



## Planning Committee

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**MEMBERS:** Councillor Ungar (Chairman); Councillor Harris (Deputy-Chairman); Councillors Hearn, Jenkins, Liddiard, Miah, Murray and Taylor

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## Agenda

- 1 Minutes of the meeting held on 4 March 2014.** (Pages 1 - 14)
- 2 Apologies for absence.**
- 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 (please see note at end of agenda).**
- 4 Urgent items of business.**

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.

**5 Right to address the meeting/order of business.**

The Chairman 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.

**6 Arndale Extension. Application ID: 131071 (PPP)** (Pages 15 - 108)

**7 2a Beach Road. Application ID: 131069 (PPP)** (Pages 109 - 120)

**8 Serco Ltd, Serco Yard, Bedfordwell Road. Application ID: 130907 (PPP)** (Pages 121 - 148)

**9 Land At Rear And To Side Of No. 2, Ringwood Road. Application ID: 140071 (PPP)** (Pages 149 - 156)

**10 Tollgate Junior School, Winston Crescent. Application ID: 140169 (CCC)** (Pages 157 - 158)

**11 South Downs National Park Authority Planning Applications.**

Verbal report.

**Inspection of Background Papers** – Please see contact details listed in each report.

**Councillor Right of Address** - Councillors wishing to address the meeting who are not members of the Committee must notify the Chairman in advance.

**Disclosure of interests** - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

In the case of a 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).

**Public Right of Address** – Requests by members of the public to speak on a matter which is listed in this agenda must be received in writing by no later than 12 Noon, 2 working days before the meeting e.g. if the meeting is on a Tuesday, received by 12 Noon on the preceding Friday). The request should be made to Local Democracy at the address listed below. The request may be made by letter, fax or electronic mail.

For further details on the rules about speaking at meetings please contact Local Democracy.

**Registering to speak – Planning Applications** - If you wish to address the committee regarding a planning application you need to register your interest with the Development Control Section of the Planning Division or Local Democracy within **21 days** of the date of the site notice or neighbour notification letters (detail of dates available on the Council's website at [www.eastbourne.gov.uk/planningapplications](http://www.eastbourne.gov.uk/planningapplications)).

Requests made beyond this date cannot normally be accepted. This can be done by telephone, letter, fax, e-mail or by completing the local democracy or planning contact forms on the Council's website.

**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.

## Further Information

Councillor contact details, committee membership lists and other related information is also available from Local Democracy.

**Local Democracy**, 1 Grove Road, Eastbourne, BN21 4TW

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Tuesday, 4 March 2014  
at 6.00 pm



## Planning Committee

Present:-

**Members:** Councillor Ungar (Chairman) Councillor Harris (Deputy-Chairman)  
Councillors Hearn, Jenkins, Liddiard, Miah, Murray and Taylor

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### **79 Minutes of the meeting held on 4 February 2014.**

The minutes of the meeting held on 4 February 2014 were approved and the Chairman was authorised to sign them as a correct record.

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

Councillor Liddiard declared a prejudicial interest in item 7, 44-48 East Dean Road, having connections through his current employers. Councillor Liddiard therefore withdrew from the room whilst this item was being considered and took no further part in this item.

Councillor Liddiard stated that the nature of his involvement in relation to item 14, Land at Kings Drive, meant that he felt he could be considered to have predetermined the issues under discussion. Councillor Liddiard therefore withdrew from the room whilst this item was being considered and took no further part in this item.

Councillor Liddiard declared a prejudicial interest in item 15, Bolton House Listing proposal, as he currently resides with a relative of the building contractor. Councillor Liddiard therefore withdrew from the room whilst this item was being considered and took no further part in this item.

Councillor Taylor declared a personal interest in item 7, 44-48 East Dean Road as the owner of a care home, and in item 13, Land within Site 6, Pacific Drive as the owner of a boat berthed in the boat yard currently occupying the site.

Councillor Ungar declared a personal interest in item 10, Serco Yard, Bedfordwell Road as the owner of two allotments adjoining the application site.

### **81 Urgent items of business.**

The committee were advised that the Pump House within the Serco Yard, Bedfordwell Road had now been listed.

**NOTED.**

**82 26 Summerdown Road. Application ID: 130776.**

**130776 (PPP) - 26 Summerdown Road - RE-CONSULTATION FOR:** Erection of a two storey, two-bedroom single private dwelling, including off-street parking and formation of vehicular crossover to serve the existing house. REVISIONS INCLUDE: Change to the proposed property (new plans received), and changes to the site boundary (as shown on the revised Site Location Plan) – **OLD TOWN**. 11 objections had been received to the first consultation. The revised proposal generated eight objections.

The relevant planning history for the site was detailed within the report.

The observations of the Arboriculturalist, Planning Policy Manager, Housing Services Manager, Highways Department and Environment Agency were summarised within the report.

**RESOLVED: (By 6 votes to 2)** That the development hereby be granted subject to the following condition: 1) Time limit – BAA 2) The proposed development shall be carried out in strict accordance with the following plans and documents:

220900-01 rev b – Site location plan and block plan.

220900-02 rev a – Existing plans and elevations.

220900-03 rev f – Proposed site layout and street elevations.

220900-04 rev b – Proposed plans and elevations.

3) No development shall commence until samples or precise manufacturers details of all the materials to be used on the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter 4) No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme as submitted shall be in accordance with British Standard 5837 (2005) The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences 5) No development shall commence until details of the design of building foundations, positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or adjoining the site, shall be submitted to and approved by the Local Planning Authority 6) Notwithstanding the approved details, the development shall not be occupied until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority. These shall include details and locations of replacement trees and planting plans, species specification and samples of hard landscaping materials 7) The development shall not be occupied until the parking spaces and turning areas for each house have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles 8) The finished surface to the driveways, hardstandings and paths shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from

the hard surface to a permeable or porous area or surface within the cartilage of the property. No loose surface material shall be used within 2 metres of the edge of the public highway 9) Prior to occupation of the proposed house hereby permitted, the first floor rear windows to the rear elevation serving the bathroom and en-suite shall be obscure glazed and non-opening and thereafter permanently retained as such 10) Prior to occupation of the development, full details of the boundary treatment including the brick piers and gates to the front of each vehicular entrance shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details 11) During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site to prevent contamination and damage to the adjacent roads 12) Prior to the occupation of the development the applicant shall reinstate the redundant vehicle crossover back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), gate, fence, walls or any other means of enclosure than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority 16) No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete rubble 17) No bonfires or burning of waste materials shall take place anywhere on the site at any time 18) That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority 19) The development hereby authorised by this permission shall not commence until a scheme to secure the provision of off site affordable housing together with an appropriate mechanism for delivery where appropriate, has been submitted to and agreed in writing by the Local Planning Authority in accordance with Policy D5 (Housing) of the Eastbourne Core Strategy Local Plan 2006-2027 & Affordable Housing Implementation Technical Note Adopted 1<sup>st</sup> April 2013.

**83 44-48 East Dean Road. Application ID: 131015.**

**131015 (OSR) - P R Autos, Downs Garage, 44-48 East Dean Road -**  
Outline Application with all matters save for landscaping to be determined

now proposed demolition of existing buildings and erection of a 3 storey 47 bedroomed home for the elderly – **OLD TOWN**. 16 Letters of objection had been received.

The relevant planning history for the site was detailed within the report.

The observations of the Planning Policy Manager, Highways Department, Downland, Trees and Woodland Manager, Economic Development, Cleansing, Environmental Health, Estate Manager, Southern Water and South East Water were summarised within the report.

NB: Councillor Liddiard withdrew from the room whilst this item was considered.

**RESOLVED: (By 6 votes to 1 with 1 abstention)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 3 below, whichever is the later 2) The proposed development shall be carried out in strict accordance with the following plans and documents:

- Phase 1 Habitat Survey, Internal/External Bat Survey dated May 2013.
- Arboricultural Impact Assessment PJC/3164/13 dated 28/03/13.
- Land Contamination Assessment dated 6 November 2012.
- 203500 01b – Site location and block plan
- 203500 11 – Existing site layout plan
- 203500 12e – Proposed site plan
- 203500 13c – Proposed ground floor plan
- 203500 14c – Proposed first floor plan
- 203500 15c – Proposed second floor plan
- 203500 16d – Proposed elevation plans
- 203500 17d – Proposed elevations
- 203500 18c – Proposed sections

3 a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission: i. landscaping. b) These shall include full details and samples of hard and soft landscaping materials, tree and planting plans, species specification, plant size including girth of trees, planting density of all proposed trees and shrubs and biodiversity enhancement of the site as recommended in the Phase 1 Habitat Survey dated May 2013 c) The reserved matters shall be carried out as approved d) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Prior to Commencement

4) No development shall take place until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. It shall include, but shall not be limited to, the following: (i) the proposed methods of demolition, piling, recycling activities and dust suppression and all other construction methods associated with the development; (ii) noise and vibration monitoring arrangements – to be self monitoring by the applicants – for the key demolition and construction phases; (iii) measures, methods of working and the means of screening the site that will be employed to minimise disturbance to neighbouring



properties during all demolition and construction work (iv) details of the location of the site office, access routes and material storage areas. The development shall thereafter be carried out in accordance with the approved details 5) Prior to commencement of development, full details and samples of the materials to be used in the external surfaces of the development, hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details 6) No development shall commence until details of a Phase II Soil Investigation (as recommended in the submitted Environmental Phase 1 Assessment report) is submitted to and approved in writing by the Local Planning Authority. If contamination is found to be present, then details of a remediation strategy detailing how this unsuspected contamination shall be dealt with shall be submitted to and approved by the Local Planning Authority prior to the commencement of excavation work 7) No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme as submitted shall be in accordance with British Standard 5837 (2005) The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences 8) Prior to commencement of development, details of any changes to the existing site ground levels or finished floor levels shall be submitted to and approved by the Local Planning Authority 9) No development shall commence until full details of a lighting strategy is submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with the approved details. The submitted scheme shall include details of times of illumination of all lights, road lighting, floodlighting, security lighting, signage and any variations in brightness. Thereafter the lighting shall continue to be operated only in accordance with the approved details, and no additional lighting shall be installed unless first approved in writing by the Local Planning Authority.

#### Prior to Occupation

10) The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles 11) During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads 12) The development shall not be occupied until cycle parking area have been provided in accordance with the approved and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles 13) Prior to demolition works commencing on site a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. (Given the restrictions of the approach road the hours of delivery/ collection should avoid peak traffic flow times) 14) Prior to occupation of the development, full details of the boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details.++

#### In Perpetuity

15) Prior to installation of any external plant or equipment to be erected on or within the building, (including any telecommunications apparatus) full details of them shall be submitted to and approved by the Local Planning Authority. The plant and equipment shall not be visible from street level and the rating noise level of the noise emitted from any equipment, as determined in accordance with BS 4142:1997, shall be at least 3dB(A) below the background LA 90 during any period of operation, measured or calculated at 1 metre from the nearest façade at the closest affected premises

16) a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority

In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later

17) Details of all works to or affecting trees on or adjoining the site shall be submitted to and approved by the Local Planning Authority, and shall be carried out in accordance with the relevant recommendations of 5837 (2005)

18) No bonfires or burning of waste materials shall take place anywhere on the site at any time

19) That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority

20) No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete rubble.

**84 47 Upland Road. Application ID: 131078.**

**131078 - 47 Upland Road** - Demolition of existing single storey garage and utility extensions, construction of new utility within footprint of existing, new side extension in location of garage, new terrace to the rear with pergola roof structure above. Formation of new front and rear roof dormers. Rendering of all existing brick walls and replacement of existing claytile roof

with slates. Widening of existing vehicle crossover to allow for additional off street car parking space – **OLD TOWN**. Four letters of objection had been received.

The relevant planning history for the site was detailed within the report.

The observations of the County Archaeologist were summarised within the report.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that the proposed roof extension by virtue of the size and proposed materials, fails to appear subordinate to the host building, and would be visually dominating and harmful to its appearance and is therefore contrary to saved policies UHT1 and UHT4 of the Eastbourne Borough Plan 2007 and policies B2 and D10A of the Core Strategy Local Plan 2013 and guidance set out in the National Planning Policy Framework 2012.

Appeal: should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the planning inspectorate, is considered to be written representations.

**85 55 Friday Street. Application ID: 131026.**

**131026 (HHH) - 55 Friday Street** - Construction of hard-standing for two car parking spaces and new private access – **LANGNEY**. A number of objections were highlighted in the report.

The observations of the Planning Policy Manager and Highways Department were summarised within the report.

**RESOLVED: (By 7 votes to 1)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission 2) The new access shall be in the position shown on the submitted plan and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority within 3 months of commencement of development 3) The development hereby permitted shall be carried out in accordance with the approved drawings no. SGR-FRI-120913 Rev B submitted on 11 January 2014.

Informative

The applicants attention is drawn to the need for a S184 Licence for the construction of the access. The applicant should contact ESCC on 01273 335443 prior to commencement of development to complete the agreement and pay the necessary fee.

**86 Serco Yard, Bedfordwell Road. Application ID: 130907.**

**130907 (PPP) - Serco Ltd, Serco Yard, Bedfordwell Road** - Residential development of 102 dwellings (flats and houses), including the conversion of the existing Pump House into flats, together with access roads and parking spaces – **UPPERTON**. 13 letters of objection had been received.

The planning history for the site was detailed within the report.

The observations of the Planning Policy Manager, Historic Buildings Advisor, Head of Environmental Health, Housing Services Manager, Local Highway Manager, Arboricultural Officer, Parks and Gardens Manager, Police Crime Prevention Officer, Environment Agency, County Archaeologist, County Ecologist, ESCC Development Control Manager, Southern Water, Network Rail Southern, Southdowns Badger Protection Group, Seeboard, South East Water, and Southern Gas Networks were summarised within the report.

At its meeting on 7 January 2014 the Conservation Area Advisory Group supported the proposed retention and reuse of the Pump House. They support concerns raised by the Specialist Advisor (Conservation and Design) about the impact the proposal would have on the exterior of the building, due to a lack of detail on the plans.

The committee raised concerns regarding access, the lack of open spaces and community facilities on the site, drainage / flood mitigation and parking and asked that the application be deferred to allow Officers to discuss their concerns with the applicants further.

**RESOLVED: (By 6 votes to 2)** That the application be deferred to a future planning committee for Officers to secure improvements to the scheme.

**87 De Walden Mews. Application ID: 140013.**

**140013 (PPP) - Street Record, De Walden Mews** - Installation of steel pedestrian gate within existing opening, adjacent to existing gates at Meads Street entrance to De Walden Mews – **MEADS**. 11 objections and 2 letters of support had been received.

The relevant Planning history was detailed within the report.

The observations of the Historic Buildings Advisor and Conservation Advisory Group raised no objections.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission 2) The development hereby permitted shall be carried out in accordance with the following approved drawings submitted on 10 January 2014:

- B050.02 – proposed elevations (from Meads Street and De Walden Mews), including site and block plan.

**88 Marlborough House, 3 Old Wish Road (Eastbourne College). Application ID: 130976.**

**130976 (ADV) - Marlborough House, 3 Old Wish Road** - Display of Freestanding Totem signs, Post and Panel signs and Digital Display. To be located at: Site 1) junction of Blackwater Road and Grange Road – Totem A, Site 2) junction of Grange Road and Carlisle Road – Totem B, Site 3) College Road entrance – Post and Panel Tray Sign, Site 4) junction of Blackwater Road and College Road – Panel A, Site 5)

junction of Carlisle Road and Old Wish Road – Panel B, Site 6) Birley Centre, Carlisle Road – **MEADS**.

The relevant planning history for the site was detailed within the report.

The observations of the Specialist Advisor (Historic Buildings & Conservation) and the Specialist Advisor (Arboriculture) were summarised within the report.

At its meeting on 7 January 2014 the Conservation Area Advisory Group received a Pre application scheme, they raised no objections to the proposed signage at the Birley Centre. However, they raised objections to the scale, design, materials and method of lighting of all the other signs. The Group also considered that the application provided very poor details in terms of the precise siting of the signs and lack of scaled elevation plans showing the signage in context.

At its meeting of 18 February 2014 the Conservation Area Advisory Group reaffirmed their comments that were made at pre-application stage. They had no objections to the signs at the Birley Centre (subject to the quality of the materials to be used), but were disappointed that their previous concerns have not been addressed, and the additional information submitted served to reinforce the objections to the scale, design, materials and method of lighting of the other signs.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that the proposed advertisements by virtue of the size and prominent locations would result in harm to the visual amenity of the area and fail to preserve or enhance the character and appearance of the conservation area contrary to saved policies UHT12 and UHT15 of the Eastbourne Borough Plan 2007, policies B2, D10 and D10A of the Core Strategy 2013 and sections 7 and 12 of the National Planning Policy Framework.

Appeal: should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the planning inspectorate, is considered to be written representations.

**89 Land within Site 6, Pacific Drive, Innovation Mall. Application ID: 130967.**

**130967 - Land within Site 6, adjacent to Pevensey Bay Road, Pacific Drive** - Harbour Innovation Mall - Construction of new building consisting of three storeys totalling 2,323m<sup>2</sup> net internal area for use within use classes B1(a) (b) and (c), occupying a site of 0.64ha and incorporating 130 car parking spaces – **SOVEREIGN**. One letter commenting on access to the site had been received.

The relevant planning history for site 6 was detailed within the report.

The observations of Economic Development, Specialist Advisor – Arboriculture, Specialist Advisor - Planning Policy, Health and Safety Executive, Sovereign Harbour Residents Association, Environment Agency, County Ecologist, Minerals and Waste Unit, Local Highway Manager and Southern Water were summarised within the report.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time limit for commencement 2) In accordance with drawings 3) Materials 4) Parking to be laid out prior to occupation 5) Details of cycle parking and refuse storage to be submitted for approval and provided out prior to occupation 6) T4 Tree and natural feature protection fencing 7) T5 Tree Protection: No burning 8) T6 Tree Protection: Excavations regarding the bund associated with TPO 77 9) T8 Tree Surgery 10) T10 Landscape design Proposals relating to species and size of hedging and trees 11) T15 Landscape maintenance 12) Submission of reptile mitigation strategy 13) Removal of scrub outside bird breeding season (March-August) unless demonstrated absence of breeding bird species 14) Submission of detailed landscaping plan 15) Details of means of foul and surface water sewage disposal 16) Standard hours of construction conditions 17) Construction method statement 18) Provision of wheel-washing facilities 19) Submission of layout plan which shows provision of a footpath/cycle path linkage through the site 20) Contaminated land 21) Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway 22) Submission of a Traffic Management Scheme 23) Before building commences, the new roads shall be completed to base course level, together with the surface water and foul sewers and main services to the approval of the Planning Authority in consultation with this Authority 24) The Highway Authority would wish to see the roads within the site laid out and constructed to standards at, or at least close to, adoption standards 25) The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans 26) A Travel Plan is required in association with this development to ensure that private car trips to and from the site are reduced 27) The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans and the turning space shall thereafter be retained for that use and shall not be used for any other purpose 28) Submission of a flood risk assessment specific to the proposed development.

Informative

Proposed advertisements may require advertisement consent. Southern water informative on connection to sewer.

**90 Land East of Kings Drive, Kings Drive. Application ID: 130897.**

**130897 - Land East of Kings Drive, Kings Drive** - Application for approval of reserved matters (Details of the appearance and scale of buildings and landscaping of the site) following outline approval. (EB/2010/0003- Outline Planning Permission for 119 new Dwellings) – **RATTON.** 29 objections had been received.

The relevant planning history for the site was detailed within the report.

The observations of Specialist Advisor Arboriculture, Housing Services Manager, Specialist Advisor Planning Policy, Local Highway Manager, County Archaeologist, County Ecologist, Southern Water, Natural England

and Sussex Police – Crime Prevention Design Officer were detailed within the report.

NB: Councillor Liddiard withdrew from the room whilst this item was considered.

**RESOLVED: (By 6 votes with 1 abstention)** That permission be granted subject to conditions and the prior conclusion of a deed of variation to the Unilateral Undertaking in relation to the previous outline planning permission. Conditions: 1) Time commencement (two years from the date of this decision in line with the previous commencement condition of the Outline Planning permission) 2) That the conditions attached to outline planning permission EB/2010/0003 are reiterated and, unless otherwise discharged to the satisfaction of the Local Planning Authority, should be complied with 3) In accordance with approved plans of this permission 4) Removal of permitted development rights – no buildings, structures, walls or fences 5) Removal of permitted development rights – no roof extensions 6) Submission of details in relation to cycle parking to the outdoor play area 7) Submission of detailed design of refuse storage facilities 8) Submission of details of secure cycle parking facilities.

## **91 Bolton House Local Listing Proposal.**

The committee considered the report of the Specialist Advisor – Conservation and Design proposing that Bolton House, in the Town Centre and Seafront Conservation Area be included in The Local List. A list of Buildings of Local Interest was held by the Council and comprises buildings or structures which make a special contribution to the Townscape, represent the work of an important local Architect, represent a particular style of Architecture or period in the development of the town.

Bolton House, 10 Bolton Road is an imposing mid 19<sup>th</sup> century building, on the corner plot of Bolton Road and Lismore Road. The site was occupied by 1870, as a structure appears on the 1870 map, which was appended to the report.

Bolton House was first listed in the 1890-91 Pike's Directory; the current building may be a re-build or significantly altered structure, as the footprint on the 1899 map matches that of the present structure and cartographic errors were unusual.

Bolton Road and Lismore Road were characterised by mid-19<sup>th</sup> century villas which had private gardens, but the buildings were positioned close together so the rear gardens were not visible. These buildings sit back from the generous pavement, giving a green and tree lined streetscape.

Bolton House was a fine example of late 19<sup>th</sup> Century building style and was unusual in having two facades facing Bolton and Lismore Roads. It was complete in fenestration, exterior detail and did not appear to have been significantly altered, thus preserving its original form externally.

It was unanimously recommended after consideration by the Conservation Area Advisory Group at its meeting of 18 February 2014, that the proposal

should be presented to the Planning Committee for consideration on 4 March 2014.

Public comments would be invited on the inclusion of Bolton House in the local list of Buildings of Local Interest for a period of 21 days between 4 and 25 March 2014.

Dr Richardson, co-owner of Bolton House addressed the committee in objection to the listing.

NB: Councillor Liddiard withdrew from the room whilst this item was considered.

**RESOLVED:** That the Local listing of Bolton House be approved for consultation as set out in the report and the committee will consider the results of the consultation exercise prior to deciding whether to list.

## **92 Article 4 Direction - The Park Close Conservation Area.**

The committee considered the report of the Specialist Advisor – Conservation and Design regarding the designation of Park Close as a Conservation Area. The definition of the area as a special architectural and historic interest had been compiled in the form of a detailed character analysis. The Council, in its role as a local planning authority, sought to manage any significant changes to the area in ways that maintain and strengthen its special qualities.

The Park Close Conservation Area Management Appraisal was considered by Cabinet on 23 October 2013. It set out the special nature of the area with a recommendation for protection of the setting of the heritage assets. The special nature of the area was partially controlled by virtue of being a Conservation Area, however even in a conservation area householders had the same “permitted development rights” as persons not living in conservation areas, unless this position was modified by the local planning authority.

The purpose of an Article 4 Direction, as outlined in the report, was to enable appropriate planning control to take place and to allow proper consideration to be given to certain types of proposed development that would normally not require planning consent but which, because of their setting and context, could be detrimental to the amenity of the area if not properly controlled.

Before making a direction at Park Close, the local planning authority must be satisfied that it was expedient that development that would normally benefit from permitted development rights should not be carried out unless permission is granted for it on an application.

A copy of the Article 4 Direction, the substance of which was recommended for adoption in principle by Cabinet on 23 October 2013 was included as an appendix to the report.



Members were recommended to support the Article 4 Direction being made to help maintain the special architectural and historic character of The Park Close Conservation Area. It was recommended that if approved the direction should not come into force until 12 months after confirmation, to allow for the required consultation and statutory procedure contained in the 1995 Order for making an Article 4 direction.

The residents and wider community had been invited to comment generally on the introduction of Article 4 Direction during the consultation on The Park Close Conservation Area Appraisal and Management Plan

**RESOLVED:** that Full Council be advised that the Planning committee support: 1) The making of an Article 4 Direction for The Park Close Conservation Area in the form of the Appendix attached to the report; 2) The delegation by Full Council to the Planning Committee of the power both to consider any representations made following the making of the Park Close Article 4 Direction and, if appropriate, to then confirm it; 3) The delegation by Full Council to the Planning Committee of the power to deal with the complete process of bringing in any future Article 4 Directions in the Borough up to and including confirmation.

**93 South Downs National Park Authority Planning Applications.**

None reported.

The meeting closed at 10.21 pm

**Councillor Ungar (Chairman)**

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# Agenda Item 6

<b>App.No:</b> 131071 (PPP)	<b>Decision Due Date:</b> 21 March 2014	<b>Ward:</b> Devonshire
<b>Officer:</b> Lisa Rawlinson	<b>Site visit date:</b> 10 March 2014	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> <b>Neighbour Con Expiry:</b> <b>Weekly list Expiry:</b> 22 January 2014 <b>Press Notice(s):</b>		
<b>Over 8/13 week reason:</b> Major town centre redevelopment proposal requiring detailed internal and external consultation and the detailed evaluation of the submitted scheme and associated documentation.		
<b>Location:</b> Land To The West Of The Arndale Shopping Centre Bounded By Terminus Road And Ashford Road, Arndale Centre, Eastbourne		
<b>Proposal:</b> Demolition of existing buildings to provide for an extension to the existing shopping centre for new Class A1, A2, A3, A4 and A5 (retail) use at ground and first floors and a multi-screen cinema complex (Use Class D2) plus ancillary space at second floor, a two storey extension to existing car park deck, new pedestrian access including new shopfronts on to Terminus Road, associated highway works and minor alterations to the external appearance.		
<b>Applicant:</b> PERFORMANCE RETAIL LIMITED PARTNERSHIP		
<b>RECOMMENDATION A:</b> Approve subject to the prior conclusion of a S.106 Agreement to secure a financial contribution towards the proposed Terminus Road Improvements, a contribution towards the implementation of a Car Park Guidance System, a Travel Plan and associated audit fee, local employment initiatives and conditions.  <b>RECOMMENDATION B:</b> In the event that the S.106 is not signed by 30 June 2014 that delegated authority be given to the Head of Planning to refuse planning permission, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.		

## Planning Status:

Adjacent to boundary of Town Centre and Seafront Conservation Area  
 Adjacent to Grade II Listed Railway Station  
 Flood Zones 1,2 and 3  
 Primary Shopping Area

## Executive Summary:

It has been a long ambition of the Council to see the town centre rejuvenated with new shops to increase its attractiveness to businesses and shoppers. The community have also voted it the number one priority for the town and consequently it is a key corporate priority.

The extension to the Arndale Shopping Centre was approved in January 2014 after the completion of a Section 106 legal agreement. The principle of the development has therefore already been established. The current proposal aims to build on and improve the development already permitted to provide a mix of retail, leisure and restaurant units that the town centre is currently lacking and is likely to attract new retailers to the town. The application also includes a multi-screen cinema complex at second floor level which is the main addition to the previous permission. The proposals will also generate significant employment opportunities for the local community.

The proposed contemporary design of the extension and cinema addition would provide an iconic landmark at this important gateway into the town centre. The development will sit comfortably alongside the Grade II listed railway station building and will have no detrimental effect on the setting of the clock tower, the adjacent Conservation Area, or other surrounding designated heritage assets.

The proposed development, by reason of its height, scale, massing and appearance will have no detrimental effect on the visual amenities of the wider locality.

The proposal will have no harmful effects on the highway network and will also have no significant detrimental effects on the amenities of occupiers of surrounding residential properties, in terms of noise and disturbance, loss of daylight, sunlight and overshadowing.

Finally, the proposed development incorporates a number of green initiatives which will ensure the building is energy efficient and sustainable.

The proposal is compliant with established and emerging national, regional and local planning policy which seeks to strengthen the role of our town centres.

For the above reasons, the proposals are acceptable and conform with all relevant planning policies.

### **Relevant Planning Policies:**

#### **Eastbourne Borough Plan (2001-2011) Saved Policies**

Policy NE28	Environmental Amenity
Policy UHT1	Design of New Development
Policy UHT2	Height of Buildings
Policy UHT4	Visual Amenity
Policy UHT10	Design of Public Access
Policy UHT11	Shopfronts
Policy UHT15	Protection of Conservation Areas
Policy UHT17	Protection of Listed Buildings and their Settings
Policy HO20	Residential Amenity
Policy TR1	Locations for Major Development Proposals
Policy TR2	Travel Demands
Policy TR5	Contributions to the Cycle Network
Policy TR6	Facilities for Cyclists
Policy TR7	Provision for Pedestrians
Policy TR8	Contributions to the Pedestrian Network
Policy TR11	Car Parking
Policy T12	Car Parking for those with Mobility Problems
Policy SH1	Retail Hierarchy
Policy TC1	Public Transport Interchange

Policy TC3	Public Car Parking
Policy TC5	Mixed Use Scheme at Western End of Terminus Road
Policy TC6	Town Centre Shopping Areas

### **Eastbourne Core Strategy Local Plan (2006-2027)**

Policy C1	Town Centre Neighbourhood Policy
Policy B1	Spatial Development Strategy and Distribution
Policy B2	Creating Sustainable Neighbourhoods
Policy D1	Sustainable Development
Policy D2	Economy
Policy D4	Shopping
Policy D8	Sustainable Travel
Policy D10	Historic Environment
Policy D10a	Design

### **Eastbourne Town Centre Local Plan (November 2013)**

Policy TC1	Character Areas
Policy TC2	Town Centre Structure
Policy TC3	Mixed Use Development
Policy TC4	Primary Retail Area
Policy TC9	Development Quality
Policy TC10	Building Frontages and Elevations
Policy TC11	Building Heights, Landmarks and Tall Buildings
Policy TC12	Servicing Access and Storage
Policy TC13	Public Realm Quality and Priorities
Policy TC14	Public Transport Interchange
Policy TC15	Parking in the Town Centre
Policy TC17	Master Planned Approach to Town Centre Development Sites
Policy TC18	Development Opportunity Site One

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

National Planning Policy Framework 2012

### **Site Description:**

The application site comprises land bounded by Terminus Road and Ashford Road, to the west of the existing Arndale Shopping Centre.

The site consists of two elements, the area to the west of the shopping centre and the multi storey car park. The area to the west of the Arndale is triangular in shape, whereas the car park is rectangular. Together the sites extend to some 1.98 hectares.

The application site is made up of a number of different components. The area facing Terminus Road is lined with a number of adjoining buildings of differing heights but all consisting of three storeys. Together the units form a parade of small town centre retail units at ground floor with the upper floors being used in conjunction with, or ancillary to, the ground floor uses.

To the south west of the site on the corner of Terminus/Ashford Road is a part two/part three storey public house (The Gildredge). To the rear of the Terminus Road buildings and The Gildredge pub is a service area and small car park. This part of the site takes its access and egress from Ashford Road. The land fronting Ashford Road consists of a small

area of landscaping which faces the railway station. The eastern part of the site is bounded by the existing Arndale Shopping Centre.

### **Relevant Planning History:**

EB/2012/0252

Demolition of existing buildings to provide for an extension to the existing shopping centre for new Class A1, A2, A3, A4 and A5 (retail) use at ground and first floors plus second floor ancillary space; a two storey extension to existing car park deck, new pedestrian access including new shopfronts onto Terminus Road and associated highway works. Approved subject to conditions and Section 106 legal agreement  
January 2014

### **Proposed development:**

The application involves an addition and amendments to the previously approved extension to the Arndale Shopping Centre (application EB/2012/0252) granted planning permission in January 2014 to include a 9 screen multi-screen cinema complex at second floor level, an increase in retail units from 22 to 23 and provision of 7 additional restaurant units on the first floor.

The cinema addition to the second floor would provide 3870 square metres of D2 net leisure floor space located to the rear half of the proposed extension, set back from the front and the flank edges of the building. It would comprise a double height space measuring 12.3 metres high on top of the previously approved extension of 10.3 metres in height resulting in a total height of 22.6 metres. It also measures approximately 90 metres in length and 68 metres wide incorporating a flat roof. The external surface of the cinema would be clad in a composite cladding to have a metal finish, details of which would be secured by condition. The cinema would be accessed internally via an entrance foyer on the south side of the first floor level.

The proposal also involves minor alterations to the external appearance which are summarised as follows:

- Decorative stainless steel panels at first floor level above the shopfronts to the west side of the south elevation facing Terminus Road would be replaced with glazing with feature profiled timber slats to the top of the frames.
- A decorative steel panel at first floor level to the centre of the south elevation would be moved over adjacent to the western entrance and replaced with glazing and timber slats as above.
- The top of the roof to the eastern section of the north elevation facing Ashford Road would be changed to a white rendered upward curved parapet to match that of the corner feature to the main entrance at the other end of the building. This higher curved section would incorporate the name "ARNDALE".
- An array of louvred service doors to the ground floor elevation facing Ashford Road have been omitted and replaced with 2 sets of plain double service doors.
- New aluminium framed windows would be inserted into the 2<sup>nd</sup> floor mezzanine serving major shop unit 4 (MSU4) facing onto Terminus Road.

With regard to the proposed retail accommodation, the previous approved scheme incorporated 4 major shopping units, 2 of which being located directly onto Terminus Road and 2 facing into the internal walkway of the extension scheme. The remainder of the centre extension would comprise 18 smaller retail units and the existing reconfigured units

of the existing Arndale Centre. Of these 18 units, 8 were duplex units and 10 single floor units on the ground floor.

The retail accommodation is changing to comprise 2 major shopping units facing directly onto Terminus Road and 21 smaller retail units. Of these 21 units, 5 would be duplex units and 16 single floor units on the ground floor. Approximately a quarter of the retail area on the first floor has been changed to provide 7 restaurant units to provide a food court area between the retail shopping area and the cinema above.

The number of parking spaces to serve the building remains unchanged.

The applicants are seeking opening hours of 07.00 – 01.30 Monday to Sunday including bank holidays for the uses within the shopping centre. The applicants have subsequently requested that the cinema have no restriction on opening hours.

### **Consultations:**

#### **Internal:**

Economic Development - No objection, in accordance with the Core Strategy and Town Centre Local Plan.

Downland, Trees and Woodland Manager - No objection subject to conditions relating to protection of trees in Terminus Road during building works.

Historic Buildings Advisor - No objection as the development would have no greater conservation impacts than the extent scheme.

Local Highway Manager – No objection subject to conditions, financial contributions, Travel Plan, car & cycle parking and a traffic management plan.

Planning Policy Manager – No objection, proposal accords with national and local planning policy and the aims and objectives for the town centre.

