

Planning Committee

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

Agenda

- 1 Minutes of the meeting held on 25 March 2014.** (Pages 1 - 6)
- 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 60 Watts Lane. Application ID: 140148. (Pages 7 - 10)**7 Churchdale Road Allotments. Application ID: 14013.** (Pages 11 - 20)**8 Gildredge Park Bowls Club. Application ID: 140044.** (Pages 21 - 28)**9 Sovereign Harbour. Application ID: 131002.** (Pages 29 - 64)**10 St Andrews School Climbing Wall. Application ID: 140154.**
(Pages 65 - 68)**11 Tree Preservation Order - Land at St. Saviour's and St. Peter's Vicarage, Spencer Road, Eastbourne, East Sussex No. 164 (2013).** (Pages 69 - 76)

Report of Senior Head of Development and Environment and Lawyer to the Council.

12 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).

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
Tel: (01323) 415023/415021 Text Relay: 18001 01323 410000, Fax: (01323) 410322
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Tuesday, 25 March 2014
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Harris (Deputy-Chairman) Councillors Hearn, Jenkins, Liddiard, Miah, Murray, Coles (as substitute for Ungar) and Murdoch (as substitute for Taylor)

(Apologies for absence were reported from Councillors Ungar, Taylor and Jenkins)

94 Minutes of the meeting held on 4 March 2014.

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

95 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 stated that he had a longstanding, close working relationship with the Curzon Theatre and that the nature of his involvement in relation to item 96, Land to the West of the Arndale Shopping Centre bounded by Terminus Road and Ashford Road, Arndale Centre, 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 agenda item.

96 Arndale Extension. Application ID: 131071 (PPP)

131071 (PPP) - Land to the west of the Arndale Shopping Centre bounded by Terminus Road and Ashford Road, Arndale Centre -

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 – **DEVONSHIRE**. Four letters of objection from neighbouring residents, four representations from local businesses and a standard letter signed by seven patrons from the Curzon Cinema had been received.

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

The observations of Economic Development, Downland, Trees and Woodland Manager, Historic Buildings Advisor, Local Highway Manager, Planning Policy Manager, Environment Agency, ESCC Development Contributions Coordinator, County Archaeologist, Disability Involvement

Group, English Heritage and Southern Water, were summarised within the report.

Councillor Elkin, Leader of the Conservative Group, addressed the committee in support of the application, highlighting the investment in the Town by Legal and General and reiterating the cross-party support for the scheme.

Stephen Lloyd, MP, addressed the committee in support of the application again highlighting the investment in Eastbourne and thanking all parties involved in bringing the application to committee in its current format.

RESOLVED (A) (By 6 votes with 1 abstention) That planning permission be granted subject to no new issues arising from the current round of public consultation then the Senior Specialist Advisor, Case Management be authorised to issue the decision notice 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 and informative: 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) Shop front 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 detail 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 38) No burning of waste on site 39) Colour of coloured render to be agreed 40) Conform with 2013 Part L building regulations 41) Tree protection terminus road 42) Details of restaurant extraction

Informative:

The applicants are reminded to use their best endeavours to secure enhancements to their statutory obligations for meeting the needs of disabled people.

RESOLVED (B) That 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 Specialist Advisor, Case Management to refuse planning permission, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.

97 2a Beach Road. Application ID: 131069 (PPP)

131069 (PPP) - 2A Beach Road - Demolition of existing warehouse and offices (Use Class B1), proposed 5 no. two-storey three bedroom terraced houses and 2 no. one bedroom flats – **DEVONSHIRE**. Two individual letters have been received and a petition signed by 27 surrounding residents and a further six objections from adjacent businesses had been received.

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

The observations of Economic Development, Cleansing, Environmental Health, Housing and Services Manager, Planning Policy, Highways and County Archaeology were summarised within the report.

Mr Karlow, addressed the committee in objection stating that the scheme would be an overdevelopment of the site, in an unsuitable location. The proposal would result in overlooking and raised highway issues relating to accessing/leaving the site.

Mr Russell, Agent for the applicant, addressed the committee in response stating that the scheme was an appropriate size, height and design for the site, which would form a development of sustainable houses.

RESOLVED: (By 5 votes to 2) That permission be granted subject to the following 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.

98 Serco Ltd, Serco Yard, Bedfordwell Road. Application ID: 130907 (PPP)

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**.

The committee was reminded that consideration of this item at the Planning Committee on the 4 March 2014 had been deferred in order to secure improvements to the scheme.

Members had previously expressed a view that the scheme could be enhanced if some or 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 had been put to the applicants Orbit Homes whose comments were summarised within the report.

Officers considered that the scheme remained acceptable on all material planning grounds. Further comments were detailed in the report.

RESOLVED: (By 5 votes to 2) That permission be granted subject to an agreed Section 106 legal agreement. If a satisfactory Legal Agreement cannot be reached within 9 months from the date of this application then the application be refused, and subject to the following 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 3rd 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. 44) left turn only in/out of development.

