounge area, hairdressers and laundry which provide a level of self sufficiency and sustainability. It is also noted that many of the communal rooms would be made available for hire to members of the wider surrounding community and, as such, improve facilities available to nearby residents and the sustainability of the wider neighbourhood.
- 8.9.3 An energy and sustainability statement submitted with the application confirms that a combined heat and power (CHP) system would be installed within the building. This facility would generate electricity for use in the building and the heat associated with the production of the electricity would then be used to heat the building. The CHP would be powered by gas rather than renewable energy but it is noted that their use can reduce carbon emissions by up to 30% compared to the separate means of conventional generation via a boiler and power station. As per Government Guidance for Combined Heat and Power.
- 8.9.4 A waste management statement has been provided as part of the application. This statement sets out how demolition and construction

waste would be reused or recycled where possible. Examples include utilising brick and rubble waste as hardcore either within the site or sold on to other developers, recycling of metal waste, potential use of timber waste as pellets for power generation and use of green waste as mulch to support the new site landscaping.

- 8.9.5 It is therefore considered that the site is sustainable in terms of its location, facilities provided and accessibility and that suitable efforts have been made at the design stage to reduce carbon emissions and the amount of waste going to landfill.

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 listed below and a section 106 legal agreement to secure a travel plan, local labour agreement, traffic regulation order and highway improvements.
- 10.2 Conditions:
- 10.3 Time Limit.
- 10.4 Approved Plans.
- 10.5 Details of sustainable drainage system.
- 10.6 Bat emergence survey.
- 10.7 Implementation of RAMs listed in Preliminary Ecological Assessment.
- 10.8 Construction Environment Management Plans.
- 10.9 Surfacing and marking out of parking and turning areas.
- 10.10 Electric vehicle parking.
- 10.11 Access improved to ESCC standards.
- 10.12 Sustainable drainage scheme.
- 10.13 Protection of trees.
- 10.14 Implementation of landscaping plan.
- 10.15 Full details of CHP and installation.
- 10.16 Cycle parking and bin storage details.
- 10.17 External lighting details.
- 10.18 Management and maintenance plan for facility.
- 10.19 Substation details.

11. **Appeal**

11.1 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.

12. **Background Papers**

12.1 None.

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