Head of Environmental Health – No response

#### **External:**

Environment Agency - No objection subject to conditions (in accordance with submitted FRA and surface water drainage details).

ESCC Development Contributions Coordinator :- No objection and no contributions are sought

County Archaeologist - The site is located within an area of known archaeological deposits and as such a programme of archaeological works of required to be implemented prior to the development commencing and secured by planning condition.

Eastbourne Society – No response

Disability Involvement Group - The lifts should be able to accommodate more than one mobility scooter. All of the toilets should be accessible for the disabled. The buttons in the lift should be very visible. Hearing loops should be included at the design stage and should be put in all retail outlets and the cinema. Representatives of the group should be invited to view the extension prior to opening. Disabled toilets should have signage on the doors to confirm what kind of facilities are available. The disabled toilets should have adequate

transfer space on both sides. There should be sufficient seating within the mall and they should have backs on them. Are there any opportunities for providing a 'changing places' toilet?

The applicant has responded to DIG's representation as follows:

- The lift shall be large enough to fit one mobility scooter, which should be found adequate;
- The tenants will fit out the toilets – however it can be confirmed that under Building Regulations the restaurants will be obliged to provide disabled WC facilities for customers and the retail units (except for the smallest ones) will be obliged to provide WC facilities also, which will most likely be a unisex disabled format;
- Lift call panels for the new lifts will be designed to the current standards;
- Hearing loops will be provided by the tenants;
- A visit to the extension can be arranged, however it should be noted that changes will not be able to be incorporated at this stage. Any further comments should be submitted at this stage for consideration;
- Signage will be provided by the tenants;
- Transfer space to be considered by the tenants;
- The applicant has noted that there should be sufficient seating within the mall and that they should have backs on them; and
- 'Changing places' toilet to be considered by the tenant.

English Heritage - No response

English Nature – No response

Southern Water – No objection subject to identifying the exact location of the existing sewers on site and if diversion is needed then this needs the agreement of Southern Water

Seeboard – No response

South East Water – No response

Southern Gas Networks – No response

Transco – No response

Sussex Police – No response

Neighbour Representations:

3 objections have been received and cover the following points:

- No consideration for local resident
- Very large building causing loss of light
- Loss of amenity during construction phase
- Existing access to site is not fit for purpose
- Noise impacts
- Pollution impacts
- Severe traffic cueing
- Impact will extend to later into the night if scheme is supported
- Adverse impact upon the Eastbourne Train Station and clock tower
- Additional strain on the sewer capacity which is currently at capacity



### Business Representations

3 objections have been received from existing traders in the town or people/business representing them raising in the main the following points:-

- Will diminish the attractiveness of the Eastbourne as it will cause vacancy and voids elsewhere in the town detrimentally affecting the town centre
- No attempt to relocate existing trader displaced by the development
- Nursery school would be lost with no plan for relocation
- Loss of town centre residential is not being replaced
- Existing properties to be demolished appear to be perfectly adequate retail units, with rear service and all occupied
- Could develop Cinema without demolishing the existing shops
- During construction would lead to a long period of dereliction and blight for the town centre
- Loss of town centre vitality, existing facilities offer a range of shops and services that would be lost to the town if scheme goes ahead.
- Identikit shopping centre that will become dated in 20 years time

One business has submitted the same response as per the previous application:-

- A failure to incorporate a mix of development
- Would not support the diversity, vitality and viability of the town centre
- No consideration to displaced businesses
- Not in accordance with adopted local plan and NPPF

A standard letter signed by 7 patrons from the Curzon Cinema has been received making the following points:-

- Impact upon the light in the area
- Impact upon the town as a whole
- Loss of small local businesses
- National chain stores would lose the town of its identity

### **Appraisal:**

#### **The principle of the development having regard to the extant permission and planning policy**

The principle of the redevelopment and extension of the shopping centre has been established by the grant of planning permission (EB/2012/0252). The officers committee report for this application is included for reference in Appendix A.

The main issues to consider in the determination of this application are as follows:

- Retail impact considerations
- The effect the proposed development will have on the visual amenities of the locality
- The effect the proposed development will have on nearby designated heritage assets
- The effect the proposed development will have on the amenities of occupiers of surrounding residential properties
- Highways and parking considerations
- Energy and sustainability considerations

The National Planning Policy Framework (NPPF) sets out the Government's policies for England. The document states that there should be a "*presumption in favour of sustainable development*" Paragraph 216 states that "*decision-takers may also give weight [unless material considerations dictate otherwise] to relevant policies in emerging plans [such as the Core Strategy and the Town Centre Area Action Plan] according to*" the stage of preparation of the emerging plan.

Whilst paragraph 23 of the NPPF is specifically related to local planning authorities drawing up Local Plans, it does provide key guidance on the role of town centres, which it states should be recognised as being at the heart of their communities (and it requires local planning authorities to "*pursue policies to support their vitality and viability*". The proposed extension to the Arndale Centre will help to ensure the role of the town centre is at the heart of the community and help to promote a competitive town centre that provides customer choice and a diverse retail offer.

Paragraph 24 of the NPPF requires local planning authorities to "*apply a sequential test to planning applications for main town centre uses...They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered*". The sequential test makes it clear that the preference for town centre uses should be the town centre and the application site is consistent with this. It can therefore be concluded that the proposed extension to the Arndale Centre is consistent with the NPPF.

The application site is located within the Town Centre neighbourhood as identified in the Core Strategy (adopted February 2013), and is within the boundary of the Town Centre Local Plan (adopted November 2013). The site is identified in the Town Centre Local Plan as Development Opportunity Site 1.

The Town Centre is a sustainable and highly accessible location. Core Strategy Policy B1: Spatial Development Strategy and Distribution has identified the Town Centre as a 'sustainable neighbourhood' and a 'sustainable centre' where housing growth will be balanced by significant improvements in the provision of community services and facilities. This will allow the Town Centre to sustain its projected high level of housing growth.

Paragraph 1.1.5 of the Core Strategy recognises the key role that Eastbourne's Town Centre plays. It states that "The Town Centre is an important retail and services destination serving Eastbourne and its surrounding hinterland. The Town Centre regeneration offers an opportunity to achieve a series of new high-quality developments...".

Paragraph 1.3.4 of the Core Strategy states that "The Town Centre is currently under-performing relative to many other similar sized towns" and that "there is considerable potential for increasing its retail offer". The proposed development provides an excellent opportunity to address this issue and enhance the town's retail offer helping it to compete more effectively with other shopping centres in the sub-region such as Brighton and Tunbridge Wells.

The proposed scheme is consistent with Core Strategy Key Spatial Objective 2: Spatial Growth, which seeks to deliver new shopping opportunities and states there will be an increase in the shopping floorspace in the town centre to ensure that Eastbourne remains an attractive place to visit, and Key Spatial Objective 3: Town Centre Regeneration, which seeks "To strengthen Eastbourne's Town Centre as a leading sub-regional shopping and

leisure destination". The extension to the Arndale Centre will provide opportunities to enhance Eastbourne's role as a leading sub-regional shopping destination.

The Vision for the Town Centre in the Core Strategy is 'The Town Centre will maintain its status as a sustainable centre by maximising its economic potential and attract more shoppers, workers, residents and visitors through schemes and proposals for redevelopment detailed in the Town Centre Local Plan'.

Core Strategy Policy C1: Town Centre Neighbourhood Policy states that the vision for Town Centre neighbourhood will be promoted by a number of measures including: strengthening the retail offer through new retail development; and maintaining a diverse range of services and facilities. Paragraph 3.2.6 identifies the main ambition for the Town Centre as being "to strengthen and regenerate the area to maximise its economic potential and attract more shoppers, workers, residents and visitors". It states that "The retail offer will be strengthened by delivering new retail development and enhancing links between different areas of the town centre". It also notes that "Parts of the Town Centre suffer from a poor quality public realm and [that] there is an opportunity to improve these spaces to make the environment more attractive for pedestrians and shoppers". The proposed scheme delivers new retail development helping to enhance linkages between the railway station and the bus interchange.

Policy D4: Shopping states that "Development of the Town Centre's role as the primary comparison shopping destination within Eastbourne and its rural hinterland will be promoted by:

- Protecting larger units – particularly in the primary shopping frontages – from subdivision or change of use,
- Ensuring that new retail development: makes a positive contribution to improving the Town Centre's viability and vitality;
- Supports the creation of a comfortable, safe, attractive and accessible shopping environment;
- Improves the overall mix of land uses in the Town Centre; and
- Strengthens the town's independent retail offer, and improves the integration between the primary shopping area and the seafront."

The revised proposal continues to be in conformity with Policy D4. The application has ensured that the presence of A1 units is preserved on the key Terminus Road frontage. The design creates an all-weather safe and attractive shopping experience, which will complement the Arndale Centre's existing facilities and provide new retail opportunities to help Eastbourne compete more successfully with other shopping centres.

The Town Centre Local Plan was adopted in November 2013, after the original scheme had been granted permission. The Vision for the Town Centre states that 'By 2027, Eastbourne Town Centre will be a place that attracts more shoppers, workers, residents and visitors to spend more time enjoying a vibrant and varied offer and mix of uses in a well connected series of attractive streets and public spaces'. Increasing investment in the town will bring wide-ranging benefits and will allow Eastbourne to respond positively to climate change. Increasing investment in the town will bring wide-ranging benefits and will allow Eastbourne to respond effectively to this vision.

The Arndale Centre is identified as being within the Primary Retail Area (Policy TC4) and within a Development Opportunity Site 1 (Policy TC18). It is also identified as being within the Retail District Character Area and adjacent to a gateway into the town centre. It is therefore a key location for new development and one that, given the site's prominent

location, will make a positive contribution to people's experience and perception of the town.

Policy TC18: Development Opportunity Site 1 sets out a series of key development components that should be incorporated into proposals for the comprehensive redevelopment of Development Opportunity Site One. These include the inclusion of active frontages, important corners providing a local landmark, a mix of uses, good pedestrian access, servicing and vehicle access, parking and public realm improvements.

The proposed scheme maintains the existing active frontages on Terminus Road and at the Ashford Road junction and is therefore consistent with Policy TC18. The majority of the Ashford Road frontage is given over to service areas. The Policy also states that "Servicing and vehicle access will be provided from Ashford Road or shared with the existing facilities for the Arndale Centre". The scheme accords with this principle.

Whilst Policy TC18 requires A1 uses providing new retail facilities, it also considers A3 restaurants and cafes at ground floor level and B1 (a) offices, C3 residential and D2 assembly and leisure above the ground floor to be acceptable uses. The proposed scheme is consistent with this providing a combination of A1, A2, A3, A4, A5 and D2 uses at ground floor and first floor levels. The inclusion of a cinema within the revised scheme would complement the existing evening and weekend uses within the shopping centre and the town centre as a whole which would result in increased footfall and linked trips to local bars, restaurants and shops within the town centre. As such, it is considered that the current application is more in accordance with Policy TC18 than the extant scheme.

The proposed scheme will provide increased choice for residents, visitors and tourists to Eastbourne providing an enhanced range of shopping opportunities and will assist the Town Centre in competing more effectively with other centres at Brighton and Tunbridge Wells. The site has already been identified as under-utilised and one that would benefit from regeneration opportunities and the proposed scheme responds well to the site providing a design that utilising the land efficiently and effectively.

The revised scheme is similar to the previous scheme, which was in compliance with policy, with the addition of a cinema, which means that the current scheme is even more in accordance with Policy TC18. This revised application is fully supported by planning policy.

### **Retail impact considerations**

The proposed gross retail floorspace is reducing from 15,038 square metres in the previous approved scheme to 13,223 square metres in the current scheme. Despite this, the number of retail units has increased from 22 to 23 units plus 7 additional A3/A5 restaurant units on the first floor. As a result, the floor area of most of the retail units has been reduced to accommodate this increase in units.

The inclusion of a cinema to the second floor and a restaurant food court to the first floor would result in complementary uses to the retail element of the scheme and can only serve to enhance the proposed development and the vitality and viability of the town centre through increased footfall and linked trips.

As such, it is considered that the retail element of the proposed scheme does not differ significantly to that previously approved and would accord with relevant planning policy.

## **The effect the proposed development will have on the visual amenities of the locality**

Policy TC18 states that "Storey heights should range from 3 to 5 storeys above street level with height increasing towards the corner of Terminus Road and Ashford Road".

The design of the second floor cinema is typical for a modern multiplex cinema with a blank metal clad frontage. The double height second storey has been specifically placed to the centre of the development and set back from the perimeter in order to minimise the visual impact on the surrounding area. The applicant's visual impact assessment states that no long distance views have been identified to view the impact of the proposed development. However, it goes on to say that the proposed organic form and contrasting cladding assists in breaking down the overall scale.

It is considered the cinema addition would be highly visible along Ashford Road and from views northwards from Cornfield Road and the War Memorial at the end of Cornfield Road where the shopping centre forms the northern end of the vista. The other significant view is westwards along Terminus Road. The applicants have submitted perspective drawings to demonstrate that views of the cinema would be minimal due to its positioning set back towards the back of the extension and set in from the edges. From ground level at a point opposite the centre of Eastbourne Railway Station, only the top of the cinema along the Ashford Road end would be visible.

As such, it is considered that the design, scale and appearance of the proposed development is considered to be acceptable and would not have any detrimental visual impact on the streetscene.

## **The effect the proposed development will have on nearby designated heritage assets**

It has already been accepted that the previously approved 2 storey extension would have no detrimental effect on the setting of the adjoining conservation area or listed buildings in the surrounding area. The main additional impact would be from the cinema addition at second floor level.

The Council's Conservation and Historic Buildings advisor has been consulted and considers that the proposal would have no additional impact in conservation terms over already approved applications made in respect of the development.

Therefore, having regard to all of the above, it is considered that the proposed development will have no detrimental effect on the designated heritage assets adjacent to the application site.

## **The effect the proposed development will have on the amenities of occupiers of surrounding residential properties**

To the north of the application site are the residential streets of Ashford Road, Junction Road, Longstone Road and Tideswell Road, which form the perimeter to the existing Arndale Centre multi storey car park.

A development of this size and scale is undoubtedly going to have some impact on the amenities of occupiers of nearby residential properties, particularly during the proposed demolition and construction phases of development. It is therefore necessary to consider these impacts in detail and to assess whether they are likely to cause material harm.

It is important to acknowledge that the adjacent residential properties are situated within the heart of the town centre and are already surrounded by the Arndale Centre and multi storey car park, so they already experience some noise and disturbance, particularly associated with traffic.

In support of the planning application, a Daylight and Sunlight Assessment was submitted which assesses the potential daylight, sunlight and overshadowing impacts to the surrounding residential properties as a result of the proposals.

The findings of the Assessment showed that the proposed development will have a negligible impact on the surrounding residential properties and their respective amenity areas.

An Air Quality Assessment submitted as part of the application assessed the air quality impacts associated with the construction and operation of the proposed development.

The potential impacts of increased traffic emissions arising from the additional traffic as a result of the development were assessed in conjunction with the Transport Assessment findings and the impacts were found to be negligible and the overall air quality impacts of the development were judged to be 'insignificant'.

The Assessment recommends that mitigation measures should be applied during the construction phase to minimise dust emission, although it was noted that any effects will be temporary and will only arise during dry weather. On this basis, the overall impacts during construction were judged to be negligible.

The Construction Management Plan submitted with the application proposes that the hours of external work would be restricted to 08:00 to 19:00 Monday to Friday. If work is required to be undertaken on a Saturday it will be restricted to between 08:00 and 13:00.

The document also recommends the damping down of dust on site to prevent it spreading to surrounding residential properties.

Therefore, as confirmed by the various submitted reports and assessments, it is considered that the proposed extension to the Arndale and the extension to the multi storey car park are unlikely to have a detrimental effect on residential amenity. However to ensure this is indeed the case, it is recommended that a number of conditions are attached to any grant of consent to deal with the following:

- minimising dust
- restricting the hours of working
- controlling the noise associated with any plant or equipment
- preventing light spillage
- preventing the burning of any waste on site.

The applicants are requesting shopping centre opening hours of 0700 – 01.30, Monday to Sunday including bank holidays and no restriction (24 hours) on opening hours for the cinema. It is considered that these hours are appropriate for a town centre located development where shop opening hours would be controlled by other government legislation. Restaurant and drinking establishment uses would be internally contained within the shopping centre and a latest closing time of 01.30 is unlikely to cause any significant noise and disturbance to surrounding residential occupiers. Due to the nature of the cinema use, it is unlikely to result in any anti-social noise and disturbance at night

from people leaving the building at night. It also provides the operators of the cinema to screen specific events or live competitions held in other parts of the world.

## **Highways and parking considerations**

Paragraph 40 of the National Planning Policy Framework (NPPF) states '*Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure*'.

The submitted information and in particular the Transport Assessment looks at the highway impacts which would be created by the addition of the cinema and restaurants, as the extra traffic created by the retail element has already been investigated and approved.

The previous scheme would have provided an additional 317 parking spaces on site by providing two additional decks of parking on top of the existing car park, to provide a total of 1013 spaces. This was deemed acceptable based on the information submitted at the time. Although this scheme is for a larger development it is not intended to provide any extra spaces over the 317 already consented.

It is acknowledged that the Cinema and Restaurant uses are considered to be complementary to the retail use and would result in a number of linked trips to the centre. It is also noted that the peak usage times for both Restaurants and Cinemas fall outside of the traditional peak hour traffic flows. Both these factors will limit the traffic generation and parking demand that the proposal will create when compared to standalone developments.

In addition there are a number of other car parks within walking distance of the site as is public transport provision and Taxis. A Travel Plan is also to be implemented to reduce the number of car trips to the site by staff. On this basis the level of parking provision is acceptable.

With regards traffic generation from the additional uses, the original transport surveys were carried out in 2011, and since this time changes in traffic levels have been negligible, with variations of 1% or less being recorded. Across East Sussex as a whole traffic flows have actually fallen slightly in this time. The surveys were also carried out in late November when traffic flows are likely to be above average. On this basis the data is considered to be suitable.

Various traffic data, transport models and research have been used and referenced in the preparation of the Transport Assessment to predict the likely level of traffic generation which would result from the development. This has demonstrated that the additional traffic created can be accommodated within the existing highway network without creating any significant issues. The only slight cause for concern is the Cavendish Place/Ashford Road junction. This will in 2022, be slightly over its practical capacity on two arms but the junction overall would still operate in a satisfactory manner. The result on the two arms would be one additional car queuing on each in the peak hour over and above the consented scheme.

A framework travel plan has been submitted as part of the application. This sets out the existing situation as well as a plan for establishing and implementing a travel plan once the development is complete. It also states the importance which the recently published National Planning Policy Framework places on Travel Plans. They are seen as a key tool

which should be provided by all developments which generate significant amount of movement.

The Travel Plan will need to be secured by legal agreement between the applicant and East Sussex County Council. A Travel Plan Audit fee of £6000 will also need to be secured as part of this agreement.

As with the previous application, the developer is to make a financial contribution towards the Terminus Road improvements which will help to improve the public realm within the Town Centre as well as encouraging public transport use by improving the bus stops and their facilities and a contribution is also requested towards the implementation of a Car park Guidance System. These contributions should be secured by a Section 106 agreement.

In conclusion therefore, the Highway Authority has confirmed that there would be no unacceptable highway or parking consequences as a result of the proposal, subject to securing a number of obligations by way of a S.106 agreement and subject to conditions being attached to any grant of consent.

### **Energy and sustainability considerations**

The proposals incorporate a number of 'green' initiatives that will reduce the environmental impact of the development and improve sustainability.

The applicants have chosen an energy efficient design which also has regard to low and zero carbon energy sources. The development expects to achieve a BREEAM 'Very Good' rating for the shell and core elements, which conforms with the Council's Sustainable Building Design Supplementary Planning Document. It is intended that the development will seek to comply with future Part L of the 2013 Building Regulations with regard to CO2 emissions reduction, which has more stringent requirements to be met over and above the existing Part L requirements.

In order to help ensure the delivery of an overall sustainable development, tenants will be encouraged to provide an energy efficient fit-out. This will be established through the use of a 'green lease' with technical support provided through a tenant green fit-out guide.

The proposed development will utilise the existing facilities for waste management which currently receives high recycling recovery rates.

The materials palette for the development will be specified with reference to the BRE Green Guide to Material Specification and it is targeted that 80% of the materials used will be responsibly sourced.

Finally, sustainable construction practices are proposed to be employed for the development and constructors will be required to operate under the 'Considerate Constructors Scheme', with the aim of exceeding current best practice.

For the above reasons, the proposed development is considered to be acceptable in terms of energy efficiency and sustainability.

### **Human Rights Implications:**

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



## **Conclusion:**

The proposed development is considered to be acceptable and is recommended for approval subject to the prior conclusion of a Legal Agreement and subject to conditions.

The proposals will provide much needed additional retail floorspace and associated employment opportunities, within the heart of the town centre, which conforms with established and emerging planning policies which seek to strengthen the vitality and viability of the town centre.

The proposed development will have no significant detrimental effect on nearby heritage assets, the wider visual amenities of the locality, the highway network or residential amenity. For these reasons the proposals are considered to be acceptable and conform with all relevant planning policies.

## **Recommendations:**

**(A)** That planning permission be granted subject to the prior conclusion of a S.106 Agreement to secure a financial contribution towards the proposed Terminus Road Improvements, a contribution towards the implementation of a Car Park Guidance System, a Travel Plan and associated audit fee, local employment initiatives and subject to the following conditions:

- (1) Commencement of development within three years
- (2) Drawing Nos. of approved plans
- (3) No more than 10% of the ground floor frontage of retail units within the application site to be in non-A1 use
- (4) Samples of all materials (internal and external)
- (5) Lighting Strategy
- (6) Signage Strategy
- (7) Programme of archaeological works
- (8) 1:10 details of edges and corners of elevations
- (9) Details of expansion joints
- (10) Details of anti-graffiti treatment
- (11) Shopfront details
- (12) Details of Terminus Road entrance
- (13) Drainage Strategy (surface water, use of SuDs and foul)
- (14) Cycle parking
- (15) Refuse and recycling in accordance with submitted details
- (16) Servicing in accordance with submitted details
- (17) Demolition details
- (18) Wheel washing facilities on site
- (19) Construction Method Statement and Management Plan
- (20) Opening hours (for Cinema)- 24 hours, 7 days a week
- (21) Site contamination
- (22) Method statement for handling unspecified contamination
- (23) In accordance with FRA
- (24) Public sewer protection
- (25) Details of all plant and machinery (e.g. air conditioning, refrigeration units) including predicted noise levels
- (26) Construction access details, and details of location size of any temporary structures
- (27) Details of directional signage

- (28) Construction Traffic Management Plan to include travel routes and number of vehicle movements
- (29) Foundation design
- (30) Details of any temporary structures/hoardings
- (31) Finished floor levels
- (32) Bird deterrent measures
- (33) Hours of building operations
- (34) Intrusive site investigation and UXO Desk Study
- (35) Application for stopping up order
- (36) Parking is provided in accordance with submitted details
- (37) Cycle storage and staff shower facilities
- (39) No burning of waste on site
- (40) Colour of coloured render to be agreed
- (41) Conform with 2013 Part L building regulations
- (42) Tree protection terminus road
- (43) Details of restaurant extraction

**(B)** In the event that the S.106 is not concluded to the satisfaction of the Local Planning Authority by 30 June 2014 that delegated authority be given to the Senior Head of Development and Environment to refuse planning permission for the following reason, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.

## APPENDIX A

Appendix A Copy of previous committee report For information purposes

### Committee Report 23 August 2012

<b>App.No:</b> EB/2012/0252	<b>Decision Due Date:</b> 12 July 2012	<b>Ward:</b> Devonshire
<b>Officer:</b> Lisa Rawlinson	<b>Site Visit Date:</b> Numerous	<b>Type:</b> Major
<b>Site Notice(s) Expiry Date:</b> 15 May 2012 <b>Neigh. Con Expiry:</b> 13 May 2012 <b>Weekly List Expiry:</b> 9 May 2012 <b>Press Notice(s):</b> 16 May 2012		
<b>Over 8/13 week reason:</b> Major town centre redevelopment proposal requiring detailed internal and external consultation and the detailed evaluation of the submitted scheme and associated documentation.		
<b>Location:</b> Land west of the Arndale Centre bounded by Ashford Road and Terminus Road		
<b>Proposal:</b> Demolition of existing buildings to provide for an extension to the existing shopping centre for new Class A1, A2, A3, A4 and A5 (retail) use at ground and first floors plus second floor ancillary space; a two storey extension to existing car park deck, new pedestrian access including new shopfronts onto Terminus Road and associated highway works		
<b>Applicant:</b> Performance Retail Limited Partnership		
<b>RECOMMENDATION A:</b> Approve subject to the prior conclusion of a S.106 Agreement to secure a financial contribution towards the proposed Terminus Road Improvements, a contribution towards the implementation of a Car Park Guidance System, a Travel Plan and associated audit fee, local employment initiatives and subject to conditions.  <b>RECOMMENDATION B:</b> In the event that the S.106 is not signed by 28 February 2013 that delegated authority be given to the Head of Planning to refuse planning permission, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.		

### Executive Summary:

The proposed extension to the Arndale Shopping Centre and associated investment by the applicants represents a unique opportunity for Eastbourne. It has been a long ambition of the Council to see the town centre rejuvenated with new shops to increase its attractiveness to businesses and shoppers. The community have also voted it the number one priority for the town and consequently it is a key corporate priority.

The proposal is compliant with established and emerging national, regional and local planning policy which seeks to strengthen the role of our town centres.

The proposed development will provide larger retail units that the town centre is currently lacking and is likely to attract new retailers to the town. The proposals will also generate significant employment opportunities for the local community.

The proposed contemporary design of the extension and in particular the corner feature will provide an iconic landmark at this important gateway into the town centre. The development will sit comfortably alongside the Grade II listed railway station building and will have no detrimental effect on the setting of the clock tower, the adjacent Conservation Area, or other surrounding designated heritage assets.

The proposed development, by reason of its height, scale, massing and appearance will have no detrimental effect on the visual amenities of the wider locality.

The proposed extensions to the Arndale Shopping Centre and the multi storey car park will have no harmful effects on the highway network. The development will also have no significant detrimental effects on the amenities of occupiers of surrounding residential properties, in terms of noise and disturbance, loss of daylight, sunlight and overshadowing.

Finally, the proposed development incorporates a number of green initiatives which will ensure the building is energy efficient and sustainable.

For the above reasons, the proposals are acceptable and conform with all relevant planning policies.

### **Planning Status:**

- Adjacent to boundary of Town Centre and Seafront Conservation Area
- Adjacent to Grade II Listed Railway Station
- Flood Zones 1, 2 and 3
- Primary Shopping Area

### **Planning Policy:**

For the purposes of this planning application, the Development Plan comprises the South East Plan (adopted 2009) and the Eastbourne Borough Plan 2001-2011 (saved policies). It should, however, be noted that the Government's intention to revoke regional strategies is a material consideration. In addition, the Council has prepared a Core Strategy (which was recently examined by an independent Inspector), and a Town Centre Area Action Plan (which was submitted to the Secretary of State and is scheduled to be examined later this year). Whilst these two documents do not yet form part of the Development Plan, they are both at an advanced stage and should be considered as material considerations. The National Planning Policy Framework (NPPF) is also a material consideration that should be taken account of in the determination of this planning application.

Details of the relevant parts of the South East Plan and the NPPF are provided below in the response from the Council's Principal Planning Policy Officer.

### **Relevant Planning Policies**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Policies of particular relevance to this planning application include several saved Borough Plan Policies. In addition to these, several policies contained in the Submission

Core Strategy and the Submission Town Centre Area Action Plan are material considerations in the determination of the planning application. These policies are set out below:

### **Eastbourne Borough Plan (2001-2011) Saved Policies**

Policy NE28	Environmental Amenity
Policy UHT1	Design of New Development
Policy UHT2	Height of Buildings
Policy UHT4	Visual Amenity
Policy UHT10	Design of Public Access
Policy UHT11	Shopfronts
Policy UHT15	Protection of Conservation Areas
Policy UHT17	Protection of Listed Buildings and their Settings
Policy HO20	Residential Amenity
Policy TR1	Locations for Major Development Proposals
Policy TR2	Travel Demands
Policy TR5	Contributions to the Cycle Network
Policy TR6	Facilities for Cyclists
Policy TR7	Provision for Pedestrians
Policy TR8	Contributions to the Pedestrian Network
Policy TR11	Car Parking
Policy T12	Car Parking for those with Mobility Problems
Policy SH1	Retail Hierarchy
Policy TC1	Public Transport Interchange
Policy TC3	Public Car Parking
Policy TC5	Mixed Use Scheme at Western End of Terminus Road
Policy TC6	Town Centre Shopping Areas

### **Submission Core Strategy**

Policy C1	Town Centre Neighbourhood Policy
Policy D1	Sustainable Development
Policy D2	Economy
Policy D4	Shopping
Policy D8	Sustainable Travel

### **Submission Town Centre Area Action Plan (TCAAP)**

Policy TC1	Character Areas
Policy TC2	Town Centre Structure
Policy TC3	Mixed Use Development
Policy TC4	Primary Retail Area
Policy TC9	Development Quality
Policy TC10	Building Frontages and Elevations
Policy TC11	Building Heights, Landmarks and Tall Buildings
Policy TC12	Servicing Access and Storage
Policy TC13	Public Realm Quality and Priorities
Policy TC14	Public Transport Interchange
Policy TC15	Parking in the Town Centre
Policy TC17	Master Planned Approach to Town Centre Development Sites
Policy TC18	Development Opportunity Site One

## **Site Description:**

The application site comprises land bounded by Terminus Road and Ashford Road, to the west of the existing Arndale Shopping Centre.

The site consists of two elements, the area to the west of the shopping centre and the multi storey car park. The area to the west of the Arndale is triangular in shape, whereas the car park is rectangular. Together the sites extend to some 1.98 hectares.

The application site is made up of a number of different components. The area facing Terminus Road is lined with a number of adjoining buildings of differing heights but all consisting of three storeys. Together the units form a parade of small town centre retail units at ground floor with the upper floors being used in conjunction with, or ancillary to, the ground floor uses.

To the south west of the site on the corner of Terminus/Ashford Road is a part two/part three storey public house (The Gildredge). To the rear of the Terminus Road buildings and The Gildredge pub is a service area and small car park. This part of the site takes its access and egress from Ashford Road. The land fronting Ashford Road consists of a small area of landscaping which faces the railway station. The eastern part of the site is bounded by the existing Arndale Shopping Centre.

## **Proposed Development:**

Planning permission is sought for the demolition of the existing buildings fronting Terminus Road and those at the rear to provide for an extension to the existing Arndale shopping centre which would comprise 22 new retail units of varying sizes. In addition it is proposed to provide a two storey extension to the multi storey car park which would result in the provision of 317 additional parking spaces.

The applicants are seeking consent for an open Class A use which in addition to Class A1 retail, could also include the following uses:

- Class A2 – Financial and professional services
- Class A3 – Restaurants and cafes
- Class A4 – Drinking establishments
- Class A5 – Hot food takeaways

However, the applicant has confirmed that *'whilst the application seeks to approve a range of uses for the Arndale extension, for example retail shops, banks, restaurants and cafes, the main uses for the units will be retail Use Class A1.'*

As part of the planning application and in order to fully assess the proposed development, the following documents have been submitted by the applicant:

- Design and Access Statement
- Planning Statement
- Transport Assessment (including a Travel Plan)
- Energy and Sustainability Report
- Statement of Community Involvement
- Daylight and Sunlight Assessment

- Flood Risk Assessment
- Noise Assessment
- Heritage Statement
- Air Quality Assessment
- Construction Management Plan
- Geo-environmental Assessment
- Waste Management Report

Further details of these reports are provided below in the '**Applicant's Points**' Section of this report.

### **Extension to Shopping Centre**

The proposed extension to the Arndale will consist of a two storey building with a prominent design feature at the corner of Terminus Road and Ashford Road. A pedestrian walkway from Terminus Road will run through the extension with shop units on either side, this will allow shoppers to walk through the extension into the existing Arndale Centre where the current HMV and Next units are situated.

The Gildredge Pub and all the units facing Terminus Road down to and including No. 47 (Watsons News) would be demolished as part of the redevelopment. In addition, the large rectangular building to the north of the Terminus Road terrace, which faces the existing delivery entrance to the Centre, will also be demolished (Unit 9a – Next and Unit 9b – HMV). The plant housing to the south of this building will be demolished along with a corner of the rear of Unit 8 (Bon Marche) of the existing Arndale Shopping Centre further to the south.

The shopping centre extension will provide additional retail floorspace to be accommodated within a variety of different sized units. Every unit within the proposed scheme will benefit from a mezzanine. Essentially there are 4 Major Shopping Units (MSU). The two units facing directly onto Terminus Road are MSU 1 and MSU 4 which will provide 1,895 sq m (20,407 sq ft) and 2,156 sq m (23,205 sq ft) gross floorspace respectively. MSU 2 will face onto the internal walkway within the scheme providing 1,730 sq m (18,621 sq ft) of retail floorspace. MSU 3 is located further away from the Terminus Road entrance but it is the largest unit providing 2,433 sq m (26,189 sq ft) by virtue of having a larger mezzanine floor area than ground floor footprint (the mezzanine covers the adjoining units to the left and right).

The remainder of the centre extension will be characterised by 18 smaller shop units (SU) and the existing reconfigured units of the current Arndale Centre. The smaller units range in size from SU 1 which is 749 sq m (8,064 sq ft) to SU 12 which is 84 sq m (904 sq ft). The existing Unit 78 will be reconfigured to provide two units, whilst the current Next and HMV units will be relocated within the extension scheme. The rear of Unit 8 (Bon Marche) will also be reconfigured to accommodate the layout of the shopping centre extension.

Servicing access for the new units will be provided via service corridors to the rear of the units to the north and south of the proposed walkway, with access for these corridors taken to the west of proposed Unit SU11 and to the west of proposed Unit SU78a respectively. There will be three emergency exit doors onto Ashford Road and a new emergency escape leading directly to Ashford Road behind the north end properties.

Access for servicing the new retail units will be from the existing ramp off Ashford Road, which will be upgraded.

### **Car Park Extension**

It is proposed to extend the existing multi storey car park by adding a further two levels, to provide an additional 317 car parking spaces. The additional levels are proposed to be sited towards the centre of the existing car park with external ramps above the lower levels to the middle of the car park.

### **Design and Appearance**

The proposed extension to the Arndale Centre will provide a new modern retail street, which links the existing centre to the west end of Terminus Road adjacent to the railway station. The retail street will form a curved pedestrian route with active retail frontages to both sides as well as addressing the existing Terminus Road streetscape with double height active retail frontage.