99 Land At Rear And To Side Of No. 2, Ringwood Road. Application ID: 140071 (PPP)

140071 (PPP) - Land at rear and to side of No. 2, Ringwood Road - proposed residential development of 7 three bedroom houses together with garage/car parking spaces and access road, at rear and to the side of 2 Ringwood Road, Eastbourne (formerly known as the Swan Laundry) - **UPPERTON**. Six letters of objection had been received.

The observations of the Cleansing Contracts Manager, Estate Manager, Head of Environmental Health, Planning Policy Manager and Local Highway Manager were summarised within the report.

RESOLVED: (By 6 votes to 1) That permission be granted subject to the following 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 or off site affordable housing, commuted sum and appropriate mechanism for delivery to be approved.

Informative:

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

100 Tollgate Junior School, Winston Crescent. Application ID: 140169 (CCC)

140169 (CCC) - Tollgate Junior School, Winston Crescent - Temporary planning permission (August 2018) for the siting of a single mobile classroom on the grass area to the west of the main school building - ST ANTHONYS.

RESOLVED: (Unanimous) No objections raised.

101 South Downs National Park Authority Planning Applications.

None reported.

The meeting closed at 8.40 pm

Councillor Harris
Deputy Chairman in the Chair

Agenda Item 6

App.No: 140108 (HHH)	Decision Due Date: 6 April 2014	Ward: Upperton
Officer: Anna Clare	Site visit date: 30 January 2014	Type: Householder
Site Notice(s) Expiry date: N/A Neighbour Con Expiry: 8 March 2014 Weekly list Expiry: 8 March 2014 Press Notice(s): N/A		
Over 8/13 week reason: To align with available Planning Committee.		
Location: 60 Watts Lane, Eastbourne		
Proposal: Two storey extension to form self-contained unit adjoining the existing detached private house, with internal linking access doors.		
Applicant: Mr C Godfrey		
Recommendation: Grant planning permission.		

Constraints

Archaeological Notification Area
multi period settlement

Tree Conditions

Tree(s) protected by planning permission.
EB/1989/0594

Relevant Planning Policies

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies

B2 Creating Sustainable Neighbourhoods
D10A Design

Saved Borough Plan Policies 2007

HO2 Predominantly residential areas
HO20 Residential amenity
UHT1 Design of new development
UHT4 Visual Amenity

Site Description:

The site refers to a two-storey, detached single family dwellinghouse on the western side of Watts Lane, close to the junction with Mill Road. The area is predominantly residential in character, with a mix of character, style and materials to properties.

The property has an existing ground floor garage to the side adjacent to the north-eastern boundary with No.61 Watts Lane.

Relevant Planning History:

EB/1957/0446
ERECTION OF DET HOUSE WITH GARAGE
Approved Conditional
1957-12-19

Proposed development:

The application proposes the replacement of the existing ground floor garage/utility room to the side of the dwelling house with a two storey side extension. The extension is to provide additional residential accomodation by way of an annex with seperate kitchen and lounge area and two bedrooms, accessed by a an existing lobby/porch area.

The application also proposes the replacement of the existing ground floor rear extension to the south-western boundary, extending to the side by 500mm to be in line with the existing main house, and increasing in height to 2.8m, extending across the rear of the property projecting 2.3m in line with the proposed two storey side extension.

The ground floor and two storey side extensions are proposed with flat roofs and are to be rendered with timber cladding to the front section of the side extension. Two high level windows are proposed in the side (north-eastern) elevation, one to ground and one at first floor level. With the main windows to both the front and rear elevation.

The side extension will measure 10.3m in length, 5.7m in height and will project 2.3m to the rear of the existing property and come forward of the front elevation by 1.4m.

Consultations:

External:

County Archaeologist – In light of potential for loss of heritage assets on the site resulting from development the area affected by the proposals should be the subject of a programme of archaeological works which will be controlled by condition.

Neighbour Representations:

No objections have been received to the application. A letter of support has been received from the occupiers of 61 Watts Lane, the adjacent neighbour to the north-east.

Appraisal:

The application proposes a ground floor single storey extension projecting 2.3m in depth across the rear elevation of the property to 2.8m in height. Given the modest depth and height of the extension and given the existing extension to the property it is not

considered that this extension will have any significant impact on the adjacent property which is well set back from this boundary.

The application also proposes a two storey side extension set back 300mm from the north-eastern boundary of the application site. The extension will replace the existing garage/utility room at ground floor level. Given the detached nature of the site it is not considered that the proposed extension will have any significant impact on the adjacent property NO.61 Watts Lane, which is set back from the boundary.

The extension is large, and a bulky block attached to the side elevation, the rendering and timber panelling to the side give the extension a modern appearance to the host building which is itself of little character compared with others in the immediate area. The extension projects 2.3m from the rear elevation of the existing building, which will still allow a view through between the properties from Watts Lane. The extension will read as a modern addition to the existing dwelling, the majority of which is screened from view from Watts Lane by substantial trees and shrubs. On balance the size, bulk and proposed materials are considered acceptable.