The scheme is anchored on Terminus Road by two Major Shopping Units which form the entrance to the scheme and the new gateway to the town centre. The extension has been designed to blend in with the scale of adjacent retail buildings, whilst the unit which replaces the Gildredge Pub at the junction of Ashford Road and Terminus Road is the tallest element of the scheme creating a key feature at a gateway into the town centre.

The new retail street is covered by an ETFE (a fluorine based plastic) canopy along its length creating a naturally lit and ventilated environment, which is sheltered from the external elements.

As part of the development it is also proposed to improve the appearance of the existing entrances to the Arndale Centre in Terminus Road, in order to integrate the proposed new scheme with the existing.

### **Terminus Road Elevation**

The proposed external elevations in Terminus Road have been designed to convey a lightness and simplicity, which will blend in seamlessly with the surrounding mix of building styles. Forming contemporary shopfronts with aluminium framed full height glazing which is surrounded by a simple render finish and satin steel clad intermediate pilasters.

The upper levels of the shop fronts are articulated with perforated pattern satin finish metal panels which create visual interest.

### **Corner of Terminus Road and Ashford Road**

The corner feature which has been designed to identify the gateway to the town centre has a strong vertical emphasis and seeks to complement rather than compete with the adjacent listed railway station. The feature is a key focal point for both the new shopping scheme and the street. The existing building on this corner site is the Gildredge Pub currently standing at 11.5 metres in height, and the height of the proposed extension at this point would be 12.375 metres.

### **Ashford Road Elevation**



Steel grey coloured masonry blocks and contemporary composite cladding panels are the main components of the proposed elevations to Ashford Road. This restricted palette of material for the length of this elevation which faces the listed railway station produces a simple and rhythmic stepped elevation to the rear of the retail development. Ashford Road is currently the services area and rear of the Centre with no active frontage, this is maintained within the proposed scheme. By day the predominantly silvery stepped façade form will contrast with the darker masonry plinth which addresses Ashford Road and by night there will be lighting behind the stepped walls.

### **Car Park Extension**

The proposed new car park decks will be naturally ventilated, and formed from a light weight steel frame above the structural grid of the existing multi storey car park, with integrated barrier and pedestrian guarding. A steel mesh will form the anti-climb skin to the inside face of the perimeter guarding, giving the car park its external appearance. The three metre floor to floor height will create a consistent clear head height throughout the car park with the existing vertical circulation core extended for pedestrian access.

### **Public Realm**

Alongside the proposals to extend the Arndale Centre, there are plans to improve the pedestrian environment in Terminus Road.

The proposed improvements will ensure that the town centre is supported by bus stops close to the shops which works well for passengers and has the potential to encourage more local people to travel by bus rather than car, as well as providing an attractive and welcoming space for pedestrians. The proposed enhancements include:

- wider and improved pavements
- bus stops moved towards Bankers Corner and along Cornfield Road closer to the centre of the shopping street
- provision of new bus stops outside the station
- new street furniture and signage and
- cycling improvements.

As part of the planning application for the extension to the shopping centre the applicants propose to enter into a S.106 Agreement to contribute to these proposed enhancements to the public realm.

### **Applicant's Points:**

In support of this planning application, the applicants have submitted a **Planning and Retail Statement**. The Statement provides details of the proposed development and an assessment of the proposals against relevant national, regional and local planning policy guidance.

The Statement confirms that the proposed development:

- Is Policy compliant providing retail intensification of an underutilised brownfield site within the designated Eastbourne Town Centre Primary Shopping Area.
- Will provide new and improved retail facilities and public realm enhancements.
- Will provide additional car parking spaces in order to meet potential future and existing latent demand.

- Will generate significant additional employment both in terms of the construction phase of the development and the ongoing operation of employment generating (retail) floorspace.
- Will provide a high quality distinctive building to contribute to the architectural heritage of Eastbourne Town Centre.
- Will result in a number of social and economic benefits as well as supporting the aims of adopted and emerging planning policy.
- Will provide approximately 650 full-time equivalent jobs.

As part of any grant of planning permission, the applicants have confirmed that as well as providing a financial contribution towards the Terminus Road enhancement works, they would also be willing to enter into a S.106 Agreement to secure the following:

- A Travel Plan and
- Local Employment Initiatives

**In summary, the Planning and Retail Statement confirms the following:**

*'The application proposals represent sustainable economic development which will provide new and improved retail units to meet the needs of modern retailers and the local community at an established retail destination for which a policy requirement for retail development is established. The retail extension will increase the choice for visitors to Eastbourne as well as enhancing the physical environment. The proposals also provide wider regeneration benefits which are an important material consideration in assessing the application, particularly given the site's prominent location as a gateway to the Town Centre.*

*The proposed redevelopment will see the demolition of the existing buildings along Terminus Road and to the rear. The replacement shopping centre extension will provide an additional 22 retail units (subject to final tenant mix) of varying sizes to meet modern retailer requirements. The extension to the Multi Storey Car Park will provide an additional 317 parking spaces to meet potential future and latent parking demand.*

*The scheme will provide a landmark design feature at the corner of Terminus Road and Ashford Road which will dramatically improve the appearance of this area which is a key gateway to the Town, for visitors travelling by rail, car or bus.*

*A significant amount of public consultation has been undertaken to guide the evolution of the development proposals. In addition, the proposed development has been the subject of extensive pre-application discussions with Senior Officers of the Council and key stakeholders.*

*The provision of additional retail floorspace at this location is entirely appropriate as a matter of principle under the requirements of policies within the Saved Eastbourne Borough Plan (2003), the Core Strategy Submission Document (January 2012) and the Town Centre Area Action Plan Submission Document (January 2012). Whilst specifically identified for retail development, the site also lies within the Primary Shopping Area of Eastbourne Town Centre.*

*The proposal is wholly compliant with relevant town centre and retail planning policy. The uplift in retail floorspace proposed will be of a scale commensurate with the sub-regional role of Eastbourne as a shopping destination, enabling it to retain its competitive position in the retail hierarchy and more able to withstand competition from existing out-of-centre provision.*

*The proposal will improve the overall quality and attractiveness of the town centre and importantly will ensure that further expenditure is not lost to other centres. The development will extend and enhance the existing town centre in terms of retail offer, providing social, economic and environmental benefits to the local and surrounding community in a sustainable location.'*

A **Design and Access Statement** accompanies the planning application which provides details of the following:

- **Context** of the site and its surrounding, site history, planning policy, constraints and opportunities and design parameters
- **Design Vision** – the emerging concepts and scheme evolution
- **Layout**
- **Land Use and Density**
- **Scale and Appearance**
- **Landscape and Public Realm**
- **Access Statement**
- **Sustainability**
- **Visual Impact Assessment**

The Design and Access Statement confirms the following:

*'The height and scale of the new buildings follows the concept of placing the emphasis on the corner building as the focus and gateway for the development and town centre beyond. This places the tallest element of the development at the edge of the site which anchors the scheme at the western boundary at the junction of Terminus Road and Ashford Road.'*

The corner feature has *'been developed to produce a simple but dynamic form which clearly identifies the gateway to the town centre and provides a strong individual identity for the Arndale Centre and the town centre. A strong vertical emphasis at the junction of Ashford and Terminus Road is important to complement but which does not compete with the adjacent listed railway station. Although this is not the entrance to the scheme, its location is the gateway to the town centre, and therefore it is important that an architectural hierarchy is established.'*

*'Ashford Road is currently the services area and rear of the centre with no active frontage, this hierarchy is still maintained within this proposed scheme however it forms a coherent and functional elevation while improving the perimeter treatment of the building. By day the predominantly silvery step façade form contrasts with the darker blockwork plinth which addresses Ashford Road, by night the lighting behind the stepped walls transform the building as it glows and the coloured light emits a sense of occasion in the context of streetlights and passing headlights.'*

*'The additional two car park levels above the existing multi storey car park have been placed to the centre of the site to minimise any impact on the surrounding properties and reduce their emphasis.'*

*The opportunity to revitalise the existing elevations to Terminus Road together with both existing entrances will help integrate the proposed new scheme with the existing.'*

A comprehensive Visual Impact Assessment was conducted of the proposed development. The assessment included an appraisal of the following:

- The site and its immediate surroundings to establish the visual baseline data
- The predicted impacts both negative and beneficial, the relative value of what will be lost or gained and
- Mitigation measures considered necessary to reduce a particular impact and improve integration.

The assessment followed the recommendations of current guidance with particular reference to the 'Guidelines for Landscape and Visual Assessment' produced by the Landscape Institute/Institute of Environmental Management and Assessment.

The significance of visual impact is determined by the degree to which the proposals will intrude into or obstruct existing views, and the extent to which this will affect the visual amenity of the townscape from the view.

A total of 14 principal views were selected for the analysis of visual impact. The significance of impact was quantified by the number of people affected by the scheme. When assessing the impact, the following factors were also considered:

- Proximity to the site and level of visual intrusion likely to be incurred through the development
- Number of people likely to be affected
- The scale of the development in relation to the overall context of the view
- The quality of the existing view and the degree to which this will change and
- The visual quality of the proposed development (after mitigation).

The sensitivity of views were classified into one of the following categories:

- **High:** Areas of Eastbourne that exhibit a very strong positive character with valued features that combine to give an experience of unity, richness and harmony. These include conservation areas, listed buildings, high quality public realm or landscape. These are areas that may be considered to be of particular importance to conserve and which may be particularly sensitive to change in general and which may be detrimental if change is dealt with inappropriately.
- **Medium:** Areas of Eastbourne that exhibit positive character but which may have evidence of alteration to/degradation/erosion of features resulting in areas of more mixed character. Again change may be detrimental if inappropriately dealt with but it may not require special or particular attention to detail.
- **Low:** Areas generally negative in character with few, if any, valued features. With scope for positive enhancement.

The significance of the impact in the assessment was classified into one of the following categories:

- **Substantial Adverse:** Where the proposed scheme will cause a significant deterioration in the existing view.
- **Moderate Adverse:** Where the proposed scheme will cause a noticeable deterioration in the existing view.
- **Minor Adverse:** Where the proposed scheme will cause a slight deterioration in the existing view.
- **Negligible:** No discernible deterioration or improvement in the existing view.

- **Minor Beneficial:** Where the proposed scheme will cause a noticeable improvement in the existing view.
- **Substantial Beneficial:** Where the proposed scheme will cause a significant improvement in the existing view.

A number of measures have been incorporated into the development proposals to reduce any adverse impacts of the development in relation to visual amenity. These measures which have been considered in the design process, blend the development with the surroundings and enhance the setting of the adjacent retail and residential properties.

### **Positioning of the Bulk Form**

The retail buildings have been constrained in height similar to that of the adjacent retail properties and to reduce the impact of the additional decks to the multi storey car park, which inherently are large volume buildings, they have been centrally located within the site and set back from the front of the existing car park decks below to reduce the impact to adjacent residential properties.

### **Variation of Roof Heights and Building Storeys**

In response to comments received as part of the pre-application consultations, the building heights on the principal facades have been contained generally similar to the adjacent three storey retail buildings. This is with the exception of the corner building adjacent to the railway station which is located at the gateway to the town centre and leaves the railway station clock tower as the principal focal point in the locality.

### **Appropriate Form, Materials and Design**

The design of the proposed buildings has been developed to fit comfortably with their surroundings. The proportions of the existing adjacent buildings will be respected to ensure that the new building contributes positively to the built environment of the Town.

The Visual Impact Assessment confirmed the following:

*'The proposed development will be located on land that will be cleared for redevelopment. The current environment is poor with virtually no landscaping or public open space. Individual retail buildings within the site do not relate well to one another. The bus interchange along Terminus Road, dominates this generally unattractive environment with dated facilities and shelters surrounded by secondary uses. The site has good capacity to absorb the proposed new buildings.'*

*The linear nature of the streets in the immediate vicinity of the study area means that the primary visual envelope is largely confined by buildings lining the surrounding streets.*

*The proposed development will be perceived within the context of a mixed-use town centre.*

*The proposed redevelopment presents a significant opportunity to improve the overall appearance of the town centre and create high quality spaces as well as enhancing the local appearance and character.*

*Creating high quality spaces as well as enhancing the local appearance and permeability of the site will strengthen the existing visual links as well as creating new views and a gateway to the town centre. In conclusion, the impact of the proposals on visual character as a whole is predicted to be substantially beneficial.'*

An **Economic Statement** has been submitted with the application which looks at economic and retail considerations having regard to the National Planning Policy Framework. The Statement confirms the following:

*'Any proposals for the development of main town centre uses (including retail) on the application site are subject to the policies contained within the National Planning Policy Framework (NPPF).*

*Considerable importance is placed by the NPPF in ensuring shopping facilities are provided in sustainable and accessible locations. Development in town centres is seen as the way of meeting these objectives and that development there has added benefits of helping to address social inclusion, employment and choice and competition issues too.*

*The approach to assessing the application proposal therefore starts from an overwhelmingly strong policy driven perspective of the need to reinforce the role of Eastbourne town centre in its ability to retain local expenditure; reduce the need to travel; provide a better range of facilities, especially for those without access to a car, in an accessible location; to reinforce the role of the town centre and thus contribute to its vitality and viability and, in terms of providing new employment and facilities, contribute to the wealth and prosperity of the area and its regeneration....the proposal is therefore entirely consistent with the 'town centre first' principle underpinning the NPPF.'*

The new retail units are anticipated to create approximately 650 additional full-time equivalent jobs, including managerial, supervisory, clerical/administration as well as shop floor positions.

In addition, the proposed development will include local employment initiatives and opportunities for training and apprenticeships will be formalised as part of a Section 106 Agreement to ensure 50% of local people and 50% local companies are given the opportunity to be involved in the proposal.

A **Transport Assessment** (TA) (including a Travel Plan) was submitted with the planning application and considers the highway and transportation issues raised by the proposals to extend the Arndale Centre.

*'The TA has examined all aspects of the transport implications of the proposals which include:*

- *Sustainable transport;*
- *Parking provision;*
- *Servicing; and*
- *Traffic impact of the development;*

*As the site is located in the heart of Eastbourne Town Centre, pedestrian access to the site is very good. The site also naturally benefits from excellent access to public transport facilities both bus and rail which will offer a viable and attractive alternative to the motor car which will encourage customers and employees to use sustainable means to travel to the development. The future cycle network proposed for the town also includes a new route adjacent to the development proposals.*

*Parking provision for the site has been carefully determined to ensure sufficient car parking is provided for the Arndale Centre and for its future extension proposals.*

*The proposed servicing provision for the extension proposals has been demonstrated to be adequate for the quantum of development proposed.*

*The report shows that the highway impact of the development proposals is negligible with the increase in traffic flows in the future being largely down to future traffic growth rather than the development. It is therefore considered that the proposed development does not have a material impact on the performance of the highway network.*

*While the proposed development is already highly sustainable and accessible to non-car modes of transport, a scheme is being promoted independently of the proposed development to further enhance the pedestrian environment along Terminus Road and improve public transport facilities. The scheme has been developed in consultation with bus operators and key stakeholders, including Performance Retail Limited Partnership (PRLP) and they are proposing a financial contribution to support the delivery of the scheme which shows PRLP's commitment to providing enhanced public realm, pedestrian and public transport facilities in the area to encourage trips to be made to the town centre by non-car modes of transport.*

*In light of the above, it is considered that there are no material highway and transport issues preventing the approval of the development proposals.'*

The **Framework Travel Plan** submitted with the application, sets out how the proposed extension to the Arndale Centre will encourage travel by alternatives to the car and the procedures that could be put in place to ensure that this target is met.

The Plan has demonstrated the high level of accessibility by sustainable modes currently enjoyed by the existing Arndale Centre.

An assessment of accessibility shows that the proposed development proposals are also highly accessible by sustainable modes. Frequent bus services are available in close proximity to the proposed development, making travel via public transport a viable alternative to the private car.

The intention is that a series of bespoke action plans will be formulated and implemented when units are fully occupied and the travel needs of the individual end users become apparent. What is therefore set out in the Framework Travel Plan is an outline approach that lists a menu of potential measures that the developer is willing to support and that would be capable of improving travel choice, delivering a reduction in car use, and reducing the need to travel.

These measures include the following:

### **Cycling**

The detailed Travel Plan could include measures such as discounted cycle and equipment purchase and information on 'cycle to work' schemes could be provided as part of employer welcome packs.

### **Public Transport**

As part of the proposed improvements to the pedestrian environment in Terminus Road, it is anticipated that real time information for trains and buses will be provided. In addition, the applicants will seek to ensure that employees and visitors have access to all relevant information concerning public transport choices available to them.

### **Car Share**

It is considered that the promotion of car sharing amongst employees could be a particularly beneficial measure. This could be promoted by stressing its benefits in terms of the environment and the cost saving to the individual. The uptake of car sharing can be encouraged via the following measures:

- Initiatives for employers to encourage car sharing by employees e.g. guaranteed ride home
- Provision of dedicated car share parking spaces

It is proposed that a travel survey will be undertaken within three months of occupation of each of the units in the new extension with monitoring survey/reports undertaken annually. The annual survey of site users will provide results and information relating to the effectiveness of current Travel Plan measures and will inform the need for additional or remedial measures to ensure future Travel Plan success.

An **Energy and Sustainability Strategy Report** accompanies the planning application and sets out the approach to energy and sustainability for the scheme. The retail element of the extension expects to achieve a BREEAM 'Very Good' rating for the shell and core elements, which accords with the Council's Sustainable Building Design Supplementary Planning Document (SPD).



A number of measures have been identified which will reduce the environmental impact of the development and improve sustainability and these are set out in the Strategy. This follows an approach of energy efficient design in the first instance prior to the consideration of low and zero carbon energy sources. It is intended that the development will seek to comply with future Part L of the 2013 Building Regulations CO2 emissions reduction, which has more stringent requirements to be met over and above the existing Part L requirements.

An appraisal for the potential for low or zero carbon energy sources has been undertaken. As a result of this appraisal it has been concluded that roof mounted renewable energy systems (solar thermal panels and photovoltaic array) could provide a contribution to energy demand if needed to achieve Part L compliance. As a result, the application denotes a provision of 1,500 square metres on the roof to be allocated for the future implementation of these systems, if required.

As part of the scheme design it is proposed that the central atrium will be a naturally ventilated, semi-exposed space as opposed to a fully air conditioned mall. This will result in significant energy and cost savings for the development throughout its operation. The building fabric will be designed to be energy efficient and will exceed Part L thermal performance.

The proposed car park deck extension, while not covered under Part L of the Building Regulations, will incorporate energy efficient design including low energy lighting and efficient ventilation fans, where necessary.

In order to help ensure the delivery of an overall sustainable development, an energy efficient fit-out will be encouraged by the developer. This will be established through the use of a 'green lease' with technical support provided through a tenant green fit-out guide.

Finally, Part L dynamic thermal modelling was carried out for a sample of units. The analysis demonstrated typical routes to achieve Part L 2013 compliance within the proposed base build using high efficiency plant and lighting design. This requirement will be made available to the tenant for inclusion within their fit-out specification.

**A Statement of Community Involvement** accompanies the application and confirms that extensive pre-application consultation took place with local people, Council Officers, Statutory Consultees and Councillors.

Consultation with key stakeholders involved the following:

- Presentation to Eastbourne Strategic Partnership (July 2011)
- Premier Business Club breakfast briefing - key Eastbourne public and private organisations (July 2011)
- Regular meetings have been held with Stephen Lloyd, MP for Eastbourne (November 2011, January and February 2012)
- A preview evening to the public exhibition was organised for stakeholders. Invitations were sent out and around 25 people attended

- Presentation to South East Regional Design Panel (November 2011)
- Presentation to Eastbourne Society (January 2012)
- Local Design Review Panel (February and July 2012)

There was also extensive media coverage, with regular press releases and articles in the local newspapers.

A public exhibition was held in the former Sony Unit at the Arndale Centre on Friday October 14 and Saturday October 15 2011. Members of the development team were present and were available to answer questions. Questionnaires were given out asking for feedback.

Visitors were asked to contribute names of stores they would like to see in the extension.

Two newsletters were produced to communicate the announcement of plans to tenants in July and the opening of the public exhibition in October.

Details of the exhibition, including plans, and the feedback form were added to the Eastbourne Arndale Centre website ([www.eastbournearndaleshopping.co.uk](http://www.eastbournearndaleshopping.co.uk)) with a new "Development" section added for updates.

More than 5,000 people attended the public exhibition and a total of 889 questionnaires were completed during and after the event.

- A majority of respondents (62%) said they visited the Centre at least once a week, with more than 21% visiting daily
- A total of 83% of respondents were in favour of the proposed extension to the Arndale Centre
- 60% said the proposed design of the extension was either good, very good or excellent
- More than 43% said an extension would increase their visits to the town centre and a further 11% said it would "probably" increase their visits
- Nearly 67% said they would prefer to see the extension covered rather than open air
- More than 72% said the new shopping area should not have a separate name
- Of those who provided additional comments about the proposal, the largest number (76) said they were looking forward to seeing the extension while the second largest (32) said existing empty shops should be occupied before any expansion took place.

The top five other improvements that respondents would like to see to the Centre were:

- more toilets (131)
- more seating areas(82)
- more cafes (39)
- improvement to general area (37)
- more/cheaper parking (35)

The scheme has responded positively to the majority of these comments as it will include areas of seating within the new mall, proposes food and drink uses and will result in significant improvements to the locality.

The top five suggestions for improving this area of Terminus Road were:

- improve and extend the pedestrian area (66)
- more greenery (65)
- cleaner town centre (63)
- improve the general appearance (46)
- improve bus stops, bus station and bus services (38)

The **Daylight and Sunlight Assessment** that has been submitted with the application assesses the potential daylight, sunlight and overshadowing impacts to the surrounding residential properties as a result of the proposals.

The assessment was carried out in accordance with current planning policies and the recommendations set out in the BRE guidelines.

The Vertical Sky Component daylight (VSC) assessment results show that of the 221 surrounding residential windows analysed, all exceed the BRE guidelines criteria by either continuing to receive at least 27% VSC or experiencing a ratio reduction above 0.8 times its former value.

The Annual Probable Sunlight Hours (APSH) assessment results show that all of the 173 surrounding residential windows that face within 90° of due south will continue to receive similar levels of sunlight in accordance with the BRE guidelines.

The overshadowing assessment shows that the surrounding amenity areas will continue to enjoy good levels of sunlight penetration throughout the year in accordance with the BRE guidelines.

Overall these findings show that the proposed development will have a negligible impact on the surrounding residential properties and their respective amenity areas.

The **Flood Risk Assessment** that forms part of the application confirms that the site is mainly in Flood Zone 1, with a small parcel of land to the south west corner being in Flood Zone 2. The existing car park is shown to lie in part, in Flood Zones 2 and 3.

The predicted flood levels modelled within the Level 2 Strategic Flood Risk Assessment indicate that the site would not be susceptible to flooding for both a 1 in 1000 and a 1 in 100 year occurrence, in its existing state.

Finished Floor Levels should be set higher than the predicted flood levels given by the Environment Agency. However, the existing on-site levels are at, or above, predicted flood levels, therefore new buildings will be set to tie in with existing levels, with minimum finished floor levels set above predicted flood levels.

It is considered that safe egress from the site, in the occurrence of a flood, could be safely managed from the site to the public highway and to higher levels.

The use of Sustainable Drainage Systems would be required to be incorporated into the design of the proposed surface water run-off for the proposed development, to be agreed with Southern Water. The use of soakaways is not considered appropriate due to building proximity.

Given the height of the proposed car park extension, it is anticipated that the proposed development can be achieved within the constraints and guidance relating to flood risk set out in the National Planning Policy Framework and accompanying Technical Guidance, and as required by Southern Water, with matters relating to detailed surface water drainage design, and Sustainable Drainage Schemes, safeguarded by planning conditions attached to any grant of consent.

An **Environmental Noise Survey** was submitted with the application. The Survey assessed the potential noise impacts of the building services plant, the car park deck extension and associated traffic growth on the nearest receptors.

A building services plant noise emission contribution limit of 34 dB(A) for the daytime and a 30dB(A) limit for the night time, is proposed in order to mitigate against any worst case Local Planning Authority criteria. The Survey considered that the potential noise increase as a result of the car park extension was unlikely to be perceptible. Furthermore, the noise impacts resulting from the traffic growth associated with the scheme was considered to be negligible.

A **Heritage Statement** accompanies the planning application which assesses the potential impact of the proposals against the heritage assets surrounding the site.

The designated heritage assets identified were the Railway Station, All Souls Church and Vicarage and the Eastbourne Town Centre & Seafront Conservation Area. Whilst the archaeological impacts of the application were considered within the report, they were not considered to be significant.

The Statement acknowledges that the existing buildings located on the retail element of the application site are considered to be of poor quality and make a negative contribution to the setting of the Grade II Listed Railway Station and have a neutral effect on the adjacent Conservation Area. It is considered that the proposed high quality extension to the Arndale Shopping Centre, which will replace these buildings, will enhance the setting of the listed buildings and the Conservation Area.

In addition, it was considered that the provision of the car park extension would not have any impact on the heritage assets given its location, as it would only be visible from a very limited area within the Conservation Area.

An **Air Quality Assessment** submitted as part of the application assessed the air quality impacts associated with the construction and operation of the proposed development.

The potential impacts of increased traffic emissions arising from the additional traffic as a result of the development were assessed in conjunction with the Transport Assessment findings. Impacts are anticipated to be negligible at most receptor locations and the overall air quality impacts of the development are judged to be 'insignificant'.

The Assessment recommends that mitigation measures should be applied during the construction phase to minimise dust emission, although it was noted that any effects will be temporary and will only arise during dry weather with the wind blowing towards a receptor. On this basis, the overall impacts during construction were judged to be negligible.

A **Construction Management Plan** accompanies the planning application and confirms the following:

### **Site Logistics and Security**

An area for the contractor to assemble the site compound will be agreed with the project team prior to start on site. As the build will be managed as a set construction sequence it is likely that the compound will be moved at least once and will be removed from site prior to completion of the build phase of the scheme.

The site will have a constant security presence throughout the works. This will include out of hours guards.

### **Traffic Management**

There will be no contractor parking on Terminus Road. The contractor will be offered the opportunity to apply for a temporary road closure order to allow parking in lane 3 of Ashford Road for deliveries during construction.

Directional signage will be utilised to indicate loading and unloading areas. All vehicle movements will be supervised by banksmen with appropriate barriers and warning signage.

### **Hours of Work**

Hours of external work will be restricted to 08:00 to 19:00 Monday to Friday. If work is required to be undertaken on a Saturday it will be restricted to between 08:00 and 13:00.

### **Waste Management**

The Contractor will be required to adopt a SMART Site Waste Management Plan prior to start on site. Skip locations will be restricted to within the site boundaries only.

The contractor will be expected to divert a minimum of 90% of waste from land fill.

### **Noisy Operations**

Noisy construction operations such as driven piles will be designed out as far as possible during the design phase of the project. All plant and equipment will be subject to strict noise restrictions and permit to work arrangements and will be carried out with due consideration to neighbouring amenities and/or facilities.

All compressors, drills and breaking equipment will be fitted with suitable silencers and mufflers.

### **Dust and Debris/Wheel Wash**

The Contractor will be required to implement measures to protect against dust and debris on site. Measures will include damping down at source to prevent dust. Vehicular access to site areas will be restricted and a robust wheel wash provided at the site exit to prevent transference of mud and debris to road surfaces. The Contractor will implement regular sweeping of the access road to prevent the migration of dust and debris onto roads and public highways.

### **Fumes**

Contractors will be required to provide and ensure all plant and equipment is of the latest design with low emission of fumes and CO<sup>2</sup>. Arrangements will be made to adequately vent exhaust emissions.

### Construction Sequence

### **An outline of the possible main elements of the Construction Process is as follows:**

- Site mobilisation including the installation of site accommodation and securing the site
- Vegetation clearance
- Demolition of the existing Terminus Road units
- Formation of overall site levels
- Substructure construction including piling and below ground drainage
- Superstructure construction including frame and slabs
- Roofing
- Cladding
- Formation of the internal walls to create the shop units
- Landlords fit out
- Handover to tenant
- Tenants fit out
- Car Park Construction will be completed at the same time albeit remotely from the retail element of the scheme. Temporary signage notifying the public that the top level of the car park is not operational would be included within the Construction Management Plan

Site accommodation will include welfare facilities including canteen facilities, WC's, tools and equipment storage and security. There will also be a site office for site staff and meetings.

The site hoarding will be a solid painted timber hoarding with portholes to allow viewing from off site if appropriate.

Formation of the site levels involves stripping of existing vegetation and top soil to reveal the earth below. This is then manoeuvred around site to create the desired cut and fill to suit the design. Again the minimum amount of waste is produced and the minimum amount of that sent to landfill.

The scheme is currently proposed to be piled throughout. The piling rig will be a Continuous Float Auger type (CFA) or similar which minimises noise and vibration throughout. Both steel and concrete are then delivered to site to create the physical foundations. Below ground drainage will also be formed at this time and connections to existing below ground drainage prepared.

The frame is erected next and this along with the slabs forms the main shell of the building. The roofing material is applied next along with the cladding. The internal walls are then formed from drylining and blockwork to create the internal layout of the scheme.

The extra decks required to the car park will comprise a steel frame structure with loads carried directly onto the existing columns.

A crane will be required to manoeuvre heavy materials to the top deck of the existing car park. Smaller plant at the existing deck level could then be used to manoeuvre the materials into place. The top level of the car park will remain closed where appropriate. As detailed above, signage will be provided to notify the public that the top level of the car park is not in use.

## Demolition Statement

Buildings will be demolished back to front allowing minimum intrusion onto the public footpath in Terminus Road. All previously mentioned damping down and site waste management will be in effect throughout.

Demolition is usually the most noise intrusive part of any project of this sort. Mechanical excavators and crushers will systematically break down the existing building into manageable pieces that will then be further broken down and separated by type ready for either removal from site or reuse within the new construction.

Prior to any demolition commencing a type three asbestos survey will be undertaken of each building. If asbestos is found to be present then an approved asbestos contractor will be appointed to deal with the matter accordingly.

All existing utilities serving the units to be demolished, will be isolated and safely terminated at a location agreed with the relevant utility provider. Any remaining services not diverted as part of the works will be clearly marked and made safe throughout the works.

As the proposed scheme does not include a basement there is no foreseeable requirement for large scale excavation within the site.

A **Geo-environmental Assessment** has been submitted as part of the application which considers the future development considerations for the Geo-technical and Geo-environmental disciplines.

The report sets out the site history and existing geology of the site and provides a number of recommendations which will need to be undertaken prior to development commencing. One of these recommendations is for a Flood Risk Assessment which as detailed above has been submitted with the planning application.

Intrusive site investigation will be required to confirm the geo-technical interpretation and contamination risk assessments, undertaken as part of this report. A UXO (unexploded ordnance) Desk Study is also recommended to determine the potential risk from unexploded ordnance, following Eastbourne's extensive bombing during the Second World War. Further asbestos surveys may also be required.

The general geotechnical risk is considered to be low to medium due to the possible presence of compressible ground in the Alluvial soils. The general risk of significant chemical contamination is also considered to be low to medium due to the location close to the railway station.

Finally, a **Waste Management Report** accompanies the application that sets out the current waste management strategy at the Arndale Centre and details how the extension proposals will incorporate this further. The Plan demonstrates how the extension will be designed to integrate with current facilities to ensure that future development can achieve the material recycling rates currently being achieved on-site.



## **Consultations:**

**English Heritage** has confirmed that the application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

**Natural England** has confirmed that the proposed development does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.

**The Highway Authority** has confirmed the following:

*'The Arndale Centre is located within the heart of Eastbourne town centre. It is located on Terminus Road which is the main shopping street within the town.*

*The proposed extension increases the floor area of the Arndale Centre by 10,600m<sup>2</sup> which represents around a 27.5% increase. The proposal also includes an extension to the existing car park adding 317 spaces.*

### **Site Accessibility**

*The section of Terminus Road immediately outside the application site has limited access for vehicles other than buses and is the location for the main town centre bus stops. There are five stops either side of the street which are served by virtually every bus service which operates within Eastbourne. The railway station is also located on Terminus Road and is adjacent to the proposed extension.*

*This part of the town centre is well located for pedestrian access from the surrounding residential areas, and pedestrians are well provided for within the town centre.*

*Eastbourne as a whole has a higher percentage of cyclists than the national average and the highest in East Sussex. This is partly down to the topography as large parts of the town are flat. There is also a network of cycle routes towards the east of the town, including National Cycle Route 21 (NCR 21). There are however currently no cycle routes within the Town Centre. East Sussex County Council is therefore currently implementing a scheme to provide a cycle route and this will encourage greater cycle use in the Town Centre.*

*The site is therefore in a prime location for access by all forms of sustainable transport. It is also well located for highway access, being adjacent to the Ashford Road section of the town centre ring road, and is served by its own car park.*

### **Transport Impacts**

*A Transport Assessment (TA) has been submitted as part of the planning application. Whilst agreeing the sustainable location of the site, the TA has concentrated on an assessment of the highways and parking impacts of the proposals.*

## **Highways**

*Prior to the submission of the application, discussions took place with the applicant's transport consultant (WSP) to agree aspects of the assessment, covering:*

- junctions at which traffic impacts are to be assessed*
- timing of the associated traffic counts*
- estimated additional traffic generated by the development proposed*
- future assessment years and 'background' traffic growth (not related to this development)*
- distribution and assignment of new traffic to roads within the town centre and on each of the main approach routes*

*A basic spreadsheet traffic model was developed by WSP, based on the above, which gave the traffic loadings at the assessment junctions for each of the existing and future assessment years. Standard junction capacity assessments were then carried out, the results of which are included in the TA. They demonstrate that, with the exception of the Upperton Road/Terminus Road/Southfield Road roundabout, all assessment junctions operate below capacity up to 2021. The Upperton Road/Terminus Road/Southfields Road roundabout will operate close to capacity in 2021. However, the development related traffic represents only a very minor increase over future junction traffic loadings without the development.*

*The results of WSP's assessments of the traffic impacts of the Arndale proposals are accepted.*

*The Arndale Centre is, however, not the only development site identified in the Eastbourne Town Centre Area Action Plan (AAP). Further areas for potential major development have been identified at the railway station car park, as well as a site in Southfields Road. Clearly if those sites are also developed they will also influence the number and distribution of vehicles within this part of the town centre.*

*The Highway Authority therefore carried out additional modelling and capacity assessment work to gauge the cumulative impact of all three sites identified in the Town Centre AAP. That assessment used the same methodology as the submitted TA. This additional work has concluded that most of the junctions considered will operate below capacity with all the developments up to 2021, including the Upperton Road/Terminus Road/Southfields Road roundabout.*

*However, the Upperton Road/The Avenue signalised junction is shown to be operating above capacity in 2021 taking all development traffic into account. The standard signals capacity assessment model cannot take into account the improvement to capacity that can result when traffic signals operate under MOVA control, and by far the most significant contributor to increased traffic flows at this junction are the two other TCAAP sites.*

*In conclusion, it would be difficult to justify the need for any measures to mitigate highways impacts at this, or any other, assessment junction in the town centre as a result of the impacts of the Arndale proposals alone.*

### **Car Parking**

*The Arndale Centre car park currently provides 696 spaces. The proposal increases this to 1013 spaces, an increase of 317 spaces.*

*The Transport Assessment argues that this increase is necessary to deal with peak Saturday existing demands (those parked in the Arndale car park), suppressed demands (those unable to be accommodated, in the existing Arndale car park resulting in queuing at the entrance), and also to provide for the new Arndale floorspace on the same 'queue-free' basis. The total calculated required number of parking spaces is 982.*

*The TA asserts that, because of relatively poor quality and/or location, the other car parks in and around the Town Centre have limited ability to serve existing and future parking demands associated with the Arndale Centre.*

*The application proposes a total of 1013 spaces at the extended Arndale, i.e. 31 spaces more than the number of spaces required to meet peak Saturday demands with no queues. This over-provision is stated to be a result of the additional parking being provided by building two additional floors on the existing car park, the layout of which effectively determines the size and layout of the new parking above.*

*The access to the car park is from Longstone Road and is controlled by two sets of barriers, at the base of the access ramp. At times, vehicles have to queue to get into the car park with vehicles sometimes backing up into Ashford Road.*

*This is caused mainly by the 'one car in/one car out' which operates at busy times, but part of the delay is caused by the entry layout/barrier system. Possible improvements to the entry layout/barrier system have been investigated by the applicant. Due to the ramped access to the car park and limited land available, it has been concluded that it is not possible to improve on the existing situation. However, this issue is a minor point compared to the provision of the additional space within the car park, which will reduce the occupancy levels and thus reduce queuing both at the entrance and within the car park.*

*The TA argues that the case for the proposed level of car parking at the site is therefore justified. Against that, it can be argued that there are already other car parks within the town centre which could be utilised and/or upgraded, and given the excellent accessibility of the site by sustainable transport modes, increased car parking is not so essential here as it might be elsewhere in the town centre. However, para 40 of the National Planning Policy Framework (NPPF) states 'Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure', and the proposals undoubtedly do that.*

*Whilst the proposals to provide additional car parking at the site go against the principles of encouraging sustainable travel, it is accepted that there is a case here to provide additional car parking to reduce occupancy rates. The increased car parking proposed would help to improve the quality of town centre car parking; would resolve the current issues of queuing at the existing Arndale car park entrance; and would provide sufficient additional car parking to cater for increased demand arising from the increased floorspace. However, they represent simply a continuation of the 'status quo' as regards modal choices for access to the town centre and, regrettably, do not attempt to influence those choices by building on the existing transport sustainability of the site to secure a more transport sustainable future.*

### **Deliveries and Servicing**

*The service area for the Arndale centre is located on the roof of the existing building. It is accessed from Ashford Road via a ramp, with the exit via another ramp onto Tideswell Road. There are no alterations planned to these accesses, which is acceptable as they have operated satisfactorily for many years.*

*The service yard will be extended to accommodate 5 additional loading bays for the extension which is deemed sufficient based on the information submitted.*

### **Cycling**

*Construction of the adjacent section of the town centre – Langney cycle route will be phased to take account if necessary of the construction of the Arndale extension.*

*It is proposed that cycle parking will also be provided at various points around the site including some on the highway in Terminus Road. Cycle parking facilities on the highway will be considered as part of the Terminus Road Improvement Scheme. The application must ensure that appropriate long term cycle storage is provided for staff along with shower facilities.*

### **Pedestrian Access**

*The existing pedestrian entrances are located in Terminus Road (2no.), Ashford Road and Tideswell Road. The proposal introduces a new pedestrian entrance in Terminus Road further west, towards Ashford Road and the railway station. This will improve pedestrian access to the site from the station.*

*A footway is shown along the Ashford Road frontage which scales at approximately 1.2m wide. At two points where the means of escape exit onto the street, the footway narrows to approximately 500mm. Whilst ideally this should be widened, it is accepted that Ashford Road is not a route many pedestrians will use and therefore, it can remain as proposed.*

*It is also noted from the drawings that along the Ashford Road frontage there are a number of doors which open outwards. If this area remains public highway then the design should be amended to prevent this as Section 153, Highway Act, 1980, specifically precludes this without agreement. If this area is stopped up then outward opening doors would no longer be a highway issue.*

## **Construction Management**

*A construction management plan has been submitted as part of the application. This covers a number of highway related aspects that will be affected during the construction. This does not go into enough detail due to the limited information available at the time of writing and therefore a separate Traffic Management Scheme must be submitted and agreed prior to demolition commencing. It is important that lorry routing is agreed as part of the S106. It is also important that the contractor rectifies any damage to the highway and therefore, the developer will be required to enter into a S.59 agreement.*

## **Travel Plan**

*A framework travel plan has been submitted as part of the application. This sets out the existing situation as well as a plan for establishing and implementing a travel plan once the development is complete. It also states the importance which the recently published National Planning Policy Framework places on Travel Plans. They are seen as a key tool which should be provided by all developments which generate a significant amount of movement.*

*The Travel Plan will need to be secured by legal agreement between the applicant and East Sussex County Council. In accordance with the TRICS SAM methodology, it must be monitored over 5 years (by independent traffic counts and surveys), targets agreed for reduced car use and additional measures implemented to ensure targets are met. A Travel Plan Audit fee of £6,000 will also need to be secured as part of the S.106 agreement to cover assessment of the Travel Plan and to assess the monitoring.*

## **Site Boundary**

*Part of the site boundary along the Ashford Road frontage is actually on land that is adopted public highway, as well as being owned, in part, by East Sussex County Council. The applicants should discuss the ownership with the County Council's Estates Department.*

*A stopping up order will therefore be required to remove the highway rights from this land and allow the development to go ahead. This being the case the order can most easily be obtained using the Town & Country Planning Act, 1990. An application would need to be submitted to the Department for Transport, National Casework Team, should planning consent be granted. This needs to be completed prior to any commencement of development. There shouldn't be any significant problems with this but the stopping up process typically takes 5 months. However, it can take up to a year if there are objections.*

*In order to progress this order a letter will be required from the Highway Authority confirming they do not object to the stopping up of this area.*

## **Terminus Road Improvement Scheme**

*Eastbourne Borough Council has been seeking improvements to this area of the town for some time. The proposed Arndale development adjacent to Terminus Road has given an impetus to bringing this proposal forward.*

*East Sussex County Council, Eastbourne Borough Council, Performance Retail Limited Partnership and the local Bus Operators have been working together to agree the principle of the improvements, with the benefit that these will help the local economy to thrive by encouraging more people to use public transport, walk and cycle to the town centre.*

*A number of alternative layout designs have been developed and considered which have resulted in a preferred layout. In broad terms this layout moves the majority of the bus stops from Terminus Road to Cornfield Road. This then allows the footways to be widened and a section of one way shuttle lane to be installed in Terminus Road.*

*These improvements would need to be designed and implemented prior to the opening of the new extension. A public consultation is likely to be needed on the proposals prior to implementation.*

*These works will be brought forward jointly by all parties. The cost of these works is likely to be largely met by East Sussex County Council with a contribution from the applicant. However, the final cost of the scheme is not yet known as the final design and material specification has yet to be agreed.*

### **Financial Contributions**

*The applicant is to make a contribution towards the Terminus Road improvements which will both help to encourage public transport use by creating a much improved public realm at this major public transport hub and, by increasing the attractiveness of the town centre, will benefit the local economy.*

*However, no other transport measures or contributions are proposed by the application. There is concern that the development is not making best use of the sustainable nature of the site, and is not promoting or proposing funding of measures designed to build on that.*

*Paragraphs 35 of the NPPF states that:*

*Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to*

- accommodate the efficient delivery of goods and supplies;*
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;*
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;*
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and*
- consider the needs of people with disabilities by all modes of transport*

*It is expected that a scheme of this size and type should reinforce its sustainable transport accessibility by providing and contributing towards off site improvements such as bus lanes on approaches to the town centre and cycle routes. This will be subject to negotiations on the S.106 if consent is to be granted.*

*The Highway Authority and the Borough Council would like to see real time signage in Eastbourne to inform drivers of the availability of parking spaces in the Town Centre car parks. This has a number of advantages such as improving traffic flow and reducing the need to drive around looking for a space. Given the reliance of the proposals on improved car parking facilities, a contribution towards the implementation of a Car Park Guidance System is appropriate. It is envisaged that this system will be implemented once further town centre developments have come forward and have also made contributions towards such a system.*

### **Conclusion**

*The Transport Assessment supporting the application demonstrates that there would be no unacceptable highway or parking consequences as a result of the proposed development.*

*However, it is regrettable that the proposal does not take full advantage of the existing transport sustainability of the site, and does not seek to build on that.*

*The proposals as submitted are acceptable to the Highway Authority only subject to the completion of a S.106 agreement covering:*

- *a financial contribution, towards the Terminus Road improvement scheme*
- *a financial contribution towards a Car Park Guidance System*
- *a Travel Plan, including an audit fee of £6000.'*

Finally, in the event that planning permission is granted, the Highway Authority has asked for the following conditions to be attached:

- parking areas to be provided prior to occupation of the development as a whole
- details of cycle parking to be submitted and approved
- Wheel washing facilities to be provided within the site
- A Traffic Management Scheme to be submitted and approved prior to demolition works
- A financial contribution to be provided towards the Terminus Road improvement works
- A financial contribution to be provided towards the implementation of a Car park Guidance System for the town centre.

The **Assistant County Archaeologist** has confirmed the following:

*'The proposed development is situated within an Archaeological Notification Area, defining an area of prehistoric finds and deposits. This activity appears to have been focused on the Bourne Stream (now culverted) which runs through this area. During the construction of Eastbourne Station in the 19th century,*

*Pleistocene deposits (sealed by clay deposits) were encountered which contained fossilized bones of Red deer and other animals. At the same time and apparently buried in a chalk marl deposit were later prehistoric and Roman finds, including two human burials. During building work in 1910 in Terminus Road a pair of Bronze Age copper-alloy axes were found at a depth of c. 3 metres. Although shallower archaeological deposits and remains are likely to have been heavily disturbed by modern building development, there is a potential that deeper buried deposits, especially important Pleistocene remains, will have survived which may be impacted by the new development proposals. In the light of the potential for loss of heritage assets on this site resulting from 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, disturbed during the proposed works, to be adequately recorded. These recommendations are in line with the requirements given in the NPPF (the Government's planning policies for England):*

*141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. I would therefore ask that the following condition be applied to any planning permission that is granted in respect of this application:*

***No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the local planning authority and the works shall be undertaken in accordance with the approved details.***

***Reason: To enable the recording of any items of historical or archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within the NPPF.***

*In furtherance of this recommendation, we shall be available to advise the applicant on how they can best fulfil any archaeological condition that is applied to their planning permission and to provide a brief setting out the scope of the programme of works.*

*It is expected that the written scheme of investigation will confirm the action to be taken and accord with the relevant portions of the East Sussex County Council document Recommended Standard Conditions for Archaeological Fieldwork, Recording and Post-Excavation in East Sussex (Development Control) (2008) including Annexe B.'*



**East Sussex County Council's Development Contributions Co-ordinator** has confirmed that with reference to a) the Eastbourne Borough Plan saved Policies (2007) and the Submission Eastbourne Plan – Core Strategy; b) the County Council's adopted Supplementary Planning Guidance: 'A New Approach to Development Contributions'; and c) the Community Infrastructure Levy Regulations 2010 as Amended and the National Planning Policy Framework (NPPF), the proposed development would not give rise to needs for contributions towards the provision of additional County Council service infrastructure, other than highways and transport.

**The Council's Principal Planning Policy Officer** has confirmed the following:

**'Introduction and Principle of Development**

*The general description of and justification for the proposal in the Planning and Retail Statement are noted. The applicant states in paragraph 3.1 of its Planning and Retail Statement that "The purpose of the proposed development is to provide an extension to the existing Arndale Centre which will secure the enhancement of Eastbourne Town Centre as a retail destination". This approach is consistent with the aims and objectives of Eastbourne Borough Council.*

*The principle of this type of development in this location is strongly supported and accords with the Council's Corporate Plan and Community Strategy as well as with existing and emerging planning policies. The provision of additional retail floorspace in Eastbourne's Town Centre is consistent with the National Planning Policy Framework, and the development plan (comprising the South East Plan and the Saved Policies in the Borough Plan). It is also consistent with the emerging policies set out in the Core Strategy and the Town Centre Area Action Plan.*

*In planning policy terms, the proposed scheme is considered an appropriate design response to a key gateway site in a prominent Town Centre location. Furthermore, and critically, the additional retail floorspace will help deliver many of the regeneration aims and objectives sought by the Council. The scale of development is considered appropriate given the site's location in the Town Centre, close to existing shops, services and facilities, and the railway station/bus interchange. It responds well to its setting and does not negatively detract from the prominent railway station clock tower landmark. It also relates well to the existing Arndale Centre and this extension will provide a seamless extension that provides increased permeability and additional access opportunities in this part of the town centre. It provides an efficient use of land and will deliver an appropriate design response to an under-utilised site. It will also help to improve the quality and attractiveness of the Town Centre enabling Eastbourne to compete more effectively with other retail centres at Brighton and Tunbridge Wells.*

*This Planning Policy response has assessed the proposal against each of the relevant planning policy documents and these have been considered in turn.*

**National Planning Policy Framework (NPPF)**

*The National Planning Policy Framework sets out the Government's policies for England. Paragraph 211 of Annex 1: Implementation states that for the purposes of decision-taking, the policies in existing plans "should not be considered out-of-date simply because they were adopted prior to the publication of [the] Framework". Paragraph 212 of Annex 1 does, however state that "the policies contained in [the] Framework are material considerations which local planning authorities should take into account from the day of its publication".*

*Paragraph 215 of Annex 1 states that "due weight should be given to relevant policies in existing plans [i.e. the South East Plan and the Eastbourne Borough Plan] according to their degree of consistency with this framework (the closer the policies in [these plans] to the policies in the Framework, the greater the weight that may be given)".*

*Paragraph 216 states that "decision-takers may also give weight [unless material considerations dictate otherwise] to relevant policies in emerging plans [such as the Core Strategy and the Town Centre Area Action Plan] according to" the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.*

*The NPPF states that a "presumption in favour of sustainable development" should be seen as a golden thread running through both plan-making and decision taking (paragraph 14). The NPPF also sets out twelve core principles that should underpin decision-taking.*

*Whilst paragraph 23 of the NPPF is specifically related to local planning authorities drawing up Local Plans, it does provide key guidance on the role of town centres, which it states should be recognised as being at the heart of their communities (and it requires local planning authorities to "pursue policies to support their vitality and viability". The proposed extension to the Arndale Centre will help to ensure the role of the town centre is at the heart of the community and help to promote a competitive town centre that provides customer choice and a diverse retail offer.*

*Paragraph 24 of the NPPF requires local planning authorities to "apply a sequential test to planning applications for main town centre uses...They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered". The sequential test makes it clear that the preference for town centre uses should be the town centre and the application site is consistent with this being located within the town centre in a very accessible location, close to the railway station and bus interchange. It can therefore be concluded that the proposed extension to the Arndale Centre is consistent with the NPPF.*

### **The South East Plan**

*Whilst the Government has announced an intention to revoke regional strategies, at the time the planning application is being determined, the South East Plan remains part of the development plan for Eastbourne and is therefore*

*a document that should be considered in the determination of this planning application. The South East Plan sets out a regional strategy and hierarchy of centres.*

*Policy TC1: Strategic Network of Town Centres identifies Eastbourne as one of twenty-two Primary Regional Centres across the South East. The South East Plan states that these (and twenty-seven additional Secondary Regional Centres) will be the focus for large scale developments.*

### **Eastbourne Borough Plan (2001-2011) Saved Policies**

*The Borough Plan, which was adopted in September 2003 and partially rescinded in September 2007, continues to form part of the development plan.*

*The application site is identified on the Borough Plan Proposals Map Town Centre Inset Map as being within the Town Centre and consequently subject to Policies TC1, TC3, TC12 and TC14. It is also within an area identified as being identified for a Mixed Use Scheme at the Western End of Terminus Road (Policy TC5), and within the Town Centre Shopping Area: Primary Shopping Area (Policy TC6).*

*Policy SH1: Retail Hierarchy is a key policy in ensuring a vital, viable and sustainable hierarchy of shopping centres that meet the needs of the Borough. It seeks to discourage further out-of-centre retail development and recognises the Town Centre at the top of the Borough's retail hierarchy. This approach represents a highly sustainable solution to Eastbourne's retail requirements. The Town Centre's position in Eastbourne's retail hierarchy will help deliver Shopping Policy Objective 2 (page 100), which seeks "To support and promote the Town Centre as the primary location for retail development".*

*Town Centre Policy Objective 1 on page 108 seeks "To maintain and encourage the development of retail uses so that the Town Centre remains a major shopping destination". The proposed scheme will assist in ensuring that this objective is successfully achieved.*

*Paragraph 10.22 recognised that additional retail floorspace was needed in Eastbourne's Town Centre and stated that "Preliminary work undertaken on behalf of the Council suggests that the best location for additional retail floorspace in the longer term is the western end of Terminus Road between the existing Arndale Centre and the Railway Station...It is the purpose of this Plan to establish the planning policy framework for the proposal to ensure that any scheme [for an extension to the Arndale Centre] can be well integrated and enhance the existing Town Centre and include a public transport interchange, which is regarded as an essential component."*

*Policy TC5 states that "planning permission will be granted for a mixed-use development, including additional retail floorspace, residential and leisure elements at the western end of Terminus Road". The proposed application will successfully deliver additional retail floorspace and could be supplemented with residential or leisure elements in the future. In light of the policy context, the scale of development is considered appropriate given the site's sustainable location in the town centre and close to the railway station and bus interchange as well as existing shopping facilities.*

*The proposed development would involve the demolition of several units in Primary Shopping Area (PSA) A (11-57 Terminus Road). Table 1: Town Centre Shopping Areas and Acceptable Proportions of Frontages in Non-A1 Uses states that the proportion of non-A1 uses should be "no more than 30%". However, the proposal would see the existing A1 units replaced with new A1 units of a significantly higher standard and whilst there would be an initial loss of retail units during the demolition phase, the resultant development would significantly enhance the retail offer in this locality.*

### **Submission Core Strategy**

*The Core Strategy, whilst not yet formally adopted, is now at an advanced stage in its preparation and should therefore be afforded some weight in the determination of this planning application. The proposed scheme is consistent with the Submission Core Strategy, which supports retail development in this location and identifies the broad location on the Eastbourne Key Diagram (page 17) as a Key Area of Change adjacent to the railway station and bus interchange.*

*Paragraph 1.1.5 recognises the key role that Eastbourne's Town Centre plays. It states that "The Town Centre is an important retail and services destination serving Eastbourne and its surrounding hinterland. The Town Centre regeneration offers an opportunity to achieve a series of new high-quality developments...".*

*The Eastbourne Shopping Assessment Volume 1 is a key document that was prepared to "enable the Council to fully understand how the sub-regional shopping market operates in order that strategic regeneration and planning policies can meet the shopping needs of existing and future populations" and to form part of the evidence base for the Council's emerging Local Development Framework (LDF)". Paragraph 5.7 of the Shopping Assessment noted that whilst Eastbourne is represented by multiple retailers, most of these serve the middle and lower end of the market. Paragraph 5.14 concludes that "there is continuing demand for space in Eastbourne town centre". The findings of the Shopping Assessment influenced the Council's strategic approach to the future retail needs of the Borough. A new high quality design response provides an opportunity for Eastbourne to attract a wider range of retailers.*

*Paragraph 1.3.4 of the Submission Core Strategy states that "The Town Centre is currently under-performing relative to many other similar sized towns" and that "There is considerable potential for increasing its retail offer". The proposed development provides an excellent opportunity to address this issue and enhance the town's retail offer helping it to compete more effectively with other shopping centres in the sub-region such as Brighton and Tunbridge Wells.*

*The proposed scheme is consistent with Key Spatial Objective (KSO)2: Spatial Growth and Key Spatial Objective (KSO)3: Town Centre Regeneration. KSO2 seeks to deliver new shopping opportunities and states there will be an increase in the shopping floorspace in the town centre to ensure that Eastbourne remains an attractive place to visit. KSO3 seeks "To strengthen Eastbourne's Town Centre as a leading sub-regional shopping and leisure destination". The*

*extension to the Arndale Centre will provide opportunities to enhance Eastbourne's role as a leading sub-regional shopping destination.*

*Policy C1: Town Centre Neighbourhood Policy seeks to achieve the Town Centre Vision of ensuring that "the Town Centre will maintain its status as a sustainable centre by maximising its economic potential and attract more shoppers, workers, residents and visitors...". It aims to strengthen the retail offer through new retail development, expand the quality and range of public transport provision, improve the quality of the public realm and maintain a diverse range of services and facilities. The extension to the Arndale Centre will significantly strengthen the existing retail offer and the associated public realm improvements will enhance the urban environment in this part of the Town Centre.*

*Figure 2 Town Centre Key Diagram identifies the development site as being within a broad area identified as a Major Retail Development Opportunity adjacent to Eastbourne railway station and the bus interchange. This confirms that the site has been identified for future retail development.*

*Paragraph 3.2.6 identifies the main ambition for the Town Centre as being "to strengthen and regenerate the area to maximise its economic potential and attract more shoppers, workers, residents and visitors". It states that "The retail offer will be strengthened by delivering new retail development and enhancing links between different areas of the town centre". It also notes that "Parts of the Town Centre suffer from a poor quality public realm and [that] there is an opportunity to improve these spaces to make the environment more attractive for pedestrians and shoppers". The proposed scheme delivers new retail development helping to enhance linkages between the railway station and the bus interchange.*

*Policy D4: Shopping states that "Development of the Town Centre's role as the primary comparison shopping destination within Eastbourne and its rural hinterland will be promoted by:*

- Protecting larger units – particularly in the primary shopping frontages – from subdivision or change of use*
- Ensuring that new retail development:*
  - Makes a positive contribution to improving the Town Centre's viability and vitality;*
  - Supports the creation of a comfortable, safe, attractive and accessible shopping environment;*
  - Improves the overall mix of land uses in the Town Centre; and*
  - Strengthens the town's independent retail offer, and improves the integration between the primary shopping area and the seafront."*

*The proposed scheme responds well to emerging Policy D4. The application has ensured that the presence of A1 units is preserved on the key Terminus Road frontage. The design creates an all-weather safe and attractive shopping experience, which will complement the Arndale Centre's existing facilities and provides new retail opportunities to help Eastbourne compete more successfully with other shopping centres.*

**Submission Town Centre Area Action Plan (TCAAP)**

*Following extensive consultation, the Town Centre Area Action Plan (TCAAP) was submitted to the Secretary of State on 31<sup>st</sup> January, 2012 and is scheduled to undergo formal examination later this year. The policies contained within it may therefore be afforded some weight in the determination of this planning application. The TCAAP provides a key document that seeks to assist in the regeneration of Eastbourne's town centre. It provides detailed site-specific advice setting out the broad parameters of the type of development that would be considered acceptable on the application site.*

*The Vision for the Town Centre states that "By 2027, Eastbourne Town Centre will be a place that attracts more shoppers, workers, residents and visitors to spend more time enjoying a vibrant and varied offer and mix of uses in a well connected series of attractive streets and public spaces". Increasing investment in the town will bring wide-ranging benefits and will allow Eastbourne to respond effectively to this vision.*

*The Arndale Centre is identified in Figure 1 as being within the Primary Retail Area (Policy TC4) and within a Development Opportunity Site (Policy TC18). It is also identified in Figure 2 as being within the Retail District Character Area and adjacent to a gateway into the town centre. It is therefore a key location for new development and one that, given the site's prominent location, will make a positive contribution to people's experience and perception of the town.*

*Policy TC2: Town Structure identifies a series of key approaches, gateways, streets and public spaces, which will collectively help to achieve a more legible town centre structure. Paragraph 3.15 identifies the railway station and the public transport interchange on Terminus Road as being a key gateway into Eastbourne. Paragraph 3.16 states that "Gateways must positively announce arrival into Eastbourne and create a welcoming first impression of the Town Centre through the design of the public realm and the character of the surrounding built form".*

*Paragraph 5.9 identifies the application site as being within Development Opportunity Site One (the area focused on land at the junction of Terminus Road and Ashford Road). The site is considered to offer significant potential to:*

- Expand retail capacity and consider complementing it with other uses such as office space or apartments on upper floors;*
- Establish a stronger retail focus and built form improving the quality of the overall environment;*
- Enhance links to the independent retailers along Grove Road and South Street through improvements to the public realm; and*
- Contribute to increasing the capacity and quality of the public transport interchange in Terminus Road.*

*Paragraph 5.10 states that "Proposals should take the form of a comprehensive redevelopment scheme that links into and extends the Arndale Centre." The proposed scheme is considered to accord well with the principles set out in paragraphs 5.9 and 5.10 on the basis that it expands the existing retail capacity, establishes a much stronger retail focus and significantly enhances links in this part of the Town Centre.*

*Policy TC18: Development Opportunity Site One is an important emerging policy that identifies the Council's aims for the development site. It sets out a series of key development components that should be incorporated into proposals for the comprehensive redevelopment of Development Opportunity Site One. These include the inclusion of active frontages, important corners providing a local landmark, a mix of uses, good pedestrian access, servicing and vehicle access, parking and public realm improvements.*

*The proposed scheme maintains the existing active frontages on Terminus Road and at the Ashford Road junction and is therefore consistent with Policy TC18. The majority of the Ashford Road frontage is given over to service areas. The Policy also states that "Servicing and vehicle access will be provided from Ashford Road or shared with the existing facilities for the Arndale Centre". The scheme accords with this principle.*

*Policy TC18 states that "Storey heights [at Development Opportunity Site One should] range from 3 to 5 storeys above street level with height increasing towards the corner of Terminus Road and Ashford Road". The proposed scheme has adopted this principle in its design and placed the tallest element of the development at the edge of the site on the western boundary at the junction of Terminus Road and Ashford Road. The scheme recognises the important corner at the junction of Terminus Road and Ashford Road and provides a landmark design that whilst providing a unique contemporary design that takes its form from Eastbourne's coastal heritage does not detract from the railway station clock tower as the principal focal point.*

*Whilst Policy TC18 requires A1 uses providing new retail facilities, it also considers A3 restaurants and cafes at ground floor level and B1 (a) offices, C3 residential and D2 assembly and leisure above the ground floor to be acceptable uses. The proposed scheme is consistent with this providing a combination of A1, A2, A3, A4 and A5 uses at ground floor and first floor levels.*

*Policy TC18 also requires a new pedestrian route to be "established through the site linking into the existing Arndale Centre" and the proposed scheme helps deliver this providing a new glass-covered walkway linking the existing Arndale Centre with Terminus Road, close to its junction with Ashford Road.*

### **Developer Contributions (Section 106)**

*East Sussex County Council will advise on Section 106 contributions towards its infrastructure requirements as part of its formal response to this planning application. In addition, it is proposed that the applicant will provide a financial contribution towards public realm improvements that are to be sought alongside the proposed extension to the Arndale Centre. The precise level of developer contributions will be agreed through discussions between the applicant and the case officer.*

### **Conclusions**

*Having assessed the planning application in detail, Planning Policy concludes that the principle of development is consistent with the National Planning Policy Framework, and the development plan. It is also consistent with the emerging*

*planning policies set out in the Submission Core Strategy and the Submission Town Centre Area Action Plan.*

*The scale of development and the provision of additional retail floorspace is entirely appropriate and accords well with the Council's aims and objectives for the Town Centre. The proposal will provide additional retail floorspace and assist the Council in strengthening Eastbourne's Town Centre helping it consolidate its position as the primary comparison shopping destination in Eastbourne and its rural hinterland.*

*The proposed scheme will provide increased choice for residents, visitors and tourists to Eastbourne providing an enhanced range of shopping opportunities and will assist the Town Centre in competing more effectively with other centres at Brighton and Tunbridge Wells. The site has already been identified as under-utilised and one that would benefit from regeneration opportunities and the proposed scheme responds well to the site providing a design that utilises the land efficiently and effectively.'*

**The Council's Economic Development Manager** has provided comments on the following matters:

- Increased retail floorspace supporting business and tourism
- Improving Eastbourne's trading position and maximising the economic potential
- Impact on employment, for both construction and retail
- Section 106 Agreement, formalising recruitment and use of local labour
- Signposting of other town centre areas

*'The increase in retail floorspace is seen to provide an excellent opportunity to expand the general retail offer, with suitable new accommodation for larger brand names and individual traders. This proposal will improve significantly the offer for residents and tourists and with the use of upper floor levels maximise the comparison retail offer.*

*The result of the expansion will be a stronger retail offer, also improving the quality of the overall environment, with links to the transport gateway. It is seen that the dwell time within the town will be improved by the added offer, which in turn benefits all areas of trade within the town. The proposal is in line with recommendations made by the Mary Portas Review.*

*The extra space will generate new jobs within the construction industry and 200 roles in the retail sector. By working in partnership with Activating Eastbourne (AE), the opportunities for training and apprenticeships will be formalised under the Section 106 legal Agreement in association with AE partners, and ensure 50% of local people and 50% local companies are given the opportunity to be involved in the proposal. Local in this situation means Eastbourne, Sussex and Kent.*

*Using the standard Section 106 Agreement recently applied to Morrisons, we would look to monitor the terms with the employment of a Monitoring Assistant, and seek the sum of £5k from the developers to fund this role. Ideally this*



*assistant role would be based in the Arndale Centre to maximise opportunities for partnership working and recruitment situations.*

*The development will greatly enhance the principal trading positions and nearby Little Chelsea, plus improving the public realm. This in turn creates a safer environment to visit and live. Signposting of areas such as Grove Road, South Street, Seaside Road and Seaside should be encouraged within the Arndale to promote the smaller retail offers which in turn complement the larger brand names.*

*In summary, this application is totally supported in Economic Development terms, and is seen to provide a shopping experience which places us on a level playing field with such towns as Brighton and Tunbridge Wells, and which supports the NPPF desire for town centre growth.'*

**The Council's Retail Consultant** reviewed the submitted Design and Access Statement and Planning and Retail Statement and raised questions regarding the following:

- The growth rate of per capita spending on comparison goods and the likely completion date for the proposed extension
- The demand for new retail floorspace and the impact on the town centre

In response to the questions raised, it is considered that the growth rates identified in the Shopping Assessment are realistic.

Whilst not a requirement to demonstrate retail need it is considered that there is sufficient capacity to support the proposed development and ensure that its delivery by 2016 would not result in a significant adverse impact on Eastbourne Town Centre.

The retail units that are currently vacant in the town centre fail to meet the needs of modern retailers. They are on the whole too small and have inappropriate layouts and are therefore unable to accommodate the larger retail units that the town centre is currently lacking.

The proposed development will draw expenditure currently directed to facilities outside the town centre. It is anticipated that an improvement in the retail offer as proposed will also assist in enhancing the current market share of the town centre.

This increase in market share will not only lead to an increase in capacity, but the improved attraction of Eastbourne Town Centre as a retail destination will also have spin off benefits for existing businesses within the town centre, through increased footfall and linked trips.

Similarly, the strengthening of the town centre could also increase demand and attraction for further retailers to be represented in the town centre. This would, in addition to the increase in market share and increased footfall, have the effect of reducing the level of vacant floorspace within Eastbourne Town Centre.

It is therefore considered that the proposed development will have a positive impact on the town centre's long term vitality and viability, and that there would be no significant adverse impact on other neighbouring centres, in accordance with relevant planning policy.

**The Council's Conservation Consultant** has confirmed the following:

*'Terminus Road is bounded along its southern side by the Town Centre and Seafront Conservation Area which wraps around the boundary of the proposed redevelopment site up into Ashford Road, encompassing the grade II listed Eastbourne Railway Station. Terminus Road is the principal shopping street, providing access to the existing (and proposed) Arndale Centre. Ashford Road has become a major traffic route, swinging northwards around the back of the Arndale Centre and leading traffic through the town centre towards the eastern parts of Eastbourne. These comments are therefore chiefly concerned with the effect of the proposed redevelopment on Terminus Road, the adjoining Conservation Area, and the setting of the listed station. This was built in 1886 to the designs of F D Banister and is a fine example of Victorian Gothic style, with a prominent clock tower which acts as the principal focal point in views along Terminus Road.*

*Apart from the station, the principal historic buildings which will be affected by this proposal are a group of 19<sup>th</sup> century locally listed buildings (Nos. 63-67 and 71-113 Terminus Road) further eastwards along Terminus Road. However, these are set back from the street behind historic ground floor shop frontages, so their impact on the street scene is muted. Otherwise, this part of Eastbourne is characterised by very mixed development of several main building periods, including the mid to late 19<sup>th</sup> century, the Inter-War period, and from the 1950s/early 1960s onwards. The buildings sit on the back of the pavement with a common building line and this provides some cohesiveness although the ages, wall materials, details and roof finishes are varied. These buildings are two or more usually three storeys high, with regularly arranged front facades, usually with a strong vertical emphasis which is provided by the use of sash windows. Roofs are often concealed by parapets. Of note are the various well designed mainly late 19<sup>th</sup> or early 20<sup>th</sup> century banks (Lloyds, NatWest – which is locally listed – and HSBC) which are located on prominent corner sites and which make a major contribution to the streetscene. These are quality buildings with strong rooflines which were clearly designed to impress and in all cases 'turn' the corner satisfactorily. Barclays Bank, located next to the eastern end of the Arndale Centre, is a 1950s building of some merit – very tall, Portland stone clad, and carefully detailed. Whilst it is not on a corner, it is a key focal building along this side of Terminus Street due to its size and quality elevations. However, there are also a number of further mid 20<sup>th</sup> century buildings, including the buildings to be demolished, on both sides of Terminus Street (i.e. both within and outside the Conservation Area) of very limited architectural value. I therefore have no objection to the demolition of the buildings which stand inside the redevelopment site (but outside the Conservation Area) subject of course to a satisfactory scheme for their replacement.*

*The current scheme proposes two/three storey facades facing Terminus Road with simply glazed shopfronts below white rendered walls which are enlivened*

*by timber slate details and perforated steel panels. The overall effect is relatively restrained and continues the existing Arndale elevations satisfactorily. A new entrance to the shopping mall has been provided facing Terminus Road, which cannot be located on the corner with Ashford Road (which might have been the logical place) because of the need to provide new shops on both sides of the new mall.*

*As a result, the proposed corner building facing the listed railway station has no evident function part from acting as an 'eye catcher' to draw shoppers into the adjoining mall. The architects have, after a series of different designs, now provided a dramatic cut-away corner with slightly angled walls and parapets, which are punctured by a V-shaped inset of curtain walling. Irregularly-shaped shop windows sit on either side, with a plinth of Forticrete blockwork which continues around into Ashford Road. Here, the treatment is different as the elevations are not shopping frontages, so a framed system has been specified which is again very simple.*

*The proposed corner treatment is unusual and I can understand why there has been some local criticism of this particular element of the scheme. However, I consider that on balance, and with some minor amendments, the listed station clock tower would remain the dominant feature in views from the east and west along Terminus Road. There is no reason why an honest, modernist approach cannot work in this sensitive location, even where the proposed new building sits so close to such a fine listed building as the station. The success or otherwise of these proposals depends on the work being of the highest possible quality with suitable materials and robust detailing which will withstand the maritime location. I would therefore like to suggest some minor changes which could make the scheme more acceptable and which would still provide the developers with the corner feature they want. These are:*

- *Keep the cut-out but make the parapet height consistent and about one metre above the height of the proposed parapet facing Terminus Road*
- *Ensure that the walls are vertical (the drawings suggest that they lean out, although the plans do not appear to confirm this)*
- *Make the shop windows square*
- *Consider the use of coloured render rather than white for this element of the scheme*
- *Move the signage around the corner onto the Terminus Road elevation*

*It may not be possible for commercial reasons, but there is also an opportunity for the cut-out to reveal the shopping floors behind, rather than being opaque, which will strengthen the draw of shoppers into the mall.'*

In response to these comments, the applicant's architects have made the following changes to the design of the corner feature:

- The corner feature has been opened up
- The ground floor shop front on the corner feature has been recessed to create more space

- The overall height of the parapets has been reduced, so that it is the same height on both sides and the height of the shop front glazing has been increased slightly
- A vertical setback has been added which creates a more subtle break, but follows the same design language as the rest of the Terminus Road façade. This has also allowed the shop front glazing on the Terminus Road frontage to be increased
- The areas for signage have been reduced in scale and the location has been revised
- The scale of the corner feature has been reduced by extending the Kingspan panels along Ashford Road towards the corner. Colour has also been introduced to the underside and the inner face of the projecting walls to add interest and help articulate the undercroft walkway

**The Council's Conservation Officer** has confirmed the following:

*'The proposed Arndale extension is located on the boundary of the Town Centre and Seafront Conservation Area and also impacts upon the setting of three listed building, All Souls Church (Grade II\*) and Vicarage (Grade II), and the Railway Station (Grade II).*

### **Current Site**

*The land west of the Arndale and bordered by Ashford Road and Terminus Road is currently occupied by a rear service area, as well as a row of 1960s shops and the Gildredge Pub which front Terminus Road. In respect of its impact on the heritage assets within the area, this area does not help to better explain the significance of the asset and does not provide any positive contributions to the setting of the Conservation Area or listed building. Therefore there are no conservation concerns with regards to the redevelopment of the site.*

### **All Souls Church and Vicarage**

*The impact of the Arndale development on the setting of the two listed buildings is considered to be limited in its effect. The church's immediate surroundings are terraced residential properties, roughly 2-2 ½ storeys in height which enclose the site. This enclosed space means that there are limited views out from the listed buildings beyond its immediate setting. However one key view from the front of the Church is between 42 and 44 Susan's Road, where the Arndale car park is clearly visible. From this vantage point, the proposed development consists of the addition of 2 levels on top of the current car park. However, this extension is set back from the front section of the current building, which actually results in the extension having a greatly reduced impact on the view from the listed buildings.*

*Furthermore, a key characteristic of the church is its prominence among the smaller residential properties making it a significant statement within its setting. The increase in the car park, however, is not considered to have any bearing on*

*the significance of the church, as it is a considerable distance away from the church and will not be seen in close connection to it. Therefore, there are no conservation concerns with respect to All Souls.*

## **Railway Station**

### **Car park**

*In respect of the setting of the building the main concern is the circulation core, which projects a further 6m above the current maximum height of the building; this is needed for all the lift mechanisms and will be a considerable addition to the building. However with the re-development along Ashford Road the views out from the train station will be limited, as the new elevation will greatly reduce the angles from which the circulation core can be seen. Therefore, there are no conservation concerns with this aspect of the design.*

### **The Gateway**

*The key focal point of the listed train station is the prominent clock tower set against the bulk of the main building. This is an important consideration and key feature within the streetscape.*

*The proposed gateway to Terminus Road is very modern in design and construction. The focal point is the two slabs that form a crevasse in filled with glass. This is positioned at a very prominent junction, which requires a statement piece for its location. One concern was the increase in height of the new building, and if this was to have an adverse effect on the setting of the listed structure, especially on the prominence of the clock tower, a key element in the building's design.*

*A further assessment of the area does show that the properties on the other corners of the crossroads onto which the Gateway is to face have a similar height to the new entranceway. Furthermore that due to the urban environment of Eastbourne Town Centre, the station will only be viewed against the new build from limited view points. The distance between the two properties at the crossroads, does help to provide some perspective when viewed together from the Grove Road end of Terminus Road. It is considered that this will help reduce the visual impact of the gateway on the setting of the listed building.*

*Therefore with regards to the setting of the listed building it is considered that the new development will not have an adverse effect upon its setting.*

### **Ashford Road Elevation**

*Ashford Road elevation is much plainer than the Terminus Road facade. The section of the station affected does have an attractive canopy, but is fairly functional in its use and has no significant relationship, in terms of design or interaction/use, to the other side of the road. Therefore the proposed design is acceptable.*

*Furthermore, historically this area had been residential housing with some storage and work sites, which were positioned up to the edge of the streetscape.*

*Therefore the development following the full extent of the site along Ashford Road is acceptable with regards to the listed building.*

### **Town Centre and Seafront Conservation Area**

#### **Ashford Road Elevation**

*As stated above, this site currently acts as a service area for the rear of the shops along Terminus Road and the Arndale Centre. Its use is extremely functional and in its current form, it is not a positive, visual and aesthetic contributor to the setting and appearance of the Conservation Area.*

*In the new proposal this section of the design has little activity occurring along it, with only service doors adding any detailing. It has, however, been broken up using the vertical and horizontal detailing. The horizontal detail is created through the finish on the upper levels of the building, while the vertical lighting details help to break up the units along this blank and extensive façade, providing some variety to the design of the building.*

*In its current form this area does not preserve or better reveal the special qualities of the Conservation Area. The historical connection between the station and this area of Eastbourne has been lost for many years and the new development helps to improve the aesthetic connection between the site and the station and it visually improves this section of the road.*

#### **Gateway**

*The proposed gateway is located on a prominent corner at a crossroads within the Conservation Area, although this corner is outside the Conservation Area, the other three are within it.*

*The current building does not help to enhance the setting of the Conservation Area, as it does not provide the necessary impact for this location. It instead looks fairly weak in comparison to the other prominent buildings at this junction. Therefore, the proposed gateway will help to make the statement required but will be within the scale and scope of the other buildings in this area. It will provide a modern twist to the design but keep the stature required for the location.*

#### **Terminus Road**

*Terminus Road elevation, helps to provide the traditional shop frontages, although with a modern design. This will help to retain the urban shopping character of the town. Therefore this does not raise any conservation issues.*

#### **Materials**

*It is appreciated that the materials proposed for the Arndale, are considered to provide a dramatic and very different statement to the traditional materials already used within Eastbourne as well as link the development back to the previous Arndale structure with the use of white, to reflect the concrete entrance seen further down Terminus Road.*

*A sample of all external materials should be provided to ensure that the materials are acceptable and that they work together within the environment.*

### **Conclusion**

*In conclusion, it is considered that the proposed redevelopment of the land west of the Arndale Centre and bounded by Terminus Road and Ashford Road to allow for the redevelopment of the Arndale Centre is acceptable on conservation grounds.*

*It has a limited impact on the setting of All Soul's Church and Vicarage and the Railway Station. The improvements are also considered to have a positive impact on the adjacent Conservation Area. The extension to the car park does not greatly impact on the setting of the heritage assets either.*

*Therefore with respect to the designated assets and their setting, the redevelopment of the Arndale is considered to be acceptable on conservation grounds.'*

**The Eastbourne Society** has confirmed the following:

- It welcomes the extension to the Arndale and congratulates the developers on their imaginative proposals.
- It will improve Eastbourne's shopping offer for residents and visitors.
- In general the modern style is acceptable.
- However the Society strongly objects to the design of the building on the corner of Terminus Road and Ashford Road, which is directly opposite the Grade II Listed Railway Station building and corner Clock Tower. The proposed building would have a '*demeaning*' effect on the listed building, which is 'an outstanding example of a provincial railway station'. The proposed building also borders the Town Centre Conservation Area.
- The main reasons for the concerns are:
  - the building is too high and should be reduced in height so that the Clock Tower is the dominant feature on this junction. With the present proposal the Clock Tower would merge into the new building.
  - the design of the corner building '*is most unattractive – indeed ugly*'. It should be redesigned and should pay respect to the listed railway station. At the moment it is conflict with it.
  - Pleased that unattractive Gildredge Pub is to be demolished, but believe it should be replaced with a sympathetic building which could echo the original Victorian Gildredge Hotel. Alternatively a modern, well designed and well proportioned building could enhance this important corner site.

In response to these comments, the applicant's agents have confirmed the following:

*'It is not the intention of the scheme design to provide a pastiche Victorian elevation. In any event the architectural style is quite mixed in this location. The proposed design seeks to provide a modern contemporary approach to the Town Centre with reference to Eastbourne's heritage.*

*The corner element is intended to be a distinctive and dramatic architectural statement. The overwhelming majority of the public, evidenced in the Statement of Community Involvement document support the approach taken. Notwithstanding this position, the design has been revisited following the DRP feedback. The corner feature has been altered by amending the angled step to a clean vertical setback, levelling the height of the corner feature flanks, opening up the width with a recessed ground floor shop front to create more space and improve visibility to and from the station.'*

**The Council's Arboricultural Officer** has confirmed that there is a landscaped area adjacent to Ashford Road, which was completed as part of the original Arndale Centre development. The trees include Ash, Pine and Maple, which screen and soften that aspect of the existing building. The trees would have to be removed to facilitate any construction.

There are no Tree Preservation Orders relating to the trees.

There is a mature Whitebeam on the highway footpath, although the tree could be protected during any demolition works, it is considered that requirements for utility services and the construction would lead to the removal. The tree was last inspected in March 2012 and although works are required, the tree has a reduced safe life expectancy due to the restricted root growth. Therefore as a result of the limited arboricultural and landscape value associated with the landscaped area there are no objections to the loss of the trees.

**The Council's Environmental Health Officer** has no objections to the proposed development subject to conditions being attached to any grant of consent relating to site investigations to deal with any potential contamination and to restrict the noise associated with any plant or equipment.

The **Conservation Area Advisory Group** considered the application at their meeting on 17 May and confirmed their full support in principle for the extension of the shopping centre. However they raised concerns regarding the design of the corner of the extension and its relationship with the railway station and recommended that the design should be amended to respect the listed building and to soften the impact upon it.

The **Disability Involvement Group** has asked why Shopmobility had not been allocated space in the proposed extension. The Group has stressed that this service is currently well used in Eastbourne and that petitions had been sent to the applicant stating the need for the scheme.

The applicant has confirmed that the existing subsidised Shopmobility facility will not be lost in the new proposals and will continue in its current location.

Prior to the submission of this planning application, draft proposals were presented to the **South East Regional Design Panel (SERDP)** in November 2011. The Panel acknowledged that it was a key project at the heart of Eastbourne and welcomed the opportunity to see it at an early stage before the design was finalised.



The Panel supported the proposed environmental strategy but considered that more needed to be made of the civic opportunity that such a large investment represents. In particular the chance to secure lasting improvements to the public realm and to enhance the townscape with high quality architecture. In addition, it was considered that the setting of the railway station and the experience of visitors arriving by train made the junction treatment especially important.

Regarding 'Context', the Panel confirmed the following:

*'The Arndale is apparently trading successfully and has recently been refurbished. There are no plans for redevelopment. There is however a perceived shortage of larger shop units in the Centre and in the town as a whole; the proposed western extension will remedy this deficiency and help to maintain Eastbourne's competitiveness. The site has been identified in the Eastbourne Area Action Plan as a Development Opportunity and the scheme will be accompanied by various improvements to the public realm.'*

*'The Centre is in a pivotal position between the east and western halves of the town. The site of the proposed extension is triangular, with Ashford Road to the north west, Terminus Road to the south and the existing Centre to the east. None of the existing buildings are of high quality but the apex of the triangle faces Eastbourne station, a notable Victorian landmark and a busy pedestrian crossing point. This is a key location in the town and provides an opportunity for a point of emphasis, not yet realised in the scheme.'*

*'The area to the south and west of Terminus Road is a conservation area and the railway station is listed Grade II.'*

With reference to 'Design Principles' the Panel confirmed the following:

*'The design approach is in line with the Area Action Plan; a new shopping arcade linking into the old centre but with a new entrance on Terminus Road. There will be shopfronts along Terminus Road and the corner of Ashford Road, forming a continuous active frontage. Services and deliveries will be from the existing first floor service deck on Ashford Road and the height of the development will be in line with the buildings on Terminus Road. From the material we saw we think the bulk and scale is about right but this needs to be tested in context. It may be worth looking at several options, through a series of massing studies that will examine the design in key views, including the railway station and the unfolding views along Terminus Road.'*

In response to these comments the architects undertook a Visual Impact Assessment, details of which were included in the Design & Access Statement

The comments the Panel made regarding the Ashford Road elevation are as follows:

*'The biggest challenge of the scheme, recognised by the architects, but to our mind not yet resolved, is the Ashford Road frontage. This is a well used route and the treatment of the buildings will be an important part of the perceptions of Eastbourne. It also faces the canopies of the listed railway station and deserves*

*to be a positive part of the townscape. Whilst we accept that it will not work as a shopping frontage and that the shops in the arcade will be looking for a secure 'back of house' area, we think that the design needs to reach out much more to its surroundings and if a screen is unavoidable it needs to be well handled at each end. Planting or public art may play a part in softening the impact, but they should be fully part of the design and not simply used as a veneer. Further thought might also be given to making this frontage more permeable and pedestrian-friendly.'*

In response to these comments, the architects have confirmed that *'a restricted palette of material is proposed to the length of this elevation which faces the listed station building producing a simple and repetitive stepped elevation to the rear of the retail development, mimicking the rhythm of the adjacent structure.'*

With regard to the 'Public Realm' the Panel stated that:

*'The scheme is being developed alongside improvements to the public realm, which are being led by the County Council and with active support from the bus operators...every effort should be made to ensure that the retail scheme and the public realm improvements are fully integrated and are of the highest calibre. This needs to go beyond the design of the shared space in Terminus Road and should also include Ashford Road and especially the crossing by the station to improve one of the main thresholds to the town centre. A comprehensive lighting strategy will be needed and there are opportunities for public art in the surfaces and street furniture as well as through the architecture.'*

In response to these comments, the architects have confirmed that *'they agree that the co-ordination of the proposed improvements to Terminus Road is integral to the success of the scheme. Hoare Lea has produced a Lighting Report which outlines our preferred strategies.'*

Regarding 'Architectural Considerations', the Panel confirmed the following:

*'The scheme has not yet been designed in detail and the elevations and perspectives we saw are indicative. They do however convey a lightness and simplicity that looks promising and will serve as a foil to the individual shops. As part of the architectural development it would be productive to look at the general character of Eastbourne and perhaps draw on its distinctiveness without resorting to imitation. The curved corner facing the railway station will need particular care as it will be the first building to be seen by many Eastbourne visitors. This is a key corner site and potentially, an element of some distinction. The scheme needs to be fully resolved at this point as it could become an important architectural feature for Eastbourne on one of the main road intersections in the town centre. The selection of glass and the transparency of the units during the day and night will also be key considerations.'*

In response to these comments the architects have confirmed that *'particular attention has been paid to this elevation and a number of design development appraisals have been carried out with subsequent design panels and the local authority.'*

Finally, the Panel considered the sustainability of the scheme and confirmed:

*'We welcome the comprehensive approach being taken in the environmental strategy and note the team's aspiration to achieve a BREEAM rating of Very Good or Excellent. We especially endorse the commitment to passive design, minimising the reliance on building technology to save energy and other resources, and the intelligent use of daylight and natural ventilation.'*

Prior to this planning application being submitted, pre-application proposals were also considered by the local **Design Review Panel** in February of this year.

The presentation brought up the following questions:

- The Ashford Road elevation had an abstract quality that suggests the creation of an environment that is hostile to pedestrians on a street that is already more of a 'road' than a 'street', with high vehicle speeds and repeated incidents of traffic accidents involving pedestrians. Was there scope for the scheme to improve this and contribute to traffic calming rather than relating to the scale and speed of vehicular traffic?
- What were the proposed materials for the Ashford Road elevation?
- Could it be designed to have a more human scale?
- How will penetrations in this elevation be handled (fire escape and sub station)?
- Why do the Ashford Road elevation, the corner building and the elevation to Terminus Road employ such varied architectural languages?
- Why does the corner building employ dramatic architectural elements that suggest the importance of an entrance, when this is simply a shop window?
- What environmental strategies have been considered in the design process?
- Should there be an arrival point at the corner building?

The main points in conclusion, drawn from the discussion around the questions raised were:

Panel members agreed that their comments would address the way in which the draft scheme had responded to the concerns raised by the South East Regional Design Panel (SERDP) and to this end the comments focus on the quality of the public realm that is proposed and how the proposed architecture of the elevations impacts on this.

**Terminus Road** - Panel Members supported the design rationale for the location of the main entrance to the new mall. They were also supportive of the calm architectural language of the external envelope of this element of the scheme. They felt that it appeared more resolved and coherent than other sections of the scheme at this stage.

**Corner Building** - Panel members felt that it was too assertive and dominant in relation to the Terminus Road elevation and did not link convincingly to either of the adjoining elevations. Additionally, its relative importance in the general urban hierarchy should be considered (i.e. shop window as opposed to railway station or main mall entrance).

In response to these comments, the architects have confirmed that *'this elevation has been subsequently reviewed and a fundamental change to the proposed material of the building has successfully linked the elevations from Ashford Road to Terminus Road.'*

**Ashford Road** - Panel members felt that this was the least successful element of the scheme. The questions raised above about this part of the scheme remained unanswered. Panel members were concerned that this elevation reinforces the way in which the Arndale Centre has tended to present itself as a barrier between the east and west parts of the town centre. Its architectural expression in the current scheme as a blank wall alongside a fast road, offers no possibilities for any meaningful relationship between the flank of the Arndale Centre and the street/railway station. Panel members acknowledged that the full solution to this may be beyond this scheme alone, but felt strongly that there was an opportunity for this problem to be addressed, that should not be ignored.

In response to these comments, the architects have confirmed that *'Ashford Road is currently the services area and rear of the centre with no active frontage, this hierarchy is still maintained within this proposed scheme however it forms a coherent and functional elevation while improving the perimeter treatment of the building. By day the predominantly silvery step façade form contrasts with the darker blockwork plinth which addresses Ashford Road, by night the lighting behind the stepped walls transform the building as it glows and the coloured light emits a sense of occasion in the context of street lights and passing headlights.'*

With reference to the comments concerning pedestrian safety, accident records show that the speed of traffic was not felt to be a contributing factor in the majority of cases. Most of the accidents have been at the Terminus Road/Ashford Road junction as opposed to in Ashford Road itself, often involving pedestrians crossing the road. Alterations to this junction will take place as part of the wider Terminus Road improvement scheme which will help to make the area more pedestrian friendly and reduce the conflict with vehicles.

In conclusion, Panel members felt that there was a lack of architectural coherence between the three elements of the building. They were encouraged by the proposals for the elevations and public realm in the Terminus Road part of the scheme and felt that the architects could develop a coherent architectural language, which extends this to the rest of the scheme and at the same time helps to create better relationships between the centre and its context. Panel members felt that the design of the scheme in general, and the Ashford Road elevation in particular, would benefit from an integrated approach to the design of the built form and its relationship with public and semi public spaces; landscaping; and structural planting.

In response to these comments, the architects have confirmed that *'as previously mentioned, this has been considered further and we now believe that the change in cladding from a rain screen to a render finish creates a coherent response and relationship between centre and context.'*

A revised scheme was presented to the **Design Review Panel** on 2 July.

The architects used the following three elements of the building in order to outline the changes to the scheme from that previously reported to the Design Review Panel:

- The design of the Terminus Road entrance/elevation
- The design of the corner building at the junction of Terminus Road and Ashford Road
- The design of the Ashford Road elevation

The main points drawn from the discussion following the presentation were:

In general it was felt that the scheme had changed very little from that previously presented to the Panel and as such the comments of the Review Panel were very similar to those given at the pre-application stage.

**Terminus Road:** Panel members once again supported the design rationale for the location of the main entrance to the new mall. They were also supportive of the calm architectural language of the external envelope of this element of the scheme. They felt that it appeared more resolved and coherent than other sections of the scheme and as such is a more successful architectural response to the scale and appearance of the site and surrounding area. The stated intention to achieve a high standard of design and choice of materials for the public space in Terminus Rd was supported, but it was unclear to what extent this ambition is actually achievable.

**Corner Building:** This part of the scheme was raised as problematic by the Panel at the previous presentation and there was a general feeling that no significant changes had been made since then to improve it. While understanding the architect's wish to make a building that acknowledges its location on a prominent corner, Panel members felt that the proposed design was unduly expressive in its form, in relation to the more calm and urbane Terminus Road elevation. At the same time they felt that its plain rendered elevations, with the large scale that results from the proportions of the openings and surfaces, could appear rather harsh and unrefined in relation to the architecture of the station building.

It was explained to the Panel that the needs of retailers had driven the design decisions that had determined the layout of the building. This has led to a scheme with no possibility of an entrance on this corner and indeed no windows on the Ashford Road elevation. In spite of this, the resulting design presents a corner element that looks very much like a major entrance, and Panel members felt that the architectural consequences of the functional constraints placed on the architects had not been resolved in the scheme. Given that the corner of the building has no meaningful relationship to the street beyond it being a shop window, the Panel felt that the assertive and attention-seeking architectural language was inappropriate and did not take advantage of the opportunity to create good new architecture in this prominent location.

Panel members felt that an opportunity had been missed for the building to interact with the street on this corner. Panel members also felt that the colonnade did not serve any architectural purpose, but that there may be some

merit in linking a colonnade or canopy to the Terminus Road part of the scheme.

Panel members acknowledged that the advertising is to be dealt with by a planning condition. However it was considered that given the prominence of the building, any advertisement or signage on this part of the building will need to be handled sensitively as a part of the general architectural approach and as such should be considered and evaluated at the pre-decision stage of the development.

**Ashford Road:** Panel members felt this was an equally unsuccessful element of the scheme and that the questions raised above about this part of the scheme remain unanswered. Panel members were concerned that this elevation reinforces the way in which the Arndale Centre has tended to present itself as a barrier between the east and west parts of the town centre. Its architectural expression in the current scheme as a blank wall alongside a fast road, offers no possibilities for any meaningful relationship between the flank of the Arndale Centre and the street/railway station. Panel members acknowledged that the full solution to this may be beyond this scheme alone, but felt strongly that there was an opportunity for this problem to be addressed, that should not be ignored.

This element of the scheme, given its large constructional elements, results in a form of development that is not responsive to the human scale and as such is likely to result in an inhospitable environment that is dominated by the motorcar.

In conclusion, Panel members acknowledged the wider aims and ambitions for the town to have a town centre that has longevity and can compete with other similar centres within the region. Against this background they were supportive of the principle of an extension to the Arndale extension. However in the Panel members views there remained a number of issues that needed addressing prior to a recommendation being made on the scheme.

Panel members felt that there was a lack of architectural coherence between the three elements of the building. They were encouraged by the proposals for the elevations and public realm in the Terminus Road part of the scheme and felt that the architects could develop a coherent architectural language, which extends this to the rest of the scheme and at the same time helps to create better relationships between the centre and its context. The Panel felt that a building that is designed to take into consideration its relationship to and impact on the surrounding physical and social context might in the long term better serve the needs of potential lessees.

In response to the Panel's comments, the applicant's architects have confirmed the following:

*'The corner feature acts not only as a beacon for the centre but also as an important gateway statement on arrival to Eastbourne. We have considered carefully the Panel's suggestions but felt that on balance a distinctive and dramatic architectural statement is appropriate in this location, in particular as this view is shared by the overwhelming majority of the public. Having said this we have revisited and refined the detail aspects of our solution. We have*

*developed and presented a number of options for the corner unit that investigated ways to make the unit appear less like an entrance to the scheme, however, the latest comments suggest that the narrowing of this feature detracted from the overall image, and that pulling it back to the original distance apart was preferable.*

*We have opened up the corner feature again to a more comfortable width (although not to the extent shown on the original planning drawings). We feel that it now represents a good balance between the original design intent, and practicality.*

*We have recessed the ground floor shop front on the corner feature to create more space and improve visibility to and from the station.*

*We have reduced the overall height of the parapets, adjusted the height to the same level to both sides and slightly increased the height of the shop front glazing.*

*We had followed the suggestion that the angled step back in the Terminus Road elevation should be removed, but felt that this had left this area somewhat bland and in need of relief.*

*We have added a vertical setback which creates a more subtle break, but follows the same design language as the rest of the Terminus Road façade. This has also allowed us to increase the shop front glazing on Terminus Road frontage.*

*We have indicated areas for signage, reduced the scale and revised the location. We will be exploring further options for this element.*

*In addition to the specific suggestions made by the Design Review Panel we have reduced the scale of the corner feature by extending the Kingspan panels along Ashford Road towards the corner. We have also introduced colour to the underside and the inner face of the projecting walls to add interest and help articulate the undercroft walkway.'*

### **Neighbour Representations:**

A total of 751 letters were sent out to local residents and businesses within the vicinity of the application site, as a result of which 10 representations have been received.

The following comments have been made by four Eastbourne residents (received online and by email):

- Having been born in Eastbourne and lived in the Eastbourne area for 30 years this year, am keen to see an improvement to the provision of retail within the town centre.
- There are both positive points and areas of improvement within the current proposal.

- **Need/Demand** - believe there is a significant demand for greater retail provision through an extension to the existing Arndale Centre and this would be a great benefit to the town provided it is of a design that compliments and improves the material fabric of the town, pedestrian flows across the town centre and is not detrimental to the existing small, locally owned businesses within the town.
- **Location** - agree with the suitability of the location of the current extension and that regeneration of this area would provide improvement to the character of the town.
- **Design** - the internal street frontages and Terminus Road retail units proposed provide a high quality streetscape and general improvement to the character of the area. The proposed cut steel cladding is the only aspect of this area of the development which detracts from this improvement as it is rather dated in it's design and use and reflects the former 1980's Drummond Centre in Croydon (now redeveloped as Centrale). Consideration should be given to other materials. The wooden slatted cladding is a good feature.
- The Ashford Road frontage is very bulky, enclosing, overwhelming and has too much mass for it's setting next to the grade II listed railway station. It is currently perceived as a very bulky grey mass. Although the nature of the future use of the site means that in order to maximise land use a substantial wall would be needed on the frontage. Consideration should be given to breaking the mass up with false or real windows, public art or, to increase sustainability, a planted living wall similar to that at Westfield London.
- **Setting of the listed railway station** - the use of residential features such as false windows in the Ashford Road frontage would improve the setting and make reference to the area's previous use as residential before the development of the current Arndale Centre. Consideration should be given to the benefits an iconic heritage building with listed status can bring to a new development when contrasted well with the new design, while linking some features along with potential new views from the new development of the station through feature windows or a roof terrace café. A roof terrace cafe, such as that overlooking St. Paul's Cathedral, at One New Change in London can also provide a USP attraction for the new centre and the town.
- The gateway feature provides a good contrast with the current buildings in the area including the listed railway station and London & County pub. It is a unique statement feature although it is currently very masculine and angular in design and may be better received and more visually appealing if it was more curvaceous.
- In general, the planned development is supported, although there is the potential for improvement to the design in order to ensure the building is a benefit to the town in 20 years time and not just the short term.
- Eastbourne is in great need of quality retail space in order to compete with other seaside towns.
- Some possible suggestions for the reorganising of bus services within the town centre to compliment the proposed regeneration plan could include the following:
  - Pedestrianising Terminus Road between Ashford Road and Cornfield Road.
  - Closing Ashford Road beyond side access to railway station and Junction Road.



- Agreeing with rail authority for use of land alongside platform 3 at Eastbourne station combined with Ashford Road at the side for a 5/6 lane width bus & train interchange. The rail authority already allow taxi and rail replacement bus services into the site at side of platform 3.
- Revert Gildredge Road from rail station to Lushington Road for two way traffic.
- Lushington Road to become one way from Gildredge Road to Cornfield Road to complement existing one way on South Street.
- Close exit and access on Hyde Gardens at Gildredge Road making new turn across central reservation for traffic to access both sides of Hyde Gardens.
- Access for existing parking from Cornfield Road.
- Buses from Trinity Road would be required to use South Street and Gildredge Road to access station.
- Possible Benefits – Terminus Road between Ashford Road and Cornfield Road would have an improved environment; improved continual pedestrian footfall between Ashford Road and Bolton Road; it would be more attractive to retailers and the public; improved public transport interchange and buses would have continued access to town centre
- Disbenefits – cost of changes; would require rail authority agreement for land use and interchange; residents in Lushington Road likely to oppose one way but with road width existing parking could remain; buses required not to stand/wait recovery time at interchange as in Terminus Road at present.
- Support proposed plans to extend the Arndale Centre. The town centre needs some vast improvement and the crumbling façade of buildings are not nice for anybody to witness when entering the town centre.
- It is excellent news when companies want to invest in our town even when the economic times are difficult. This will make a huge difference as Eastbourne needs to compete with other towns. It is ideal with the Town Centre being located close to the seafront and will surely be excellent news for our town bringing in more visitors. In order to do this it is crucial that the Arndale extension goes ahead to attract new shops and major retailers. These larger retailers will bring footfall to the town centre and therefore increase the business for smaller units featured both in and outside the Arndale. Eastbourne needs to attract these big names to trade here so that it can keep ahead of its competitors and not lose vital customers. Eastbourne needs a thriving hospital, thriving businesses and a thriving town centre. Approval should be given for this planning application.
- It has been a great sadness to see the gradual decline of the town centre shopping facilities including the Arndale Centre as it has fallen behind the standards expected and needed by both residents and visitors to such a wonderful and special town.
- The £70M extension of the shopping centre is not just a hugely welcome development, it is absolutely vital to the future of Eastbourne. It will bring us up to a standard, which will be a match for anywhere in the UK. It will also help to ensure that the tourism, which is so crucial to the health and prosperity of Eastbourne, today and in the future, is safeguarded and enhanced for visitors and residents alike. It truly merits the commitment to our future, which the development represents and everyone should wholeheartedly support it.

- It can also make Eastbourne a town of choice to move to on the south coast, thereby helping to attract new residents. This in turn will attract new businesses, which will increase employment opportunities and the case for improvements to the rail and road links to the town.
- Please drop the 'Arndale' name and take this chance to give the new shopping centre a fresh and exciting name, brand and image, which would act as an additional attraction to the town.

One letter has been received from the occupier of a property in Ashford Road, who represents all of the residents immediately behind the Arndale Centre car park and the comments made can be summarised as follows:

- Shopping centres are usually sited outside towns and not at their very centre. Eastbourne is not built to cope with a higher influx of shoppers and cars, more appropriate to semi-industrial suburbs like Hampden Park.
- Even more small businesses in surrounding streets will be put out of business, adding further to the loss of Eastbourne's small scale character which is part of its attraction.
- Eastbourne's enduring economy rests on its nature as a seaside resort and its character for visitors will be further spoiled by the development. We should build on the increase in home seaside holidays and support small businesses.
- Already have serious misgivings about the safety of the car park building, since some of the parts are slipping and it would be unwise to structurally add two floors.
- The car park is already underused and it is doubtful that added capacity would be taken up.
- Working from home will be difficult with building work going on. The car park is four yards from the back wall of the tiny gardens of properties in Ashford Road and properties are overlooked on all four sides.
- Two further floors will cut out even more light.
- Already subjected to carbon monoxide emissions and alarms going off.
- Already vulnerable to opportunistic burglaries and trespass from people climbing over the back wall.
- Want assurances regarding cover for accidental damage to properties from building works; an increase in opportunistic crime and damage to the health of residents.
- If the development proceeds it would result in disturbance from the building works which means washing will gather dust and dirt; due to the noise, will be unable to use gardens; the micro-habitat for birds and pets will be disturbed and many residents work night shifts and have to sleep during the day.
- Also object to the potential loss of the historic character of the town.
- If development does proceed, the working hours should be restricted (8:00 – 5:00) on weekdays only with half hour breaks at 10:00 and 3:00 and one hour break at 12:00; the back wall of properties should be built two feet higher and rates should be waived. In addition the right is reserved to issue a blight notice, as life will become intolerable not just during the building works but afterwards, permanently.

In response to these comments, the applicant's agents have confirmed the following:

*'It has been demonstrated that there will be no negative traffic impact on Eastbourne as set out in our Transport Assessment (March 2012). Evidence suggests that the car park causes queuing on the highway during peak times, the additional car parking will address this issue.*

*The car park is set back from the top level of the existing car park and the impacts of noise and light have been assessed within the planning application as part of the Environmental Noise Survey (March 2012), Daylight and Sunlight Assessment (March 2012) and Lighting Design Concept Assessments (March 2012). Appropriate mitigation measures have been identified in these reports where necessary and will be provided.*

*All building work will be subject to a Construction Management Plan which will regulate working hours and operations which would mitigate against any perceived impacts on neighbouring properties.'*

A letter has been received from Sussex Downs College on behalf of a number of students and the comments made can be summarised as follows:

- Overall the students are really positive about the proposed new development and are very keen that young people's views contribute to shaping the town centre.
- They would like to see retail and other apprenticeships offered within the new development which would motivate young people to become involved in their community and offer them to undertake a qualification whilst earning a wage.
- They would like to see vacant shop units in the town centre used for attractive displays.
- They would like to see more seating areas.
- The students are really keen to encourage cutting edge shops to Eastbourne and would like the range of shops to reflect the variety of interests across the whole of the town's population and believe *'we now have a 'once in a generation' chance to develop Eastbourne into a town that provides opportunities for their future.'*

Representations have also been received from the occupiers of four business premises in Terminus Road, that are within the application site and the comments made can be summarised as follows:

- **Highways** - the proposed development intends to increase the existing multi-storey car park from 696 spaces to 1056 spaces - an increase in car traffic of over 50% with no improvement to the access and exit from the car park and no improvement to the surrounding road network. The car park is currently accessed along Longstone Road and then exiting is along Tideswell Road, both of which are residential roads with on-street parking. To increase traffic in such a tightly confined area will have an impact on the surrounding road network and make Eastbourne a town clogged with cars as the Government are promoting sustainable developments. This area of the town is currently struggling with even the current capacity of traffic that the retail centre generates and at busy times the queues of stationary traffic block the surrounding road network. With no thought as

to improvements in flow for the suggested increased traffic it would create utter chaos in the surrounding area. As an existing retailer in the town any increase in travel issues into the centre would irrevocably damage not only repeat shoppers opinions but also that of the holidaymakers that are the lifeblood of the area.

- Along with the proposed increased car traffic there will also be an increase in lorries and vans delivering to the Centre and the proposal makes no improvement for the access for these additional large vehicles or upgrade of the surrounding road network. Any development of this scale should take into consideration the traffic impact on the surrounding area but this proposal only intends to increase the number of car park spaces and improve the size of the service yard. The plans clearly demonstrate that there will be a significant increase to the traffic in the centre of Eastbourne but there are no plans to improve the surrounding road network. The development will therefore create further traffic problems for Eastbourne and should therefore be refused.
- **Design** - the proposal will bring the development much closer to Eastbourne station, a Grade II Listed building. The design takes no consideration of the surrounding nature of the area and in no-way tries to compliment the design features of the station but instead provides a building of an ultra modern design which would not be in keeping with the area.
- Can see no need for such an increase in retail space. With the economic climate as it is, would the new space be filled and if so at what cost to the existing retail area outside of the centre? There are currently many units vacant in Eastbourne and to provide such a large scale retail centre when there is a recognised need for additional housing in the area is not something that the Council should be supporting or encouraging.
- Overall the proposed scheme only has consideration for improving the centre facilities and makes no consideration of the surrounding road network, design or nearby retail areas. The development will impact on the traffic issues in Eastbourne centre and provide a development that is not in keeping with the surrounding area and therefore should not be supported by the Council.
- There has been no consultation with the occupiers of premises in Terminus Road.
- The Wimpy restaurant has been trading from premises in Terminus Road for 32 years and no alternative proposals have been made to enable the business to continue trading elsewhere in the Town Centre, or within the new centre.
- If there are no alternative premises, it will result in the loss of jobs (6 full-time and 10 part-time staff).
- The application site includes all of the properties numbered 11-47 Terminus Road. These properties are of a reasonable size and have rear loading facilities and appear to be in reasonable condition. In addition, they are all occupied by a good variety of traders. It would therefore be wasteful and unnecessary to demolish them in order to just rebuild similar retail space.
- There is vacant land at the rear of Terminus Road where an extension could be built without the need to demolish properties.
- There is no certainty that the development will proceed and it is highly doubtful that it is viable. However, if consent is granted, the threat of the

scheme will stop any repairs and investment in the buildings and will encourage occupiers to vacate and move away, causing dereliction and there will be extensive blight.

- The proposed extension will result in the loss of vitality and variety in the town centre because the existing shops give flexible choice to retailers in terms of signage, opening hours and design of shop fronts. The existing buildings also provide other uses such as a pub and nursery which add vitality and interest to the town centre.
- The variety of buildings would be replaced with an 'identikit' shopping centre that will look dated in 20 years.
- No development should be approved until the Core Strategy and Town Centre Area Action Plan have been approved.
- Nobles Amusements has operated at 39 Terminus Road for the past 15 years. Amusement Centres are recognised as complementary to town centre retail functions and numerous appeal decisions have upheld the positive contribution this type of amusement centre makes to primary shopping frontages.
- Whilst there is no objection in principle to the development, the current application fails to incorporate a mix of uses resulting in non-compliance with national and local planning policy and fails to consider the implications of the proposed demolition on displaced occupiers.

**Failure to incorporate a mix of uses** – this is contrary to Policy TC5 of the Eastbourne Borough Plan, Policies C1 and D4 of the Core Strategy and Policies TC3 and TC18 of the Town Centre Area Action Plan. The application fails to incorporate any non-Class A uses within the development and the submitted Planning & Retail Statement makes not reference to Policy TC3. As the Nobles Amusement Centre contributes to the vitality and viability of the town centre it should be promoted as an important ground floor use in the primary shopping frontage within the proposed scheme. The impact that this loss of diversity will have upon the vitality and viability of the town centre will be unnecessarily harmful. The application is also at odds with the recommendations outlined in The Portas Review and supported by Government. By failing to incorporate a mix of uses within the scheme and instead relying solely on Class A uses, the proposal fails to maximise the vitality of Eastbourne town centre and its primary shopping frontages and should therefore be refused.

**Failure to consider the impact upon displaced occupiers** – the documents supporting the application make no reference to the implications of the development for existing occupiers who will be displaced as a result of the scheme. The applicant has failed to offer adequate compensation or a substitute unit of equivalent or better size, location and profile. The determination of the application should not proceed until the displaced uses have been accommodated and the applicant provides a means of securing the continuity of trade of those who may be affected by the timing and phasing of the proposals.

In response to a number of the objections listed above, the applicant's agents have confirmed the following:

*'It has always been the position of the scheme that the design respected the adjoining listed Railway Station, this is evidenced by the fact that English*

*Heritage had no comments in relation to the scheme design or any perceived impact on the Station.*

*The new retail units will be considerably more modern in terms of specifications and requirements when compared to the existing units provided along Terminus Road. The new units will be attractive to retailers on this basis and will therefore provide enhanced retail facilities in this location. The applicants are confident therefore that the new retail units will be attractive to the market and that there is demand.*

*Whilst it is regrettable that some leases will need to be expunged as a result of the demolition at Terminus Road, this is necessary in order to facilitate the extension of the shopping centre. Performance Retail Limited Partnership are willing to liaise with retailers in order to assist them with relocation where possible.*

*It should be noted that there will be a considerable net increase in the number of jobs to be provided as a result of the proposed extension on the whole.'*

Finally, the following representations have been made on behalf of Royal Mail:

- Royal Mail's Eastbourne Delivery Office is located at 3 Upperton Road, 0.2 miles from the application site. Access to the site is off Southfields Road and the Delivery Office operates between the hours of 4:30am and 7:00pm on Mondays to Saturdays and the Post Office stays open until 9:00pm on Mondays to Fridays. There are a total of 80 Royal Mail deliveries to and from the site on a daily basis and 60 vehicles access and park at the site each day and the Delivery Office employs 152 members of staff.
- Royal Mail does not object to the proposed development but is concerned about the potential impact of the development during construction and specifically wish to ensure reasonable levels of security and access to and from their premises are maintained and wish to avoid any potential disruption to their deliveries.
- It is not considered that there is a demonstrable need to provide an additional 317 parking spaces as the site is highly accessible by non-car modes and it is likely to encourage workers, shoppers and visitors to drive into the town centre and therefore increase the number of vehicles entering and exiting the centre which could have an adverse impact on the local highway network.
- Royal Mail requests that the Council secures the production of an agreed updated and implemented Construction Management Plan to assist in minimising the impacts of construction on the application site's neighbours.

### **Appraisal:**

The main issues to consider in the determination of this application are as follows:

- The principle of the development having regard to the existing use of the site and planning policy

- Retail impact considerations
- The effect the proposed development will have on the visual amenities of the locality
- The effect the proposed development will have on nearby designated heritage assets
- The effect the proposed development will have on the amenities of occupiers of surrounding residential properties
- Highways and parking considerations
- Energy and sustainability considerations

### **The principle of the development having regard to the existing use of the site and planning policy**

In order to provide the proposed additional retail floorspace, the existing buildings will have to be demolished to make way for the new development. Key elements of the scheme, namely the new modern facades and pedestrian link to the existing Arndale Centre cannot be provided by retaining the existing buildings. Similarly, the applicants have confirmed that *'a part demolition approach would not be practicable from a viability or operational perspective and would result in an awkward architectural style which would not bring the benefits normally associated with a composite design.'*

The existing buildings along Terminus Road and The Gildredge Pub on the corner of Ashford Road are not considered to be of any significant architectural value. The buildings comprise a mix of three storey units of varying heights and designs.

There is therefore no objection to the proposed demolition of the existing buildings in Terminus Road, as their loss will have no detrimental effect on the overall amenity, character and context of this part of the town centre.

The concerns expressed by a number of retailers currently occupying premises in Terminus Road that are proposed to be demolished are acknowledged and it is understood that the applicants have already approached all the owners of these properties to negotiate their purchase.

There can be no objection in principle to the proposed development, as much of the application site is already in retail use. In addition, the site is currently under-utilised and one that would benefit from regeneration opportunities and the proposed scheme responds well to the site, utilising the land efficiently and effectively.

The Planning Policy response to the proposals provided above, confirms that the principle of development is consistent with the National Planning Policy Framework, and the development plan. It is also consistent with the emerging planning policies set out in the Submission Core Strategy and the Submission Town Centre Area Action Plan.

The National Planning Policy Framework (NPPF) sets out the Government's policies for England. The document states that there should be a *"presumption in favour of sustainable development"* Paragraph 216 states that *"decision-takers may also give weight [unless material considerations dictate otherwise]*

*to relevant policies in emerging plans [such as the Core Strategy and the Town Centre Area Action Plan] according to* the stage of preparation of the emerging plan.

Whilst paragraph 23 of the NPPF is specifically related to local planning authorities drawing up Local Plans, it does provide key guidance on the role of town centres, which it states should be recognised as being at the heart of their communities (and it requires local planning authorities to *"pursue policies to support their vitality and viability"*). The proposed extension to the Arndale Centre will help to ensure the role of the town centre is at the heart of the community and help to promote a competitive town centre that provides customer choice and a diverse retail offer.

Paragraph 24 of the NPPF requires local planning authorities to *"apply a sequential test to planning applications for main town centre uses...They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered"*. The sequential test makes it clear that the preference for town centre uses should be the town centre and the application site is consistent with this. It can therefore be concluded that the proposed extension to the Arndale Centre is consistent with the NPPF.

The application site is identified on the Borough Plan Proposals Map as being within the Town Centre. It is also within an area identified for a Mixed Use Scheme at the Western End of Terminus Road (Policy TC5), and within the Town Centre Primary Shopping Area (Policy TC6).

The proposed development therefore complies with the relevant Borough Plan Policies.

The Eastbourne Plan, the Council's Submission Core Strategy, whilst not yet formally adopted, is now at an advanced stage in its preparation and should therefore be afforded some weight in the determination of this planning application. The proposed scheme is consistent with the Submission Core Strategy, which supports retail development in this location and identifies the broad location on the Eastbourne Key Diagram, as a Key Area of Change adjacent to the railway station and bus interchange.

The Eastbourne Town Centre Area Action Plan was submitted to the Secretary of State in January and is scheduled to undergo formal examination later this year. The policies contained within it may therefore be afforded some weight in the determination of this planning application. The Area Action Plan seeks to assist in the regeneration of Eastbourne's town centre. It provides detailed site-specific advice setting out the broad parameters of the type of development that would be considered acceptable on the application site.

The Arndale Centre is identified as being within the Primary Retail Area and the application site is specifically identified as a Development Opportunity Site.

The site is considered to offer significant potential to:

- Expand retail capacity...;



- Establish a stronger retail focus and built form improving the quality of the overall environment;
- Enhance links to the independent retailers along Grove Road and South Street through improvements to the public realm; and
- Contribute to increasing the capacity and quality of the public transport interchange in Terminus Road.

Paragraph 5.10 states that "*Proposals should take the form of a comprehensive redevelopment scheme that links into and extends the Arndale Centre providing a new 'landmark' entrance.....*". The proposed scheme is considered to accord well with these principles as it expands the existing retail capacity, establishes a much stronger retail focus and provides a new pedestrian link into the existing Arndale Centre.

Policy TC18: Development Opportunity Site One is an important emerging policy that identifies the Council's aims for the application site. It sets out a series of key development components that should be incorporated into proposals for the comprehensive redevelopment of the site. These include the inclusion of active frontages, important corners providing a local landmark, a mix of uses, good pedestrian access, servicing and vehicle access, parking and public realm improvements.

The proposed scheme maintains the existing active frontages on Terminus Road and at the Ashford Road junction and is therefore consistent with Policy TC18. The majority of the Ashford Road frontage is given over to service areas. The Policy also states that "*Servicing and vehicle access will be provided from Ashford Road or shared with the existing facilities for the Arndale Centre*". The scheme therefore accords with this principle. The Policy also states that '*parking will be provided within the site or as part of the current facilities within the Arndale Centre.*' The proposal to provide an extension to the existing multi storey car park therefore conforms with this part of the Policy.

Policy TC18 also states that "*storey heights [at Development Opportunity Site One] should range from 3 to 5 storeys above street level with height increasing towards the corner of Terminus Road and Ashford Road*". The proposed scheme has adopted this principle in its design and recognises the important corner at the junction of Terminus Road and Ashford Road and provides a landmark feature.

Whilst Policy TC18 requires A1 uses to be provided, it also considers restaurants and cafes at ground floor level to be acceptable. The proposed scheme is therefore consistent with this providing a combination of A1, A2, A3, A4 and A5 uses at ground floor and first floor levels. However in accordance with Policy TC4 of the Area Action Plan no more than 10% of the overall retail frontage in the Primary Retail Area should be in non- A1 use and a condition to restrict non-A1 use, should be attached to any grant of consent.

Finally, the scale of development and the provision of additional retail floorspace is entirely appropriate and accords well with the Council's aims and objectives for the Town Centre. The proposal will provide additional retail floorspace and assist the Council in strengthening the Town Centre, helping it consolidate its position as a leading retail destination.

For the above reasons, the principle of the proposed development, having regard to the existing use of the site and planning policy is therefore considered to be acceptable.

### **Retail impact considerations**

The proposed development provides a net increase of 15,038 square metres of gross retail floorspace in the heart of the town centre. It has been a long standing ambition of the Council to see the town centre rejuvenated with new shops to increase its attractiveness to businesses and shoppers.

One of the questions that was raised at the pre-application consultation stage and has also been raised by one of the existing retailers in Terminus Road relates to why is additional retail floorspace being proposed when there are already vacant units in the town centre? In response to this question, there is evidence to show that Eastbourne town centre is performing well when compared to other retail centres and vacancy rates are below the national average. In addition, evidence shows that those retail units that are vacant fail to meet the needs of major modern retailers. The vacant units are on the whole too small and have inadequate layouts and are therefore unable to accommodate the larger retail units that the town centre is currently lacking.

Whilst there is no policy requirement to demonstrate need/capacity for retail applications, the applicant has provided information which demonstrates that there is a capacity within Eastbourne to accommodate the proposed development. The Eastbourne Shopping Assessment (ESA) (May 2010) identified a long term need for a significant amount of additional retail floorspace within Eastbourne Town Centre (33,000 sqm (net)) just to maintain current market share through to 2026. Clearly the proposed floorspace within this application 15,038 sq m (net) is well within this retail floorspace requirement and therefore there would be no significant adverse impact on Eastbourne Town Centre as a result of the development coming forward.

The need for additional floorspace identified within the ESA was calculated on a trend based forecast, which is in accordance with the recent appeal decision in Darlington (App Ref: APP/N1350/A/10/213408) which stated that the use of long-term growth trends was considered more appropriate than using short term growth rates based on existing short term economic difficulties. Recent appeal decisions at Tithebarn, Preston and McMullen's Brewery, Hertford all accepted the use of long term growth trends.

Given the preference for a trend based forecast, it should be noted that the Eastbourne Shopping Assessment over the period from 2007 to 2016, applied an average annual growth rate of only +2.5% per annum. These figures are significantly lower than the current expenditure forecasts provide by Experian (+2.8%) and (Pitney Bowes 4.2%), representing a robust assessment. Furthermore, the applicant has applied a lower more cautious rate of 1.6% between 2007 and 2012.

It should also be considered that, as a consequence of an increase in market share, the level of capacity available to support further retail floorspace in the town centre will also increase.

In light of the above and in accordance with the NPPF's requirement to plan for growth, it is accepted that there would be no significant adverse retail impact as a result of the scheme coming forward before (or after) 2015.

In addition, as well as improving the attraction of Eastbourne Town Centre as a retail destination, it is considered that the proposed development will also have spin off benefits for existing businesses within the town centre, through increased footfall and linked trips.

The proposed development could also increase the demand and attraction for further retailers to be represented in the town centre. This would also have the effect of reducing the level of vacant floorspace and improving the town centre's long term vitality and viability, in accordance with relevant planning policy.

### **The effect the proposed development will have on the visual amenities of the locality**

Section 7 of the National Planning Policy Framework (NPPF) places great importance on the design of the built environment. The Eastbourne Borough Plan and emerging Core Strategy and Town Centre Area Action Plan also require all large scale proposals to be of the highest quality design, especially in terms of the wider and local townscape context.

The applicants carried out extensive public consultation prior to submitting the planning application, in order to obtain the views of the community and stakeholders on the design of the proposed development.

In addition, the applicants presented their proposals to the South East Regional Design Panel and the local Design Review Panel twice and amended their scheme in light of the comments made.

It is considered that the proposed design fits in with the scale of the immediately surrounding development and the additional height at the junction of Terminus Road and Ashford Road gives a greater emphasis to this element as a gateway into the town centre.

The chosen design for the Terminus Road elevation provides modern glazed shopfronts and active frontages and also includes the structural glazed entrance detail and canopy.

For the proposed Ashford Road elevation, masonry blocks and cladding panels are to be used. This elevation conceals the service core at the rear of the retail units. The appearance of this stepped façade will be further enhanced with the introduction of lighting behind the stepped walls.

The design of the internal mall follows a similar appearance to the Terminus Road frontage, with shopfronts articulated as two storeys, however glazing will only be to the ground floor street level. Above, will be a rendered finish to the top of the parapet.

As detailed above the design of the development at the corner of Terminus Road and Ashford Road has a distinct individual identity and a strong vertical emphasis.

The proposed extension to the multi storey car park will be formed from a lightweight steel frame and a steel mesh will sit inside the face of the pedestrian guarding. The extension has been placed towards the centre of the existing car park to minimise its impact.

Finally, as part of the development, it is proposed to improve the appearance of the existing entrances to the Arndale in Terminus Road. It is proposed to remove the unattractive canopies and introduce design features to be used in the new extension which include perforated pattern satin finish metal panels.

Having regard to all of the above matters, the design, scale and appearance of the proposed development is considered to be acceptable and will not have any detrimental impact on the visual amenities of the locality.

### **The effect the proposed development will have on nearby designated heritage assets**

The application site does not itself comprise any heritage assets, however, it borders the Town Centre and Seafront Conservation Area and is within close proximity of the following three listed buildings:

- The railway station, Terminus Road (Grade II)
- Church of All Souls, Susan's Road (Grade II\*)
- All Souls' Vicarage, Susan's Road (Grade II)

With regard to archaeology, the County Archaeologist has advised that the nature of the current proposals is unlikely to have significant impacts on archaeological remains. However, notwithstanding this, it is recommended that an agreed programme of archaeological works is undertaken prior to commencement of development and that this should be secured by a condition attached to any grant of consent.

The Heritage Statement that accompanies this planning application assesses the designated heritage assets that may be affected by the proposed development and confirms that the impact is limited to indirect effects. The existing buildings on the application site make a negative contribution to the setting of the Grade II listed railway station and a neutral contribution on the character and appearance of the adjacent Town Centre and Seafront Conservation Area.

In addition, it is considered that the replacement of the existing buildings with one of high quality which better defines the edge of the Conservation Area will also enhance the setting of the listed railway station building.

The assessment also confirms that the proposals will preserve the setting of All Soul's Church and Vicarage.

The Council's Conservation Officer has confirmed that the proposed development is acceptable on conservation grounds and is likely to have a positive impact on the adjacent Conservation Area.

In addition, the Council's Conservation Consultant has confirmed that she has no objections to either the Terminus Road or Ashford Road elevations.

The concerns expressed by the Eastbourne Society, the Regional and Local Design Panels and indeed some local residents regarding the design of the corner feature of the scheme are noted. However, the Conservation Consultant has confirmed that on balance, and with some minor amendments, the listed station clock tower would remain the dominant feature in views from the east and west along Terminus Road. Furthermore, it is considered that there is no reason why an honest, modernist approach cannot work in this sensitive location, even where the proposed new building sits so close to such a fine listed building as the station.

In 2001, English Heritage and the Commission for Architecture and the Built Environment (CABE) published a document entitled 'Building in Context'. The purpose of the publication was to stimulate a high standard of design when development takes place in historically sensitive contexts. The document provides a number of case studies that demonstrate that distinctive modern buildings can sit happily alongside historic buildings and that *'a modern building can be less visually intrusive than a reproduction one.'*

The Conservation Consultant has also confirmed that the success or otherwise of these proposals depends on the work being of the highest possible quality with suitable materials and robust detailing. Any grant of consent will therefore be subject to a condition requiring samples of all external finishes to be submitted to and approved by the Council.

The Conservation Consultant suggested the following minor revisions which could make the scheme more acceptable and which would still provide the developers with the corner feature they want. These are:

- Keep the cut-out but make the parapet height consistent and about one metre above the height of the proposed parapet facing Terminus Road
- Ensure that the walls are vertical
- Make the shop windows square
- Consider the use of coloured render rather than white for this element of the scheme
- Move the signage around the corner onto the Terminus Road elevation

It is acknowledged by the Consultant that it may not be possible for commercial reasons, but there is also an opportunity for the cut-out to reveal the shopping floors behind, rather than being opaque, which will strengthen the draw of shoppers into the mall.

In response to the suggestions, the architects made the following revisions to the scheme:

- The corner feature has been opened up
- The ground floor shop front on the corner feature has been recessed to create more space
- The overall height of the parapets has been reduced, so that it is the same height on both sides and the height of the shop front glazing has been increased slightly. The maximum height of the corner feature has been reduced from 15 metres to 12.375 metres. The height of the Gildredge pub is 11.5 metres
- A vertical setback has been added which creates a more subtle break, but follows the same design language as the rest of the Terminus Road façade. This has also allowed the shop front glazing on the Terminus Road frontage to be increased
- The areas for signage have been reduced in scale and the location has been revised
- The scale of the corner feature has been reduced by extending the Kingspan panels along Ashford Road towards the corner. Colour has also been introduced to the underside and the inner face of the projecting walls to add interest and help articulate the undercroft walkway

Therefore, having regard to all of the above, it is considered that the proposed development will have no detrimental effect on the designated heritage assets adjacent to the application site.

### **The effect the proposed development will have on the amenities of occupiers of surrounding residential properties**

To the north of the application site are the residential streets of Ashford Road, Junction Road, Longstone Road and Tideswell Road, which form the perimeter to the existing Arndale Centre multi storey car park.

A development of this size and scale is undoubtedly going to have some impact on the amenities of occupiers of nearby residential properties, particularly during the proposed demolition and construction phases of development. It is therefore necessary to consider these impacts in detail and to assess whether they are likely to cause material harm.

It is important to acknowledge that the adjacent residential properties are situated within the heart of the town centre and are already surrounded by the Arndale Centre and multi storey car park, so they already experience some noise and disturbance, particularly associated with traffic.

In support of the planning application, a Daylight and Sunlight Assessment was submitted which assesses the potential daylight, sunlight and overshadowing impacts to the surrounding residential properties as a result of the proposals.

The findings of the Assessment showed that the proposed development will have a negligible impact on the surrounding residential properties and their respective amenity areas.

An Environmental Noise Survey was also submitted with the application. The Survey assessed the potential noise impacts of the building services plant, the car park extension and associated traffic growth on the nearest residential properties.

With regard to the noise from plant and equipment it was recommended that a condition restricting both day time and night time noise levels should be attached to any grant of consent and the suggested limits would mitigate against any worst case Local Planning Authority criteria. The Survey also confirmed that the potential noise increase as a result of the car park extension was unlikely to be perceptible and finally, the noise impacts resulting from the traffic growth associated with the scheme was considered to be negligible.

An Air Quality Assessment submitted as part of the application assessed the air quality impacts associated with the construction and operation of the proposed development.

The potential impacts of increased traffic emissions arising from the additional traffic as a result of the development were assessed in conjunction with the Transport Assessment findings and the impacts were found to be negligible and the overall air quality impacts of the development were judged to be 'insignificant'.

The Assessment recommends that mitigation measures should be applied during the construction phase to minimise dust emission, although it was noted that any effects will be temporary and will only arise during dry weather. On this basis, the overall impacts during construction were judged to be negligible.

The Construction Management Plan submitted with the application proposes that the hours of external work would be restricted to 08:00 to 19:00 Monday to Friday. If work is required to be undertaken on a Saturday it will be restricted to between 08:00 and 13:00.

The document also recommends the damping down of dust on site to prevent it spreading to surrounding residential properties.

Therefore, as confirmed by the various submitted reports and assessments, it is considered that the proposed extension to the Arndale and the extension to the multi storey car park are unlikely to have a detrimental effect on residential amenity. However to ensure this is indeed the case, it is recommended that a number of conditions are attached to any grant of consent to deal with the following:

- minimising dust
- restricting the hours of working
- controlling the noise associated with any plant or equipment

- preventing light spillage
- preventing the burning of any waste on site.

## **Highways and parking considerations**

The application site is in a prime location for access by all forms of sustainable transport. It is also well located for highway access, being adjacent to the Ashford Road section of the town centre ring road, and is served by its own car park.

There is easy access to bus services, the railway station is adjacent to the application site and this part of the town centre is also well located for pedestrian access from the surrounding residential areas.

East Sussex County Council is currently implementing a scheme to provide a cycle route into the town centre, adjacent to the railway station which will encourage greater cycle use and cycle parking will be provided at various points around the site as part of the development.

The submitted Transport Assessment considered the impact of the proposed development on the capacity of key junctions adjacent to the application site. The report shows that the highway impact of the development proposals is negligible with the increase in traffic flows in the future being largely down to future traffic growth rather than the development. The Transport Assessment therefore concluded that the proposed development does not have a material impact on the performance of the highway network.

The Highway Authority carried out additional modelling and capacity assessment work to gauge the cumulative impact of the three Development Opportunity Sites identified in the Town Centre Area Action Plan in this area of the town (land at the junction of Terminus Road and Ashford Road (the application site), land adjoining the railway station and Enterprise Centre and land between Upperton Road and Southfields Road). This additional work concluded that most of the junctions considered will operate below capacity with all the developments up to 2021, including the Upperton Road/Terminus Road/Southfields Road Roundabout. For these reasons, the Highway Authority has confirmed that *'it would be difficult to justify the need for any measures to mitigate highways impacts at this, or any other, assessment junction in the town centre as a result of the impacts of the Arndale proposals alone'*.

The Highway Authority has considered the proposals to provide 317 additional parking spaces within the proposed two storey extension to the existing Arndale Centre's multi storey car park.

Access to the car park is from Longstone Road and is controlled by two sets of barriers, at the base of the access ramp. At times vehicles have to queue to get into the car park with vehicles sometimes backing up into Ashford Road. This is caused mainly by the 'one car in/one car out' arrangement which operates at busy times, but part of the delay is caused by the entry layout/barrier system. Possible improvements to the entry layout/barrier system have been investigated by the applicant. However, due to the ramped access to the car



park and limited land available, it has been concluded that it is not possible to improve on the existing situation.

The Transport Assessment argues that the case for the proposed level of car parking at the site is justified. However against this, it could be argued that there are other car parks within the town centre which could be used and given the excellent accessibility of the site by sustainable transport modes, increased car parking is not so essential here as it might be elsewhere in the town centre.

However, it is acknowledged that Paragraph 40 of the National Planning Policy Framework (NPPF) states '*Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure*', and it is considered that the proposals undoubtedly do that.

Therefore, whilst the proposals to provide additional car parking at the site go against the principles of encouraging sustainable travel, the Highway Authority accepts that there is a case here to provide additional car parking to reduce occupancy rates. The increased car parking proposed would help to improve the quality of town centre car parking; would resolve the current issues of queuing at the existing Arndale car park entrance; and would provide sufficient additional car parking to cater for increased demand arising from the increased floorspace.

Paragraph 35 of the NPPF states that:

Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people and the Highway Authority considers that a scheme of this size and type would be expected to reinforce its sustainable transport accessibility by providing and contributing towards off site improvements.

The Highway Authority has confirmed that it would like to see real time signage in Eastbourne to inform drivers of the availability of parking spaces in the Town Centre car parks. This is also a recommendation of the recently adopted Parking Strategy for Eastbourne. The provision of real time information has a number of advantages such as improving traffic flow and reducing the need to drive around looking for a space. Given the reliance of the proposals on improved car parking facilities, the Highway Authority has therefore recommended that a financial contribution towards the implementation of a Car Park Guidance System should be secured by a S.106 agreement if consent is to be granted for the development. It is envisaged that this system will be implemented once further town centre developments have come forward and have also made contributions towards such a system.

Having regard to deliveries and servicing, it is proposed to extend the existing service area on the roof of the Arndale Centre and provide 5 additional loading bays. Access to the service area will remain via the ramp from Ashford Road with exiting via another ramp into Tideswell Road. The Highway Authority has confirmed that as the servicing arrangements have operated successfully for many years, there is no objection to this element of the proposals.

Whilst it is acknowledged that a Construction Management Plan has been submitted with the application, the Highway Authority has confirmed that additional information is required. It is therefore recommended that a condition should be attached to any grant of consent to require a Traffic Management Scheme to be submitted and agreed prior to commencement of demolition.

The Highway Authority welcomes the provision of a Travel Plan and recommends that it is secured by a S.106 agreement between the applicant and East Sussex County Council. The Travel Plan will need to be monitored over 5 years (by independent traffic counts and surveys), with targets agreed for reduced car use and additional measures implemented to ensure targets are met. A Travel Plan Audit fee of £6,000 will also need to be secured as part of the S106 agreement to cover assessment of the Travel Plan and to assess the monitoring.

The Highway Authority has confirmed that part of the site boundary along the Ashford Road boundary is adopted highway. It will therefore be necessary to request a stopping up order to remove the highway rights from this land and allow the development to go ahead.

The Highway Authority has referred to the planned improvements to the pedestrian environment in Terminus Road which would need to be designed and implemented prior to the opening of the new extension. The cost of these works is likely to be largely met by the County Council with a contribution from the applicants which will be secured by a S.106 agreement. However, the final cost of the scheme is not yet known as the final design and material specification has yet to be agreed.

In conclusion therefore, the Highway Authority has confirmed that there would be no unacceptable highway or parking consequences as a result of the proposed development, subject to securing a number of obligations by way of a S.106 agreement and subject to a number of conditions being attached to any grant of consent.

### **Energy and sustainability considerations**

The proposals incorporate a number of 'green' initiatives that will reduce the environmental impact of the development and improve sustainability.

The applicants have chosen an energy efficient design which also has regard to low and zero carbon energy sources.

The retail element of the extension expects to achieve a BREEAM 'Very Good' rating for the shell and core elements, which conforms with the Council's Sustainable Building Design Supplementary Planning Document.

It is intended that the development will seek to comply with future Part L of the 2013 Building Regulations with regard to CO2 emissions reduction, which has more stringent requirements to be met over and above the existing Part L requirements.

With regard to low and zero carbon energy sources, the proposed development includes 1,500 square metres of roofspace that could accommodate solar

thermal and photovoltaic panels which could provide a contribution to energy demand if needed to achieve Part L compliance.

As part of the scheme design it is proposed that the central atrium will be a naturally ventilated, semi-exposed space as opposed to a fully air conditioned mall. This will result in significant energy and cost savings for the development throughout its operation. The building fabric will be designed to be energy efficient and will exceed Part L thermal performance.

The proposed car park extension, while not covered under Part L of the Building Regulations, will also incorporate energy efficient design including low energy lighting and efficient ventilation fans.

In order to help ensure the delivery of an overall sustainable development, tenants will be encouraged to provide an energy efficient fit-out. This will be established through the use of a 'green lease' with technical support provided through a tenant green fit-out guide.

Part L dynamic thermal modelling was carried out for a sample of units. The analysis demonstrated typical routes to achieve Part L 2013 compliance within the proposed base build using high efficiency plant and lighting design. This requirement will be made available to the tenant for inclusion within their fit-out specification.

Water use at the development is targeted to be reduced by 25%, through water efficiency measures.

The proposed development will utilise the existing facilities for waste management which currently receives high recycling recovery rates.

The materials palette for the development will be specified with reference to the BRE Green Guide to Material Specification and it is targeted that 80% of the materials used will be responsibly sourced.

Finally, sustainable construction practices are proposed to be employed for the development and constructors will be required to operate under the 'Considerate Constructors Scheme', with the aim of exceeding current best practice.

For the above reasons, the proposed development is considered to be acceptable in terms of energy efficiency and sustainability.

### **Human Rights Implications:**

Subject to conditions being attached to any grant of permission to minimise noise and general disturbance particularly during the proposed demolition and construction phases, it is considered that the proposed development would not unduly affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and protection of property.

### **Conclusion:**

The proposed development is considered to be acceptable and is recommended for approval subject to the prior conclusion of a Legal Agreement and subject to conditions.

The proposals will provide much needed additional retail floorspace and associated employment opportunities, within the heart of the town centre, which conforms with established and emerging planning policies which seek to strengthen the vitality and viability of the town centre.

The contemporary design of the extension and in particular the corner feature will provide an iconic landmark at an important gateway into the town centre.

The proposed development will have no significant detrimental effect on nearby heritage assets, the wider visual amenities of the locality, the highway network or residential amenity. For these reasons the proposals are considered to be acceptable and conform with all relevant planning policies.

### **Recommendation:**

**(A)** That planning permission be granted subject to the prior conclusion of a S.106 Agreement to secure a financial contribution towards the proposed Terminus Road Improvements, a contribution towards the implementation of a Car Park Guidance System, a Travel Plan and associated audit fee, local employment initiatives and subject to the following conditions:

- (1) Commencement of development within three years
- (2) Drawing Nos. of approved plans
- (3) No more than 10% of the ground floor frontage of retail units within the application site to be in non-A1 use
- (4) Samples of all materials (internal and external)
- (5) Lighting Strategy
- (6) Signage Strategy
- (7) Programme of archaeological works
- (8) 1:1 details of edges and corners of elevations
- (9) Details of expansion joints
- (10) Details of anti-graffiti treatment
- (11) Shopfront details
- (12) Details of Terminus Road entrance
- (13) Drainage Strategy (surface water, use of SuDs and foul)
- (14) Cycle parking
- (15) Refuse and recycling in accordance with submitted details
- (16) Servicing in accordance with submitted details
- (17) Demolition details
- (18) Wheel washing facilities on site
- (19) Construction Method Statement and Management Plan
- (20) Opening hours
- (21) Site contamination
- (38) Method statement for handling unspecified contamination
- (39) In accordance with FRA
- (40) Public sewer protection
- (41) Details of all plant and machinery (e.g. air conditioning, refrigeration units) including predicted noise levels

- (42) Construction access details, and details of location size of any temporary structures
- (43) Details of directional signage
- (44) Details of Local Labour Agreement (to include numbers from unemployment register, links to apprenticeships and placements from local FE & HE establishments also to include the ability for local firms to tender for elements of the construction (could be in the S106)
- (45) Construction Traffic Management Plan to include travel routes and number of vehicle movements
- (46) Foundation design
- (47) Details of any temporary structures/hoardings**
- (48) Finished floor levels
- (49) Bird deterrent measures
- (50) Hours of building operations
- (51) Intrusive site investigation and UXO Desk Study
- (52) Application for stopping up order
- (53) Parking is provided in accordance with submitted details
- (54) Cycle storage and staff shower facilities
- (39) Submission of Travel Plan prior to commencement of use
- (40) No burning of waste on site
- (41) Colour of coloured render to be agreed
- (42) Conform with 2013 Part L building regulations

#### SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reasons:

The proposals will provide much needed additional retail floorspace and associated employment opportunities, within the heart of the town centre, which conforms with established and emerging planning policies which seek to strengthen the vitality and viability of the town centre.

The contemporary design of the extension and in particular the corner feature will provide an iconic landmark at an important gateway into the town centre.

The proposed development will have no significant detrimental effect on nearby heritage assets, the wider visual amenities of the locality, the highway network or residential amenity and therefore conforms with all relevant planning policies.

- (B)** In the event that the S.106 is not concluded to the satisfaction of the Local Planning Authority by 28 February 2013 that delegated authority be given to the Senior Head of Development and Environment to refuse planning permission for the following reason, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.

The proposed development would fail to secure the provision of a financial contribution towards the proposed Terminus Road improvements, a contribution towards the implementation of a Car Park Guidance System, the provision of a Travel Plan and associated audit fee and local employment initiatives.

**Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.**



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# Agenda Item 7

<b>App.No:</b> 131069 (PPP)	<b>Decision Due Date:</b> 6 March 2014	<b>Ward:</b> Devonshire
<b>Officer:</b> Toby Balcikonis	<b>Site visit date:</b> 14/02/14	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b>	15 February 2014	
<b>Neighbour Con Expiry:</b>	26 February 2014	
<b>Weekly list Expiry:</b>		
<b>Press Notice(s):</b>	N/A	
<b>Over 8/13 week reason: over 8 weeks given referral to committee</b>		
<b>Location:</b> 2A Beach Road, Eastbourne		
<b>Proposal:</b> Demolition of existing warehouse and offices (Use Class B1), proposed 5 no. two-storey three bedroom terraced houses and 2 no. one bedroom flats		
<b>Applicant:</b> Mr Peter Bridgewater		
<b>Recommendation:</b> Approve with conditions		

## **Planning Status:**

Brownfield site within a predominantly residential area.

## **Relevant Planning Policies:**

National Planning Policy Framework 2012

### Eastbourne Core Strategy Local Plan Policies 2013

B1 - Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C3: Seaside Neighbourhood Policy

D5: Housing

D8: Sustainable Travel

D10A: Design

D10 - Historic Environment - Archaeological Notification Area

### Borough Plan Policies

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

HO2: Predominantly Residential Areas

HO6: Infill Development

HO7: Redevelopment

HO13: Affordable Housing

HO20: Residential Amenity

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

TR2: Travel Demands  
TR6: Facilities for cyclists  
TR11: Car Parking Standards

**Site Description:**

The application site is a parcel of land accessed via Beach Road from two points. The existing plot contains a commercial building (with a footprint of approximately 630sqm) used for light industrial use on the ground floor and office space at first floor level for Veritek, an expanding local business.

The existing building comprises of single-storey element forming a boundary wall, between a private twitten and back rear gardens of the two storey terraced properties in Eshton Road to the South.

The two-storey element forming the Northern elevation of the commercial premises, is separated from the rear gardens of a terrace of two-storey properties along Beach Road by a private roadway for use with the business premises.

To the East of the application site sits Beach Mews, separated from the application site by a garage premises. Beach Mews is characterised by a number of commercial units across the motor trade including hand carwash, car repair and maintenance, motorcycle training centre. All of the parking for these units are self contained within the Beach Mews site.

**Relevant Planning History:**

Planning History pre 1995

EB/1964/0300 - Alterations and installation of sanitary fittings of first floor of two-storey warehouse, to form warehouse with offices over. Granted - 1964-06-25

EB/1966/0504 - Change of use from a warehouse and offices to a light industrial building. Refused , one reason - 1966-10-20

EB/1968/0151 - Roofing over the open yard of an existing warehouse and offices. Granted. - 1968-03-21

EB/1968/0436 - Roofing over of vehicle loading area. Granted. - 1968-09-12

EB/1990/0503

Change of use of part of building from warehouse to workshop. Refused, one reason. - 1990-11-28

EB/1992/0221 - Continued use of part of ground floor of warehouse as workshop for repair of damaged furniture in connection with use of warehouse. Granted, subject to conditions. - 1992-07-29

EB/2002/0390 - Demolition of existing building and erection of six two-storey, two-bedroom houses in two terraces. (Amended application)  
Refused and dismissed at appeal. - 11/03/2004

- 1) Loss of privacy and over-looking of rear gardens of Eshton Road properties
- 2) Loss of existing class B1/B8 employment premises.

*This application was appealed by the applicant, and although the case was dismissed, this was for only a single reason: loss of employment premises.*

*It was held by the inspector that the design revisions shown in the subsequent drawings (replicated in a latter scheme – EB/2003/0791) whereby overlooking windows were angled away from the affected neighbouring properties, were sufficient to overcome the issues of overlooking to the rear of the neighbouring terrace along Eshton Road.*

EB/2003/0791 - Demolition of existing building and erection of six two- storey. two-bedroom houses in two terraces (amended application).  
Refused. one reason. - 2004-02-12

- 1) Loss of existing B1/B8

EB/2007/0857 - Re-development of site with the erection of two-storey buildings comprising five work/live-in units, together with access, parking and waste storage.  
Withdrawn - 04/02/08 - Could not overcome the following issues:

- 1) Failure to justify reduction of business floorspace
- 2) Loss of privacy and over-looking of rear gardens of Eshton Road properties

EB/2008/0598 - Redevelopment of site by the erection of two-storey buildings comprising 4 work/live-in units, together with access, parking and waste storage.  
Withdrawn – 27/10/08 – Could not overcome the following issue:

- 1) Failure to justify reduction of business floorspace

**Proposed development:**

The applicant seeks permission to demolish the existing commercial premises and erect a two storey terrace of seven properties within the footprint of the existing building. The terrace will contain:-

- 5 dwelling houses
- 2 apartments

Dwelling houses:- The two storey residential units, comprising a terrace of five three-bedroom houses with a mirrored layout are proposed. Each unit will have a private parking space sited in an undercroft area within the footprint of the properties, also containing wall-mounted cycle storage facilities and each with a secure bin storage area. All will have a private rear garden and front enclosed balcony area. Two visitor's parking bays are also proposed adjacent to the West end of the terrace.

Apartments:- The two one-bedroom flats, secured for use as affordable housing, are proposed to be situated one over the other within the remaining two-storey unit, replicating the external appearance of the five dwelling houses. The ground floor flats will have use of its own private garden, and the first floor flat would utilise the balcony area for amenity space.

The submitted drawings indicate the size of the rear garden will range from 3m-5m from the shared boundary with Eshton road. The area between the rear elevation of the proposed dwellings and the shared boundary with the Eshton Road properties will form grassed rear private gardens for each of the houses, and the ground floor flat. The shared rear boundary treatment will come in the form of a new wall to

match the existing boundary treatment separating the application site and the private twitten and gardens of the properties along Eshton Road.

As shown on the submitted drawings, the front / North elevation of the terrace is characterised by its angular building line, with the forwardmost points referencing the southern elevation of the existing buildings to the north of the site.

The applicant proposes to use the existing access to the site from Beach Road in the North West corner of the application area.

### **Consultations:**

Internal:

#### **ECONOMIC DEVELOPMENT** –

A review of the application for planning permission for the above site identifies:

- No loss of employment

The site is located within a predominantly residential area, is not within an industrial park/estate and does not have significant economic importance to justify retention.

#### **CLEANSING** –

Sufficient space has been provided within the development

#### **ENVIRONMENTAL HEALTH** –

recommend a demolition and construction method statement be attached as planning condition.

**HOUSING AND SERVICES MANAGER** – Supports the delivery of affordable housing element of this scheme.

#### **PLANNING POLICY** –

**The application is supported in principle for the following reasons:**

- Support from the National Planning Policy Framework (NPPF)
- Important brownfield windfall site
- Securing of 2 affordable units onsite delivery
- Size and type of proposed units considered appropriate
- Positive gain of 7 net residential dwellings in high windfall delivery neighbourhood

#### **HIGHWAYS** –

The scheme proposes 7 car parking spaces, 4 less than standards require; officers to determine whether this shortfall is material.

#### **COUNTY ARCHAEOLOGY** –

The proposed development is situated within an Archaeological Notification Area. In the light of the potential for loss of heritage assets on this site resulting from development the area affected by the proposals should be the subject of a ***programme of archaeological works.***

### Neighbour Representations:

31 Neighbouring properties and nearby businesses were consulted as part of this application.

As a result of this consultation 2 individual letters have been received and a petition signed by 27 surrounding residents and a further 6 objections from adjacent businesses covering the following points:

### **NEIGHBOUR CONCERNS:**

- Access to the rear of properties on Beach road, only available from the mews
- Car Parking concerns within Beach Mews
- Beach Road busy with parking difficulties also impacted by tourists using area
- Perception of loss of light to rear habitable rooms and garden
- Loss of privacy to rear habitable rooms and garden – not currently overlooked
- Security/safety concerns – currently there is a private locked alleyway to the rear
- Buildings far too close to back gardens in Eshton Road
- Not in-keeping with the layout in area – garden and footpath away
- A lot more noise in the evening – “greatly oppressive”
- Perception of greatly reduce quality of life – currently happy and safe area to live
- Perceived problems with collection of waste
- Perceived problems with access for emergency services
- Very low mains water pressure and problems with the waste water drainage in the mews area none of which would be likely improved if this development goes ahead.
  - Water and drainage issues – drains seem not to be able to cope
- Previous refused applications – nothing changed since refusals
- used to be a fully operational petrol station and still has the old and degrading fuel storage tanks directly under the access lane with the vent breather pipes up the side of the buildings.

### **NON-MATERIAL PLANNING CONSIDERATION/S:**

- Reduction in the value of adjacent properties

### **ADJACENT BUSINESSES:**

- 9 x Small businesses, incl. garage forecourt & Beach Rd
- Unsociable hours of operation/noise - impact on new residents
  - Much of the business activity is associated with motor trade
- Access lanes already overused, causing problems for businesses and residents
  - Businesses required 24/7 access
- Parking extremely limited already – loss of 12 or more spaces from existing
- Densely packed commercial area unsuitable for housing
  - Likely to have detrimental impact on existing commercial businesses
- Fear of receiving complaints and businesses forced to close / relocate

### **NON-MATERIAL PLANNING CONSIDERATION/S:**

- Construction activities / traffic will make trading difficult

### **Appraisal:**

Principle of Development:-

The National Planning Policy Framework (NPPF) "supports in principle redundant office buildings, which are not of strategic economic importance to a local authority, being converted or redeveloped for residential purposes".

The Borough Planning Policy Team have confirmed that the proposals would "provide development of a windfall brownfield site" with a positive gain of 7 dwellings in line with Policy D5: Housing of the Eastbourne Core Strategy Local Plan (2013) and the requirements of the Affordable Housing Implementation Technical Guidance Note which equated to a contribution of 2.1 units (2 affordable units on site and a commuted sum payment of £651.17) also in accordance with Policy HO13: Affordable Housing.

The application site falls within the Seaside area of the town, a neighbourhood allocated with a high windfall delivery target within the Core Strategy. It is considered that the proposed development would assist in "meeting a challenging housing target for the neighbourhood" in accordance with the Seaside Neighbourhood Policy (Policy C3 of the Core Strategy) and is considered to be sustainable development, in accordance with the policy.

The conclusions raised by the Economic Development Team supports the view that the site, located within a predominantly residential area "does not have significant economic importance to justify retention" and there will be no loss of employment as a result of the proposal with the existing tenant, Veritek, relocating the remaining staff to an existing, more appropriate building to suit their expanding business elsewhere in the town.

#### **RETENTION OF COMMERCIAL PROPERTY CONCLUSION:**

It is considered that the proposed scheme, in accordance with local and national planning policy, justifies the loss of the existing commercial premises for redevelopment in to residential dwellings in a predominantly residential area.

In following the evidence provided, it is concluded that the loss of the commercial premises for use as residential land is no longer the limiting factor it once was, and thus it is considered that the Council cannot restrict the grant of planning consent on this particular matter.

#### **DESIGN: SCALE & MASS:**

At a height of 5.2 metres to the eaves of the Southern elevation and 6.4 for the Northern elevation the scale and massing of the proposed development is comparative to that of the existing building sought to be replaced. It is therefore considered that no significant loss of light or outlook should occur to the properties along Beach Road, and nor should it impact on the levels of light reaching the North facing elevations along Eshton Road and should only have a limited impact on their skyline.

The proposed terrace is comparative to the heights of the adjacent existing properties and for this reason is considered to be appropriate to the surrounding area in terms of height, scale, appearance and mass in accordance with policies UHT2 and UHT1 of the Borough Plan.

#### **Impact to properties on Eshton Road:**

#### Existing commercial building:

The existing building, currently used by Veritek for minor activities now the bulk of their operation has re-located elsewhere in the town, has a single storey element with pitched roof which abuts the boundary shared with the properties along Eshton Road. There are no windows positioned in this Southern elevation, and therefore no views currently afforded on to the rear of the Eshton Road properties or gardens from the existing building.

#### Proposed terrace:

The proposed residential terrace, including rear gardens has been designed to fit within the existing footprint of the existing building, proposed for demolition, whilst maintaining reference to the height of the existing buildings, and the difference in levels from the highest point along the Northern elevation, and the lowest level across the Southern elevation.

Plans show that the proposed terrace will be set back further from the boundary (closest point of 3 metres in the South West corner, ie West end of terrace unit) than the existing building, whose rear elevation marks the shared boundary line with properties to the rear.

#### Loss of light / outlook:

As addressed previously, the design of the scheme limits the impact caused to adjacent residents through keeping the size of the proposed buildings similar to the existing building proposed for redevelopment. It is considered that in setting the rear elevation of the buildings further back in to the site, should lead to a more open arrangement, than the existing.

The buildings have been designed to mitigate the potential for overlooking by a number of design features and in response to previously raised issues of overlooking to the rear gardens of and rooms of Eshton Road, no rear first floor rooms within the new terrace have been afforded a direct outlook on to the rear of the Eshton Road properties.

First floor rear glazed units include an obscure glazed bathroom window (serving the kitchen of Flat 2) and a projected window bay, enclosed to one side housing a side reveal window (offering no direct view on to the rear of the Eshton Road properties) and a glazed unit enclosing the top to allow natural light to enter the room (rear bedroom for houses, and living room for Flat 2).

Fixed to the outside of the bay are proposed to be solar evacuated tube collectors for the purpose of providing a low cost way to heat water for use in the dwellings. There is no view afforded to the occupants of the proposed dwellings through these units.

It is considered that if any loss of outlook does occur to adjacent properties, it is considered to be minimal, and not cause sufficient harm to substantiate a reason for refusal.

#### Safety / Security:

The existing boundary wall currently formed by the application building's single storey elevation is proposed to be replaced by a wall comparable to the height of the Boundary treatments along the rear of the Eshton Road properties. The

presence of the existing wall / building currently gives the resident's a perceived feeling of security afford to the rear of their premises.

Along all but two of the Eshton Road properties runs a privately accessed alleyway used for the storage of refuse bins, and providing external access to the gardens via a locked gateway from Eshton Road. Objections and a petition (also carrying objections) received from the adjacent residents, communicate a feeling of loss of safety and security if the existing building were to be demolished.

The gardens of the proposed new dwellings that would back on to the rear of Eshton Road are reserved for the sole use by the occupants of the properties themselves, and would only be accessed through the respective dwellings offering no greater degree of access to compromise security, than is offered already by the gated access from Eshton Road that exists already.

Currently the existing commercial premises does not operate in the evenings, and has limited use at weekends. It is considered that an increased residential presence in the vicinity could in fact increase the degree of security within the surrounding area.

### **Impact to properties on Beach Road:**

Existing commercial building:

The Northern elevation running parallel to the adjacent terrace on Beach Road consists of a two storey element to the commercial building lately used as offices for Veritek has a uniform building line, with windows running the length of the elevation at first floor level.

Proposed terrace:

The proposed new dwellings with their undulating façade attempt to follow the rear elevations / building line of the opposite terrace of properties along Beach Road in an attempt to maintain a relatively consistent distance of between 12 – 16 metres.

The footprint of the proposed building which angles back from the application site boundary, helps to ensure that any issues of overlooking are reduced from what is afforded to the existing building, and if the proposed terrace were to occupy the whole of the existing building's footprint. The submitted drawings indicate the first floor windows serving the master bedrooms will be recessed in to the building, bringing them in line with the recessed points of the façade.

The upper floor bedrooms will have doors which open out on a private balcony to provide extra amenity space for the residents of the proposed houses, and upper floor flat 2, and are at a distance further from the adjacent Beach Road properties than any existing upper first floor windows in the building proposed for demolition, and at a distance that has acceptable impact on the existing residential units.

Residents had expressed concerns over the access to the rear of their properties, but the scheme does not look to preclude occupiers from the rights they enjoy already, although where some residents parked vehicles in the privately owned access road outside of trading hours of the resident business, the new arrangement would require the road to be used for access for vehicles in the proposed new terrace.



### **Residential Amenity: Proposed Occupiers of new units:**

The size and type of residential units proposed is considered appropriate for its neighbourhood location and conforms to the Council's Strategic Housing Market Assessment. The proposed contribution of 2 flats as affordable housing units, 51 and 64 sq. m in size, meets affordable housing local space standards identified in the Affordable Housing Implementation Technical Note.

Although the amenity space provided for the houses and ground floor flat is relatively small in size ranging from 3 – 5metres in depth, the site is situated within a short walk of the seafront and the nearby St Anthony's recreation grounds adjacent to Seaside Road. These areas are considered to provide more than an appropriate level of easily accessible outdoor amenity space.

Although the first floor flat does not have access to a private garden, it is proposed to utilize the balcony area for some outdoor amenity space (which a large proportion of flats do not have access to), and will benefit from the close proximity to the amenity resources as mentioned previously.

The proposed scheme addresses issues of access to light that a site such as this can have. Exposure to natural light and direct sunlight on the first floor level is achieved through the roof slope of the buildings being angled towards the South inset with a number of roof lights for each property. The rear elevation includes a projecting bay window, glazed to the side and to the top to allow natural light in to the rear bedroom whilst helping to maintain privacy for properties in Eshton Road.

On the ground floor large South facing bi-fold doors running nearly the width of the properties, help bring light in to this level with additional light levels achieved through the relationship between the position of the internal stairs with rooflight above to help bring light in to the Northern half of the ground floor level, whilst siting non habitable rooms such as a downstairs toilet and kitchen in this part of the dwelling.

The master bedrooms located towards the front of the house have access to a recessed balcony area, with light achieved gained from full height glazed door with an additional non-opening glazed panel either side. Bedrooms located toward the centre of the properties are lit through the provision of rooflights to provide sufficient lighting levels.

### **Car Parking and Access:**

There are no objections to the access to the site, and it is considered to be sufficient to service the site for residents, refuse and emergency vehicles.

The scheme proposes that each of the dwelling houses have 1 off street parking space and the apartments have access to a further two unallocated off street spaces. It is considered that this level of provision is in accordance with the nature of the development, its location within the town and that the vast majority of the surrounding properties in the area do not have any off street parking.

The application site is located within a short distance to the town centre and nearby local shops, and is supported by excellent public transport services, in the form of high frequency bus routes nearby. In addition, the proposed dwellings also have

provision for adequate secure cycle storage to further reduce the need for travel by car in accordance with policies TR2: Travel Demands and TR6: Facilities for cyclists.

**Affect to / from adjacent businesses:**

The majority of businesses in the adjacent Beach Mews have connections to the motor trade, be it car sales, repair, washing and valeting, to motor cycle rider training which are already situated in close proximity to residential dwellings.

It is considered that the existing commercial activities undertaken in this mews, are able to carry on as they do presently, which appear to be within acceptable standards for the existing adjacent residents.

The application site access will remain as existing, with vehicles entering from Beach Road on the North West corner. The link road running between the rear of properties along Beach Road, and the current commercial building can often be blocked through the parking of vehicles in conjunction with the occupying business during work hours. It is felt that the proposed scheme given the desire to access private parking areas may assist in this indiscriminate local parking.

Although the existing occupant of the application property currently has reduced activity and subsequently staffing levels at the facility, it cannot be predicted the level of activity / staffing and thus parking / transport the site could generate if a new commercial occupier were to take over the building, which could easily outstrip that of the current proposal which contains parking facilities within the proposed footprint of the building, rather than alongside.

Beach Mews also benefits from an adjacent access from Beach Road, so it is considered that the access for business and residential use should be sufficient, with customers of the businesses able to access many nearby roads which offer on street parking, and likewise any new occupants to the proposed dwellings, in the event that access is unavailable for a short time.

It is therefore concluded that any new dwellings erected within the application site should be able to successfully co-exist with the businesses within the mews, as neighbouring residents do currently, causing no sufficient concern as to refuse the grant of consent of planning permission for this reason.

**Human Rights Implications:**

The impact of the proposal has been assessed as part of the application process. Consultation with the community has been undertaken as part of the application process and the impact on the local people is set out above.

The human rights and equality and diversity considerations have been taken in to account fully in balancing the planning issues.

**Conclusion:**

It is therefore concluded that the issues met, and subsequently overcome by previous similar proposals have also been mitigated in the current scheme through balancing the amenities of occupiers of the proposed new units with regards to access to light, and that of the existing residents who have the right to continued enjoyment of their properties.

It is therefore considered that the current scheme upholds the needs of both parties successfully, and is in accordance with Policy UHT4 and HO20 regarding residential amenity.

The proposed terrace is comparative to the heights of the adjacent existing properties and for this reason is considered to be appropriate to the surrounding area in terms of height, scale and mass in accordance with policies UHT2 and UHT1 of the Borough Plan.

The proposals would provide development of a windfall brownfield site with a positive gain of 7 dwellings in line with Policy D5: Housing of the Eastbourne Core Strategy Local Plan (2013) and the requirements of the Affordable Housing Implementation Technical Guidance Note and is in accordance with Policy HO13 in the provision of affordable housing provision.

The scheme provides adequate facilities for cyclists, shops and amenity space nearby and access to good pedestrian and public transport links to further reduce the need for travel by car in accordance with policies TR2: Travel Demands and TR6: Facilities for cyclists.

**Recommendation:**

It is recommended that the application be approved with the following conditions:

**Conditions:**

- 1) Time
- 2) materials
- 3) Drawings
- 4) Infrastructure provision (affordable Housing)
- 5) Archaeological investigation
- 6) Construction and Demolition Method Statement
- 7) PD rights removed (extension, roof alterations, outbuildings, windows)
- 8) Scheme for the delivery of boundary wall along Eshton Road
- 9) Rear window (side) obscure glazing
- 10) Notwithstanding the details shown on the plans hereby approved the first floor front balcony screen shall be formed by a solid/opaque material.
- 11) The car parking hereby approved shall be retained as such at all times and shall not be used for any other purpose.
- 12) Scheme developed in accordance with FRA

**Appeal:** Should the applicant appeal the decision the appropriate followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.

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# Agenda Item 8

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

## INTRODUCTION

The report for the 4<sup>th</sup> March is attached to this summary report for your information.

Members deferred consideration of this item from Planning Committee on the 4<sup>th</sup> March 2014 in order to secure improvements to the scheme.

Members expressed a view that the scheme could be enhanced if some/all of the following could be incorporated into the proposal:-

- Improved access onto main highway network
- Increase in resident and visitor parking within the scheme
- More on site public open play space within the scheme
- More on site community facilities/buildings
- Improved cycle access through the site to Eastbourne Park

All of the above points have been put to the applicants Orbit Homes who have made the following comments:-

*Orbit Homes are ostensibly a Registered Provider of affordable homes and having c37,000 properties in its portfolio across its three operating areas with a*

*commitment to provide a further 12,000 properties by 2020. The site and sale of these homes will yield profits, but unlike other national developers this money is not paid to shareholders but recycled back into our business and used to provide further affordable dwellings and community benefit.*

*This is our first Orbit market led scheme in Eastbourne for which we are thankful for the support given to date however further the deferred committee item we would like to make the following points;*

- The site has been purchased with an extant consent for 154 units; this scheme provided the same amount of parking and utilised the same access to the site. On this issue the current scheme is no different from the approved scheme.*
- It is accepted that the extant scheme provided a degree of onsite open play space and that this would be lost with the current scheme however the extant consent was deficient in the amount of public open space and made a financial contribution to off site provision. In this context the current scheme is no different.*
- The extant consent did not propose any on site community facilities and this is considered to set a material consideration of significant weight in the current scheme, hence none are proposed now. There are no requirements within the Core Strategy that we have been made aware of for the provision of on site community facilities and therefore none are provided.*
- As highlighted by the viability appraisal that has been submitted to accompany the application and as endorsed by the District Valuers consultees response to the application is on the margins of viability and the increased financial burden of the delivery of a cycle path would mean that other infrastructure may have to forsaken for example less public open space contribution, less contribution towards public transport linkages and the deliver of less affordable housing units.*
- On the viability issue the requirements for additional parking spaces, on site public open space and the provision of on site community facilities are if all implemented at the site are land hungry which means that to accommodate all of the elements there would need to be a significant reduction in the dwelling houses on the site. Any reduction in the dwelling house numbers on the site would make the scheme more and more unviable. The implications of an unviable development is that it will not come forward in its current form.*
- As a last resort and in order to maintain the sites viability Orbit will ultimately be forced into implementing the already consented scheme which is neither ours or your officers preferred option.*

## **Officers Appraisal**

As with the previous recommendation on the 4<sup>th</sup> March officers consider that the scheme remains acceptable on all material planning grounds.

- This scheme proposes the delivery of housing units on a strategically important development site.
- Through the Core Strategy and supporting evidence based documents that together we have adopted Members have ratified the delivery through the plan period 2006 -2027 of 5022 new residential units; this equates to around 240 dwelling per annum, however due to the low intensity of delivery at the start of the plan period there is a necessity to deliver approximately 280 dwellings per year for the remaining years of the plan period.
- The application site has been identified as a key site in supporting the housing delivery for the plan period, and more over supports the Core Strategy in the delivery of a 5 year housing land supply. Attached at appendix 2 is the Councils current 5 year housing land supply; Members will note from Table 3 that the application is identified and planned to be delivered (completed) by 2016-17.
- If this application is not supported then it would take out 100 units from the 5 year housing supply programme this would be approximately 30% shortfall in delivery.
- This shortfall can not be back filled from windfalls and would make it more difficult to resist less suitable schemes/sites going forward during the plan period.
- There are no objections from the Environment Agency to the proposed development; a refusal based on the risk of on-site and off-site flooding could not be substantiated. Without any specialist objection on flooding grounds a refusal based on a perceived fear of flooding could not be substantiated at appeal.
- Subject to the provision of a financial contribution to support public transport initiatives there are no highway objections to the scheme.
- The quantum of parking spaces is similar to the extant consent with approximately 50 less units. This should be given material weight in the assessment of the proposal and as such a refusal based on the lack of parking could not be substantiated at appeal.
- The access on the main highway network is no different form the extant consent and as such a refusal based on this issue could not be substantiated at appeal.
- The applicant acknowledges the deficiencies in public open space and has made a contribution towards supporting its provision off site. However it is considered that the current scheme is materially different from the extant scheme which promoted a significantly higher number of apartments which relied on a degree of on site provision. The current scheme is predominantly dwelling houses and as such each unit has an appropriately sized private garden which is used for the recreational needs of the development.
- There is no Core Strategy requirement that this scheme should provide community facilities on/off site and therefore no such requirements are

coming forward as part of the scheme.

- Members are aware that the Pump House building is now a Grade II listed building and the conversion into apartments needs to be sensitively handled. The scheme has been amended with the inclusion of duplex apartments on the upper floors, this is considered to be less impactful upon the listed building than the scheme as originally submitted.
- Members are reminded that the conversion of the Pump House will require a Listed Building application prior to any works commencing.

Officers conclude that the recommendation and conditions Appended to the 4<sup>th</sup> March Committee report remain applicable and form the basis of officers recommendation in this scheme.

**Officers report from 4<sup>th</sup> March appended (Appendix 1) below for ease of reference**

## **APPENDIX 1**

### **REPORT OF THE 4<sup>TH</sup> MARCH 2014**

#### **Executive Summary**

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

#### **Planning Status:**

Vacant commercial site.

#### **Constraints:**

#### **Building of Local Interest**

Pump House  
Henry Currey  
1881

#### **TPO Trees**

108  
Bedfordwell Road Depot, Bedfordwell Road.

#### **Public Sewer**

#### **Archaeological Notification Area**

#### **Aquifer**

#### **Flood Zone 3a**



## Source Protection Zones

1

### Willingdon Levels Catchment Area

#### Relevant Planning Policies:

Eastbourne Core Strategy Local Plan 2006-2027

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C2: Upperton Neighbourhood Policy

D1: Sustainable Development

D5: Housing

D8: Sustainable Travel

D9: Natural Environment

D10: Historic Environment

D10A: Design

D11: Eastbourne Park

Eastbourne Borough Plan 2001-2011

UHT1: Design of New Development

UHT4: Visual Amenity

UHT6: Tree Planting

UHT7: Landscaping

HO1: Residential Development Within the Existing Built-up Area

HO6: Infill Development

H07: Redevelopment

H09: Conversions and Change of Use

HO20: Residential Amenity

TR1: Locations for Major Development Proposals

TR2: Travel Demands

TR5: Contributions to the Cycle Network

TR8: Contributions to the Pedestrian Network

TR11: Car Parking

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

BI4: Retention of Employment Commitments

NE4: Sustainable Drainage Systems

NE23: Nature Conservation of Other Sites

LCF4: Outdoor Playing Space Contributions

Sustainable Building Design SPD

Trees and Development SPG

Eastbourne Townscape Guide SPG

National Planning Policy Framework 2012

#### Site Description:

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

The surrounding area is predominately residential of 2 and 3 storeys among various adjoining land uses such as industrial area (to the south), allotment gardens (to the

north) with the railway line into Eastbourne that runs adjacent to the site (east).

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

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

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

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

### **Relevant Planning History:**

EB/2003/0476

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

Granted subject to conditions.

2003-10-06

EB/2008/0609

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

Granted subject to conditions.

2011-03-11

**Proposed development:**

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

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

The conversion of the pump house building would create:

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

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

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

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

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

An affordable housing statement has been submitted stating that 29% of the new development units would be affordable which equates to 24 units made up of 6 x 1

bedroom flats, 7 x 2 bedroom houses and 11 x 3 bedroom houses. The 19 units contained within the pump house have been excluded from the affordable housing calculation on the grounds of viability due to the increased cost of converting this historic building. The proposed tenure split is 16 rented units and 8 shared ownership.

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

### **Consultations:**

#### Internal:

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

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

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

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

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

Arboricultural Officer – No objection subject to conditions.

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

External:

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

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

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

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

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

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

Southern Water - No objection subject to conditions and informatives.

Network Rail Southern – No response.

Southdowns Badger Protection Group – No response.

Seeboard – No response.

South East Water – No response.

Southern Gas Networks – No response.

Neighbour Representations:

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

- No details of sustainability initiatives or green technologies.
- Too much housing and not enough parking proposed, should be 2 spaces per dwelling. Residents will park in surrounding streets which local business staff do already. Parking is a nightmare in Mayfield Place and Gorringle Road at present and it is almost impossible to park near our homes.
- No public transport close to site and lack of bus services to town centre.

- Trees in south west corner and adjacent to Mayfield Place need to be pruned or removed for safety reasons.
- Increased, noise, pollution and vibration from construction traffic. Screening or fencing should be erected to minimise these.
- Increased noise and traffic from over 200 new residents.
- Will cause more congestion at the already congested junction of Bedfordwell Road, Whitley Road and Upper Avenue will adversely affect highway safety.
- Proposal will have significant impact on local facilities and schools.
- No community centre, halls, or social activities proposed to bind the new community together.
- Overlooking to surrounding houses and private gardens from the flats within the pump house.
- Concerns about flooding impact from the development on the allotments and adequate fencing between the allotments and the development.
- The development is welcomed and will enhance this underused site.

### **Appraisal:**

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

### Principle of Development

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

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

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

Assessment and the quantum of housing development is therefore supported in principle.

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

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

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

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

#### Layout, Siting and Design

Policy D10A of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Local Plan require development proposals to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout.

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

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

The number and layout of the houses within the site appears to be well structured around the site with reasonably good sized rear gardens with parking areas to the rear of buildings as well as the front which would avoid a cumulative visual impact of vehicles visible within the street scene. The houses have been grouped into terraces of mainly 3, 4 and 5 houses which would break up the expanse of development into more aesthetically pleasing sections and provide relief and views through the buildings. There are several small areas of landscaped communal open

space provided centrally within the main housing area and around the pump house building to provide amenity areas for residents and welcome relief from the monotonous provision of off-street parking spaces to the fronts.

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

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

#### Conversion of Pump House

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

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

In principle, the conversion of the pump house to flats is welcomed as it would involve the reuse of a vacant and derelict historic asset where the original use is no longer relevant. The proposed 19 flats within the Pump House appear to be well laid out within the building and would provide well proportioned accommodation and an acceptable mix of flat sizes. The communal lobbies to the main part of the building are proposed to be naturally lit by the roof lantern and light dispersed below through glass block floors. However, the 3 x 2 bedroom flats within the third floor roof void of the building do not contain any windows and would be lit only by high level roof lights approximately 3.5 metres above floor level. This would provide sub-standard accommodation with no outlook or view out from habitable rooms (especially the living area) or easy access to natural ventilation which would be contrary to Policy H5 of the Eastbourne Core Strategy which requires all new housing to be built in accordance with Lifetime Homes Standards. Revised plans have been requested from the applicants to address this issue but the plans have not been forthcoming. As such, a condition is recommended that prior to commencement of development, a revised plan is submitted showing either insertion of windows to the living areas or a reconfigured layout of the second and third floors to provide maisonettes where the main living areas would have access to the large windows on the second floor and the bedrooms on the third floor served by the high level rooflights.

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



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

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

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

#### Living Conditions

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

As the site is located next to a railway line, the applicants have submitted a noise impact assessment dated February 2010 which is identical to that submitted for the previous scheme and does not address the amended site layout and scale of the current proposal. The current scheme has omitted the link road next to the railway line, as it is no longer required, and shifted the housing over to the boundary approximately 12 to 16 metres closer to the railway. The report sets out analysis of the previous proposal without the link road where the area that would be occupied as the link road remained as open space or green corridor. The report concludes that neither of the development scenarios previously would breach international standards and thereby would provide an acceptable living environment (internal and external) for the occupiers of the new and converted properties. They also concluded that acceptable living conditions could be achieved with the use of double glazing to the buildings and the erection of a close boarded fence to act as an acoustic barrier for the link road.

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

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

#### Affordable Housing Provision

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

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

The proposed scheme to provide 24 affordable units (16 affordable rent and 8 Low Cost Home Ownership) falls under the policy requirement and results in a total percentage of 23.5%. Policy compliance for this site would require 40% of the total housing to be affordable (30% of which can be LCHO and 70% Affordable Rent, let on secure tenancies) amounting to 31 units of affordable housing. It is not possible for this to be varied without supporting evidence validated by the District Valuation Office. The applicants state in their affordable housing statement that the pump house has been excluded from their calculation due to the excessive costs of refurbishing the building for which no details have been submitted for scrutiny. Therefore, they are proposing to provide 24 units out of 83 units of the main new build housing which amounts to 29%.

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

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

#### Residential Amenity Impact

Policies HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy UHT4 states

that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

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

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

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

With regards refuse provision, due to the provision of housing units only, it is assumed that each house would have use of individual wheelie bins and recycling facilities which would be stored at the front or rear of each house. Details of refuse provision and locations for the flats would be required by condition. The internal road network has been designed to accommodate a refuse truck and hammerhead turning areas have been provided within the centre of the site and at the end of the access road to facilitate turning.

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

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

#### Access, Car Parking and Highway Considerations

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

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

Policy D8 of the Eastbourne Core Strategy states that new development that generates significant demand for travel should be provided in locations that are well served by a variety of transport methods and supported by travel Plans. New development should provide for the needs of pedestrians and cyclists, and contribute towards sustainable travel schemes wherever possible.

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

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

The previous permitted scheme proposed 140 spaces for 154 units of housing and was granted planning permission on this basis. The current scheme proposes 142 spaces for 102 units of housing. East Sussex Highways recommend that more parking spaces are provided on site due to its location outside the Town Centre and to prevent overspill parking onto surrounding streets. However, it is considered that the proposed parking provision is a significant improvement on the extant permission. It is also considered that the site location is fairly central, close to the town centre and public transport where Eastbourne train station is approximately a 5 minute walk away. The site is fairly well served by bus services with bus stops located under 400m from the site. In order to make bus travel more attractive, East Sussex Highways consider that Real Time Information Signs should be provided by the developer at the two closest stops in Firle Road & Cavendish Avenue. A contribution of £24,000 (2 real time signs at a cost of £12,000 each) is requested to install these facilities. A bus shelter is also required at the Firle Road stop which should be installed by the applicant at their expense to further enhance bus facilities in the area and secured by a Section 106 Legal Agreement.

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

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

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

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

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

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

### Outdoor Playing Space

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

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

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

### Biodiversity

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

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

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

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

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

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

should include features that provide connectivity throughout the site and with the surrounding area, and should incorporate native species of known value to wildlife and would be secured by condition.

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

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

National Guidance (EN, 2004) states that generally, reptiles should only be released at suitable sites that currently do not support the species, but where habitat enhancements can be made to accommodate them (to ensure no net loss of reptile populations). Where only small numbers are involved, reptiles may be added to an existing population so long as some improvements are made to the habitat. Furthermore, the site should be made capable of supporting reptiles before they are relocated. The Reptile Mitigation Strategy proposes that reptiles will be relocated to the allotments north of the development site. No information has been provided as to the current status of the proposed receptor site for reptiles. It is therefore not possible to assess whether the site is suitable. Therefore, a condition is recommended requiring full details of the suitability of the proposed receptor site to the allotments north of the site to be submitted to the LPA for approval prior to commencement of development.

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

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

submitted to and approved by the Local Planning Authority prior to works continuing.

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

#### Trees and Landscaping

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

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

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

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

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

#### Sustainable Development

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

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

#### Flood Risk



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

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

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

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

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

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

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

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

#### **Human Rights Implications:**

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

**Conclusion:**

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

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

**Conditions:**

1. Time limit.
2. Drawing numbers.

Prior to Commencement

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

Prior to Occupation

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

In Perpetuity

31. Restoration and renewal alterations like for like (Pump House).
32. Works cease if Great Crested Newts discovered.
33. If work not started in 2 years, all surveys updated and submitted.
34. New roads in accordance with Highway standards.
35. Development implemented in accordance with the FRA.

36. Utility pipes, soil stacks to be run internally (Pump House).
37. Contamination not identified
38. Wheel washing facilities.
39. Retained trees.
40. Details of work to trees.
41. No bonfires.
42. Working hours.
43. No contaminated material deposited.

## APPENDIX 2

### EBC FIVE YEAR HOUSING LAND SUPPLY DECEMBER 2013

Eastbourne Borough Council

Local Monitoring Report 2012-2013

#### Appendix D: Five Year Housing Land Supply Assessment

Site No / Ref	Site Location	Neighbourhood	Est. Capacity/ supply (Net Units)	Relevant Planning App.	Brownfield/ Greenfield	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017 /18
Esher House, 48	St Leonards Road	1	23	Prior notification not required (ref 130542)	B		23			
66-68	Grove Road	1	21	Prior notification not required (ref 130609) supersedes previous planning permission EB/2012/0667	B		21			
38	St Leonards Road	1	18	Prior Notification not required (ref 130525)	B		18			
Braemer House, 28	St Leonards Road	1	18	Prior notification not required (ref 130759)	B		18			
Z05	Eastbourne Police Station, Grove Road	1	15	No application received yet	B					15
BA09	St. Andrew's United Reform Church, Town Centre	1	14	No application received yet	B					14
BR18	Magistrates Court, 4 The Avenue	1	13	Lapsed planning permission, site developable	B				13	
AN07	Burlington Road (Town Centre)	1	12	EB/2012/0059	B				12	
CN53	Swanley Court Hotel, Trinity Trees	1	11	EB/2007/0854	B	11				
Z02	Dyke House, South Street	1	11	EB/2013/0112	B				11	
5-7	Cavendish Place	1	10	EB/2013/0075	B				10	
Z04	Stirling House Hotel, 5-7 Cavendish Place	1	10	No application received yet	B					10
Z01	21-24 Cornfield Terrace	1	9	Pre-app discussions	B				9	

Eastbourne Borough Council

Local Monitoring Report 2012-2013

Site No / Ref	Site Location	Neighbourhood	Est. Capacity/ supply (Net Units)	Relevant Planning App.	Brownfield/ Greenfield	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017 /18
Z13	38 St Leonards Road (Creation of additional floor)	1	6	Application just submitted (130598)	B				6	
41	Susans Road	1	6	EB/2011/0783	B		6			
46-50	South Street	1	5	EB/2011/0715	B	5				
Cornfield House, 15	Cornfield Terrace	1	5	130668 renewal of permission EB/2010/0431	B			5		
32-34	Terminus road	1	5	EB/2012/0556	B	5				
Elm Park Hotel, 20	Cavendish Place	1	5	130311	B	5				
5	Gildredge Road	1	4	Prior notification not required (ref 130541)	B		4			
32-34	South Street	1	4	EB/2010/0571	B		4			
2B	Grove Road	1	4	EB/2011/0631	B		4			
The Colonnades, 121-129	Seaside Road	1	4	EB/2012/0062 (Granted at appeal 3 Dec 12)	B			4		
99A/99B	Cavendish Place	1	4	EB/2013/0091	B				4	
10	Cavendish Place	1	4	130521	B	4				
54-62	Cavendish Place	1	3	EB/2010/0314	B	3				
64-66	Terminus Road	1	3	EB/2010/0506	B		3			
18-22	Terminus Road	1	3	EB/2011/0402	B		3			
75	Cavendish Place	1	3	EB/2012/0564	B			3		
41	Pevensey Road	1	2	EB/2008/0340	B	2				
70	Cavendish Place	1	2	EB/2011/0305, EB/2011/0574, EB/2012/0660, and EB/2012/0209	B			2		
Camberley Hotel, 27-29	Elms Avenue	1	2	EB/2011/0388	B	2				

Site No / Ref	Site Location	Neighbourhood	Est. Capacity/supply (Net Units)	Relevant Planning App.	Brownfield/Greenfield	2013/14	2014/15	2015/16	2016/17	2017/18
56	Grove Road	1	2	EB/2011/0532	B		2			
182-186	Terminus Road	1	2	EB/2012/0215	B			2		
109-111	Pevensey Road	1	2	130200	B				2	
Land adjacent 83	Tideswell Road	1	2	130774	B				2	
24a	Seaside Road	1	1	EB/2010/0083 Lapsed	B					1
2	The Avenue	1	1	Prior notification not required (ref 130396)	B		1			
14	Pevensey Road	1	1	EB/2011/0187	B			1		
16	Hartfield Road	1	1	EB/2011/0549	B	1				
14	Pevensey Road	1	1	EB/2011/0569	B		1			
7C	Bolton Road	1	1	EB/2011/0578	B		1			
22	Seaside Road	1	1	EB/2012/0417	B			1		
2	Terminus Road	1	1	EB/2012/0681	B	1				
22	Pevensey Road	1	1	EB/2012/0738	B	1				
5	Wish Road	1	1	EB/2012/0787	B	1				
1	Hyde Gardens	1	1	EB/2013/0002	B		1			
66	Cavendish Place	1	1	EB/2013/0028	B	1				
49	Susans Road	1	1	130511	B				1	
22	Pevensey Road	1	-1	EB/2012/0749	B	-1				
31	Lushington Road	1	-1	EB/2013/0022	B			-1		
BA01	Bedfordwell Road Depot	2	102	EB/2008/0609 Approved 11 March 2011 (Revised Scheme submitted ref: 130907)	B			51	51	
BC102	St Wilfrid's Hospice, Mill Gap Road	2	15	No application received yet	B				15	
CC506	The Cedars, 26 Upperton Road	2	13	EB/2012/0082	G			13		

Site No / Ref	Site Location	Neighbourhood	Est. Capacity/supply (Net Units)	Relevant Planning App.	Brownfield/Greenfield	2013/14	2014/15	2015/16	2016/17	2017/18
BR16	54-56 Upperton Road	2	11	No application received yet	B				11	
Z07	44/46 Enys Road	2	9	Pre-app discussions	B				9	
6	St Annes Road	2	8	EB/2011/0524	B		8			
1	Lewes Road	2	3	EB/2012/0819	G			3		
Z06	26 Eversfield Road	2	2	Pre-app discussions	B				2	
Fitzalen House, 7-9	Arundel Road	2	2	EB/2012/0386	B			2		
Hurst Motors	Hurst Lane	2	1	EB/2011/0269	B			1		
Farnol House, 62	Upperton Road	2	1	EB/2012/0583	B			1		
19	The Avenue	2	1	EB/2012/0747	B			1		
Ashberry Court, 39	Lewes Road	2	-1	EB/2010/0053	B		-1			
CC23	Wartling Road Coach & Lorry Park	3	225	EB/2004/0274 (LA) EB/2006/0860 (RM)	B	71				
CC305	Senlac House & Marine Garages, 53-59 Seaside	3	14	EB/2010/0187	B		14			
Former British Legion, 109-111	Pevensey Road	3	8	EB/2012/0010	B			8		
145-147	Seaside	3	8	EB/2012/0495	B			8		
38-40	Leslie Street	3	6	Pre-application discussions	B					6
182-184	Seaside	3	6	EB/2012/0637	B			6		
Land rear of 2-18	Clarence Road	3	6	EB/2012/0724	B			6		

Site No / Ref	Site Location	Neighbourhood	Est. Capacity/supply (Net Units)	Relevant Planning App.	Brownfield/Greenfield	2013/14	2014/15	2015/16	2016/17	2017/18
Z09	Sandwich Street Garage Courts	3	5	Pre-app discussions	B				5	
111	Seaside Road	3	5	120907	B				5	
14-15	Marine Road and 1 Leaf Hall Road	3	5	EB/2013/0252	B				5	
Z08	Seaside Garage, Fairlight Road	3	4	Pre-app discussions	B				4	
Land rear of 348-358	Seaside	3	3	EB/2012/0029	G			3		
Garage Block on south side of	St James Road	3	3	EB/2012/0636 (Allowed at appeal) Granted 2 September 2013	B				3	
Land adjacent 1	Melbourne Road	3	2	EB/2010/0196 Lapsed	B					2
Rear of 218	Seaside	3	2	Pre-application discussions	B					2
69	Beach Road	3	2	EB/2012/0146	B			2		
225-227	Seaside	3	2	EB/2012/0606	B			2		
98	Seaside	3	2	EB/2012/0807	B			2		
93	Royal Parade	3	1	EB/2010/0087 Lapsed	B					1
76	Firle Road	3	1	Prior notification not required (ref 130553)	B		1			
477	Seaside	3	1	EB/2009/0822	B	1				
Riverbourne House	Belmore Road	3	1	EB/2012/0575	B			1		
92	Seaside	3	1	EB/2013/0026	B			1		
78	Seaside	3	1	130761	B				1	
Z11	1 Green Street	4	10	Pre-app discussions	B				10	
80	Church Street	4	3	Prior notification not required (ref 130564)	B		3			

Site No / Ref	Site Location	Neighbourhood	Est. Capacity/supply (Net Units)	Relevant Planning App.	Brownfield/Greenfield	2013/14	2014/15	2015/16	2016/17	2017/18
New Surrey Court, 11	Avard Crescent	4	3	EB/2012/0642	B			3		
15-17	Charleston Road	4	2	EB/2013/0003	B	2				
Flat 1, Upwyke House	Green Street	4	1	130328	B				1	
AN01	Kings Drive/Cross Levels Way	5	119	EB/2010/0003 Granted Outline Planning Permission at Appeal	G		59	60		
CN59	Park College, Kings Drive	5	84	Lapsed planning permission, site developable	B					84
BA06	St Elizabeth's Church, Old Town	5	29	EB/2010/0477 Refused at Appeal, further planning application to be submitted	B				29	
Land to rear of 18-34	Rangemore Drive	5	5	EB/2010/0759	G	5				
BR19	2-4 Moy Avenue	6	42	130708 (undetermined)	B					42
X574	Yeomans Toyota, Churchdale Road	6	13	EB/2007/0012	B	13				
X528	Old Swan Laundry, Ringwood Road	6	11	Pre-application, imminent application to be submitted.	B				11	
65	Churchdale Road	6	1	EB/2012/0518	G		1			
76	Whitley Road	6	1	130333	B				1	
The Pubb, 24	Mountfield Road	7	14	EB/2013/0082	B		14			
Adj to 2	Sackville Road	7	1	EB/2010/0559	G		1			
61	Croxden Way	7	1	EB/2012/0744	B	1				
Sutherland Court, 35	The Hydneys	7	-3	EB/2012/0220	B	-3				

Site No / Ref	Site Location	Neighbourhood	Est. Capacity/ supply (Net Units)	Relevant Planning App.	Brownfield/ Greenfield	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017 /18
BR14	Belmont Nursing Home, Pevensey Bay Road	8	50	No application as yet	B					50
BR25	SITA Waste Transfer Station, 59-61 Pevensey Bay Road	8	14	EB/2010/0253 Approved 10 August	B	14				
Longford Court, 1	Bathford Close	8	9	EB/2012/0433	B	9				
MVM Site, 87-89	Pevensey Bay Road	8	7	EB/2012/0243	B			7		
Kilkenny Court, 13	Appledore Close	8	6	EB/2012/0432	B	6				
2	Priory Road	8	3	130492	G				3	
83-85	The Rising	8	2	EB/2012/0576	G			2		
Land to rear of 10	Spring Lodge Close	8	2	EB/2012/0623	G			2		
Land within curtilage of 1	Langney cottages	8	1	EB/2010/0070 Lapsed	G					1
Tyrone Court, 1	Wrotham Close	8	-1	EB/2011/0750	B	-1				
AN04	Hide Hollow Farm	9	38	No application received yet	G				38	
BR101	Avon Court, 2 Sorrell Drive	9	14	EB/2012/0343	B			14		
Land adjacent Friday Street Farm	Friday Street	9	3	Pre-application discussions	G					3
The Corner House, 3	Dittons Road	10	1	EB/2010/0495	B		1			
2	Upland Road	10	1	EB/2012/0748	G			1		

Site No / Ref	Site Location	Neighbourhood	Est. Capacity/ supply (Net Units)	Relevant Planning App.	Brownfield/ Greenfield	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017 /18
CN46	3-17 Jevington Gardens	11	66	EB/2007/0599	B	66				
CC150	27-39 Jevington Gardens	11	49	EB/2011/0046	B			49		
Koala	King Edwards Parade	11	9	EB/2011/0023	B			9		
28	Grange Road	11	8	EB/2013/0099	B				8	
Trevethan, 52	Carlisle Road	11	6	EB/2010/0771	B		6			
Southdown House, 2	Silverdale Road	11	4	EB/2012/0023	G			4		
13	Compton Street	11	2	EB/2012/0395	B	2				
Wood Winton, 63A	Silverdale Road	11	2	EB/2012/0112	G			2		
Flat 4, Cavendish Court, 12-14	Blackwater Road	11	1	EB/2011/0314	B	1				
13	Meads Street	11	1	EB/2012/0407	B	1				
Land within curtilage of 15	Upper Carlisle Road	11	1	EB/2012/0610	G			1		
Land at Sutton House, 41	Meads Road	11	1	EB/2013/0034	G	1				
Sutton House, 41	Meads Road	11	1	EB/2010/0244	G	1				
South Cliff Tower, 16	Bolsover Road	11	1	EB/2013/0092	B				1	
Llathony, 1	Darley Road	11	1	EB/2013/0160	B				1	
5	Derwent Road	11	-4	EB/2012/0668	B	-4				



Site No / Ref	Site Location	Neighbourhood	Est. Capacity/supply (Net Units)	Relevant Planning App.	Brownfield/Greenfield	2013/14	2014/15	2015/16	2016/17	2017/18
BR100	St Anthony's Court, 508 Seaside	13	17	EB/2011/0735	B/G	17				
The Lodge Inn, 539	Seaside	13	6	EB/2012/0615	B			6		
Land rear of 391	Seaside	13	5	EB/2012/0781	B		5			
Land to side and rear of 2-8	Queens Crescent	13	4	EB/2011/0666	B		4			
New Derby House, 506	Seaside	13	1	EB/2012/0732	B	1				
BA10-21	Sovereign Harbour Remaining Development Sites	14	150	Pre-application discussions in line with Sovereign Harbour SPD. Applications just been submitted.	B				75	75
<b>Grand Total</b>						<b>245</b>	<b>226</b>	<b>288</b>	<b>359</b>	<b>306</b>



# Agenda Item 9

<b>App.No:</b> 140071 (PPP)	<b>Decision Due Date:</b> 28 March 2014	<b>Ward:</b> Upperton
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 10 March 2014	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> N/A		
<b>Neighbour Con Expiry:</b> 26 February 2014		
<b>Weekly list Expiry:</b> 7 March 2014		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> Brought to planning committee within statutory timeframe.		
<b>Location:</b> Land At Rear And To Side Of No. 2, Ringwood Road, Eastbourne		
<b>Proposal:</b> PROPOSED RESIDENTIAL DEVELOPMENT OF 7 THREE BEDROOM HOUSES TOGETHERWITH GARAGE/CAR PARKING SPACES AND ACCESS ROAD, AT REAR AND TO THESIDE OF 2 RINGWOOD ROAD, EASTBOURNE (FORMERLY KNOWN AS THE SWAN LAUNDRY).		
<b>Applicant:</b> Mr J. AND B. ADAMS		
<b>Recommendation:</b> Grant planning permission with conditions.		

## Executive Summary

The application proposes the redevelopment of the redundant site for the provision of 7 family dwellinghouses with associated garages and parking. The site has been formally identified for development within the Council's Strategic Housing Land Availability Assessment and the proposed development will assist in the high housing delivery target for the Roselands and Bridgemere neighbourhood. The design and layout of the dwellings is considered acceptable, and it is not considered the development will result in any significant impacts on highway safety or parking in the surrounding area; therefore it is recommended that planning permission is granted subject to conditions.

## Relevant Planning Policies:

### National Planning Policy Framework 2012

- 4.Promoting sustainable transport
- 6.Delivering a wide choice of high quality homes
- 7.Requiring good design

### Core Strategy Local Plan 2013 Policies

- B2 – Creating sustainable neighbourhoods
- C6 – Roselands and Bridgemere Neighbourhood Policy
- D5 - Housing

## D10A - Design

### Eastbourne Borough Plan Saved Policies 2007

UHT1 – Design of new development

UHT4 – Visual amenity

UHT7 – Landscaping

HO1 – Residential development within the existing built-up area

HO2 – Predominantly residential areas

HO7 – Redevelopment

HO20 – Residential amenity

TR6 – Facilities for cycling

TR11 – Car parking

US3 – Infrastructure services for foul sewerage and surface water disposal

US4 – Flood protection and surface water disposal

### **Site Description:**

The site is a currently vacant plot of land between Ringwood Road and Woodgate Road, which was previously the Swan Laundry site. The previous use ceased and the buildings on site were demolished. There is an existing pedestrian and vehicular access for the site from Ringwood Road which is to remain.

The site is surrounded by pairs of two storey, semi detached single family dwelling houses with various extensions and finishing materials, and rear gardens adjoining the application site.

To the east of the site is an existing garage court, which is part two storey but appears the majority unused and in a state of disrepair, with access adjacent to the application site access onto Ringwood Road.

### **Relevant Planning History:**

No relevant planning history.

### **Proposed development:**

The application relates to the redevelopment of the site for housing, comprising 7 three bedroom, two storey dwelling houses, 5 with garages and each with its own parking spaces giving a parking density of 200% + 2 visitors spaces. Access is provided by the existing pedestrian and vehicular access from Ringwood Road, with the access widened by the inclusion of part of the front garden of No.2 Ringwood Road.

### **Applicant's Points:**

- The site is on previous developed land in a sustainable urban location where the principle of development should be considered acceptable.
- The proposals constitute good design which respects the grain and functioning of the surrounding area.
- The dwellings are of a simple design but care has been taken regarding the form, scale, street scene, outlook and orientation.
- Design criteria has been adopted to avoid any overlooking from habitable rooms situated at first floor towards adjoining properties.
- The proposals will make good use of vacant residential building land.

## **Consultations:**

### Internal:

Cleansing Contracts Manager

The access and turning head are considered sufficient to provide adequate servicing of the site.

Estate Manager

No objection raised.

Head of Environmental Health

No objections raised. Conditions advised in relation to working methods during construction given confines of the site.

Planning Policy Manager

No objections raised. Positive contribution to housing delivery in the Roselands and Bridgemere Neighbourhood.

### External:

Local Highway Manager

No objection raised, conditions suggested.

### Neighbour Representations:

6 Objections have been received from the following properties;

27 and 33 Woodgate Road,

3, 4 and 9 Ringwood Road,

and 1 with no address supplied

Objections cover the following points:

- Overlooking
- Impacts on privacy
- Loss of light
- Increased traffic
- Highway safety from access
- Impact on parking on Ringwood Road
- Flooding
- Size of access and limited room for pedestrians and cars to pass
- Overly dominant due to close proximity to properties on Woodgate Road.

Comments were received in relation to the construction of the dwellings which were not planning considerations and therefore cannot be assessed.

## **Appraisal:**

Principle of development:

The National Planning Policy Framework is clear that sustainable residential development should be granted planning permission to ensure greater choice of housing in the local market and to meet local and national housing needs. The site has been formally identified for development within the Council's Strategic Housing Land Availability

Assessment, being previously assessed as having the potential to deliver 11 net units. The proposal would therefore provide a reduced amount of residential development, but would provide the opportunity to deliver larger family housing within the local neighbourhood.

The application results in the net gain of 7 dwellings. In line with Policy D5: Housing of the Eastbourne Core Strategy Local Plan (2013) and the requirements of the Affordable Housing Implementation Technical Note, 30% should be affordable. This equates to a contribution of 2.1 units which result in a requirement for 2 affordable units on site and a commuted sum contribution of £818.91 for 0.1 of a unit. The applicant has agreed to deliver this. The Council will secure this on-site delivery and commuted sum payment through a condition requiring a Section 106 agreement being agreed prior to commencement.

The size and type of residential units proposed is considered appropriate for its neighbourhood location and conforms to the Council's Strategic Housing Market Assessment, providing larger family accommodation in a sustainable location. The proposed contribution of 2 three-bedroom houses as affordable housing units, each 104.2 sq. m in size, meets affordable housing local space standards identified in the Affordable Housing Implementation Technical Note and would help meet local need.

The application provides the positive gain of 7 net residential dwellings on an identified site within the Roselands and Bridgemere neighbourhood, contributing positively to the Council's spatial development strategy (Policy B2 of the Core Strategy). The proposed development will assist in the high housing delivery target for the neighbourhood. The development would conform to the Roselands and Bridgemere Neighbourhood Policy (Policy C6 of the Core Strategy) in 'delivering additional housing through making more efficient use of land' and is therefore considered sustainable development.

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

The site is situated between Ringwood Road and Woodgate Road with the proposed dwellings sited approximately 12m from the rear of properties on Woodgate Road, and 15m from the rear of properties on Ringwood Road.

The proposed dwellings have been set out so as to minimise any issues of overlooking or privacy impacts to the surrounding residential properties.

The dwellings proposed to plots 4 and 5 are proposed approximately 1m from the northern boundary of the site with the rear gardens of properties on Woodgate Road, and approximately 12m from the properties themselves. The layout is such to ensure parking and turning spaces are appropriate for the proposed development. The properties are two storey with pitched roofs which is considered minimises the visual impact and sense of overbearing on the adjacent residential properties. An obscurely glazed window to serve the stairwell is proposed to either property at first floor level in the northern elevation facing the rear of properties on Woodgate Road. The window is proposed to be obscurely glazed which would alleviate actual and perceived overlooking; in addition to this we can by condition require the windows are fixed shut.

The proposed garages for plots 4 and 5 will abut the rear boundaries of 23 and 21 Woodgate Road however given the garages are single storey it is not considered this will result in any significant impacts on these properties in terms of overbearing impact or loss of light and/or outlook.

Plot 1 is sited approximately 1m from the southern boundary, 15m from the actual property and again is proposed with a first floor obscurely glazed window to serve the stairwell. Given the distance and as the window is obscurely glazed, and by condition will be required to be fixed shut the location is considered acceptable on balance.

It is considered that that scale and number of dwellings is acceptable for the size of plot without having any significant impacts on visual amenity, outlook, light, privacy or sense of overbearing on surrounding residential properties.

It is considered given the confines of the site and the potential impact on surrounding properties that permitted development rights in relation to roof extensions, and the installation of additional windows, are removed as so any proposed extension or window would require planning permission and can be assessed on its individual merits.

#### Design issues:

The new dwellings are proposed to be constructed with stock brick at ground floor with two proposed with the first floor rendered and others with vertical weatherboard cladding.

The properties will only be partially visible along the access road from Ringwood Road. The site is surrounded by pairs of semi-detached two storey dwellings, with a variety of materials and existing extensions. As such the proposed dwellings, materials and scale are considered appropriate for the residential setting and will not result in any significant impacts on visual amenity.

#### Impacts on trees/landscaping:

There are no trees or hedges on the site for retention. To ensure suitable landscaping a condition will be added for the submission of a soft and hard landscaping scheme to be agreed.

#### Impacts on highway network or access:

The site is accessed from Ringwood Road via an existing vehicular and pedestrian access 3.5m in width, which was previously used during the occupation of the site by the laundry. In order to improve visibility the access is widened to 4.6m at the junction with Ringwood Road incorporating part of the front garden of No.2 Ringwood Road, this would allow for two vehicles to pass each other without having to reverse onto the local highway network. East Sussex County Council Highways were consulted on the application and raised no objection to the access.

Each proposed property has parking provided, 5 of the dwellings have garages, and there are an additional two visitor parking spaces, making a total provision of 16 parking spaces, which is in line with East Sussex County Council's adopted parking guidelines. A condition is proposed removing permitted development rights to convert the garages into habitable rooms as this would result in the loss of parking provision.

The layout has been designed to allow vehicles to enter and turn within the site without being disrupted by parked vehicles. It is considered for the size of dwellings proposed that there is sufficient parking provision on the site so as to not increase the demand for parking on Ringwood Road.

In addition to vehicular parking, sheds to provide cycle parking are proposed within each rear garden area.

The site is considered a sustainable location, close to amenities and public transport on Seaside. The level of parking is considered acceptable, therefore it is unlikely that the proposed development will result in additional on street parking on Ringwood Road. East Sussex County Council Highways have raised no objection to the access to the site which is existing.

#### Planning obligations:

In line with Core Strategy Policy D5: Housing, of the Eastbourne Core Strategy Local Plan (2013), and the requirements of the Affordable Housing Implementation Technical Note, 30% of the dwellings proposed should be affordable. This equates to a contribution of 2.1 units which result in a requirement for 2 affordable units on site and a commuted sum contribution of £818.91 for 0.1 of a unit. The applicant has agreed to this delivery and this will be secured by condition.

#### **Human Rights Implications:**

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.

#### **Conclusion on planning issues:**

The application seeks the redevelopment of a vacant site which is identified by the Strategic Housing Land Availability Assessment. Careful consideration has been given to the impact on the amenity of the surrounding residential properties which on balance is considered acceptable; the number, size and materials of the proposed dwellings is considered acceptable for this residential area. It is not considered that the proposed development would have any significant impacts in terms of highway safety and/or parking in the surrounding area and therefore it is recommended that planning permission is granted subject to conditions.

**Recommendation:** Grant planning permission subject to conditions.

#### **Conditions:**

- 1) Time limit for commencement.
- 2) In accordance with plans.
- 3) Submit samples of external materials.
- 4) Removal of permitted development rights garages shall remain for parking of motor vehicle.

- 5) Removal of permitted development rights no roof extensions or additional windows in any elevation or roof slope.
- 6) Submission of detailed of cycle parking sheds, installed prior to occupation and maintained thereafter.
- 7) Details of boundary treatments.
- 8) Construction method statement.
- 9) Construction working hours.
- 10) Details of surface water drainage.
- 11) Windows in side (northern) elevation of properties on plots 4 and 5, and side elevation (southern) elevation of property on plot 1 shall be obscurely glazed and fixed shut and remain as such thereafter.
- 12) Prior to commencement submission of details of the layout of the reconstructed access and the use shall not commence until the construction of the access has been completed in accordance.
- 13) Prior to commencement a scheme to secure the provision of on-site affordable housing, commuted sum and appropriate mechanism for delivery to be approved.

**Informatives:**

The applicant's attention is drawn to the need for a S184 licence for the construction of the access. The applicant should contact ESCC on 01273 335443 prior to commencement of development to complete the agreement and pay the necessary fee.

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# Agenda Item 10

<b>App.No:</b> 140169 (CCC)	<b>Decision Due Date:</b> 14 March 2014	<b>Ward:</b> St Anthonys
<b>Officer:</b> Jane Sabin	<b>Site visit date:</b> 28 February 2014	<b>Type:</b> County Council
<b>Site Notice(s) Expiry date:</b> N/A		
<b>Neighbour Con Expiry:</b> N/A		
<b>Weekly list Expiry:</b> 17 March 2014		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b> Tollgate Junior School, Winston Crescent, Eastbourne		
<b>Proposal:</b> Temporary planning permission (August 2018) for the siting of a single mobile classroom on the grass area to the west of the main schoolbuilding.		
<b>Applicant:</b> East Sussex County Council (Director of Childrens Services)		
<b>Recommendation:</b> No objections be raised		

## Executive Summary

This application has been deferred from delegated to full planning committee so that Members can discuss the merits of tuition space in temporary accommodation.

The site and visual impacts of the mobile classroom are considered appropriate and do not give rise to any material harm to the site and or surrounding area.

The decision on the suitability of this nature of accommodation will be made by the County Planning Department, however it is considered that EBC should raise no objections to this proposal.

## Planning Status:

School

## Relevant Planning Policies:

Eastbourne Borough Plan 2001-2011

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

HO20: Residential Amenity

LCF17: Education Requirements

LCF18: Extension of Educational Establishments

Eastbourne Core Strategy Local Plan 2006-2027

B1: Spatial Development Strategy and Distribution

C13: St Anthony's & Langney Point Neighbourhood Policy

D1: Sustainable Development

D10A: Design

**Site Description:**

This small school was constructed in the 1970's and is typical of its time, with two storeys and a flat roof. It is accessed from a relatively narrow entrance in Winston Crescent and sited entirely behind the small parade of shops; the Crumbles Sewer separates the buildings from the playing field to the rear.

**Relevant Planning History:**

None relevant.

**Proposed development:**

The current application is submitted by ESCC Childrens Services to ESCC as the local planning authority; this council's views are sought on the proposal as a consultee.

Planning permission is sought to site a mobile classroom behind the school building on a grassed area currently used as part of a larger playground. The building would measure 9m by 8m, 3m to the eaves and finished in the usual "East Sussex Green".

The classroom is required to accommodate a large intake of pupils currently at St Andrews School in Seaside, who will be transferring to Tollgate in September for four years.

**Consultations:**

N/A

**Appraisal:**

The siting and size of the classroom is considered to be appropriate in terms of its relationship with the main school building and the impact on surrounding properties, which are largely industrial/commercial. The closest residential properties which would have any view of the unit at all are over 100m away and at an oblique angle. The only public viewpoint would be from a short section of Seaside where it crosses the Crumbles Sewer, and this would be at a distance of 150m, so that only a small section of it would be seen above the existing outbuildings adjacent to the boundary.

**Human Rights Implications:**

None.

**Conclusion:**

The proposed development is considered to have no adverse impact on visual or residential amenity, and is appropriate for a period of four years.

**Recommendation:** No objections be raised.