Human Rights Implications:

The impact of the application 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 local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues.

Conclusion:

The ground floor rear extension is considered acceptable in scale and bulk and will not have a significant impact on the adjacent property in terms of amenity. On balance it is not considered that a refusal on the basis solely of design or the bulk of the two storey side extension could be substantiated, it is not considered that the extension will result in significant impacts on the amenity of the adjacent property No.61 Watts Lane who have written in support of the application; therefore it is recommended that planning permission is granted.

Recommendation: grant planning permission.

Conditions:

1. Time for commencement
2. In accordance with the approved drawings.
3. Materials to be as stated.
4. Windows in the side (north eastern) elevation at ground and first floor level shall only be glazed in semi-obscure glass and incapable of being opened and shall be permanently maintained as such thereafter.
5. 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 or door other than those expressly authorised by this permission shall be constructed in the north-eastern side elevation of the approved extension without planning permission obtained from the Local Planning Authority.
6. No development shall take place until the developer has secured the implementation of a programme of archaeological work.

7. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed.

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.**

Agenda Item 7

App.No: 140130 (PPP)	Decision Due Date: 1 May 2014	Ward: St Anthony's
Officer: Toby Balcikonis	Site visit date: 28 March 2014	Type: Planning Permission
Site Notice(s) Expiry date: 4 April 2014 Neighbour Con Expiry: 4 April 2014 Weekly list Expiry: 4 April 2014 Press Notice(s): N/A		
Over 8/13 week reason: The application is within date		
Location: Churchdale Road Allotments, Eastbourne.		
Proposal: The existing allotments will be extended with the addition of new plots and sensitive parking areas.		
Applicant: Mr Nick Adlam (EBC)		
Recommendation: Approve with conditions		

Constraints:

Convenants

Eastbourne Borough Council

Archaeological Notification Area

prehistoric wetlands - Consult county.archaeology@eastsussex.gov.uk

Willingdon Levels Catchment Area

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

D9 - Natural Environment

D10 - Historic Environment - Archaeological Notification Area

D11 - Eastbourne Park

C6 - Roselands & a m p; Bridgemere Neighbourhood Policy

D11: Eastbourne Park

Saved Borough Plan Policies 2007

NE28: Environmental Amenity

UHT4: Visual Amenity

HO20: Residential Amenity
US4: Flood Protection and Surface Water Disposal
NE16 - Dev within 250m of former landfill site
US1 - Hazardous Installations
US4 - Flood Protection and Surface Water
US5 - Tidal Flood Risk
HO2 - Predominantly Residential Areas
NE1 - Development Outside the Built-up Area Boundary

Site Description:

The Churchdale Allotments are sited in the Eastbourne Park, a flood zone in the area surrounded by undeveloped, fallow land to the North and North West, and bounded by developed land along the remainder of the boundary, including the Hammonds Drive Industrial Estate to the East and North East, and Collier Close, and Horseye Close to the South West, with the Horsey Sewer (with Northbourne Road beyond) located along the South and South East boundary.

Access to the existing allotments (comprising of plots used for the growing of plants and vegetables for personal consumption) is via a tarmac track which runs adjacent to the Horsey Sewer (for use by car, bicycle or on foot) off Bridgemere Road to the West of the site and via bike and pedestrian along the same track accessed from Hammonds Drive to the East. Entry on to the allotments themselves are via two locked gates located along the Southern boundary of the site whose keyholders are members of the site.

Predominantly used for planting, but many also contain sheds and similar storage and greenhousing for growing plants, which is regulated by the Eastbourne Allotments and Garden Society which manage the site on behalf of the Land owner, Eastbourne Borough Council.

An area located to the rear of Collier Close and Horseye Road on the East Side of the site is currently undeveloped fallow land, and is the site of the proposed final phase of allotment creation in the area and the subject of this planning application.

Relevant Planning History:

None relevant to this specific application.

Proposed development:

The applicant, Eastbourne Borough Council seeks permission to extend the existing Churchdale Road Allotments by cultivating the adjacent fallow ground to create 60 additional allotment plots. Access to these proposed new plots (pedestrian bicycle or car) will be via the existing entrance off Bridgemere Road.

Two new car parking areas (constructed of MOT type 1 stone or similar loose fill, permeable material), providing parking for up to 20 cars is indicated on the proposed plans to ensure there is enough parking capacity for the new users and to avoid on-street parking in the surrounding roads. Trackways for migration through the site will also be created using permeable, loose fill surface.

A buffer zone of undeveloped land (to remain fallow) between 5m – 10m is proposed between the newly created plots, and existing residential property boundaries to help maintain the privacy of the existing adjacent residents.

In order to help manage flooding on site (located within the Zone 3 Flood Area), a new drainage ditch will be excavated within the buffer zone, to the rear of the Collier Close.

The site as a whole, including the proposed new plots, will continue to be managed by the Eastbourne Allotment and Garden Society who have strict rules to ensure that members do not cause a nuisance to their neighbours.

Consultations:

Internal:

Specialist Advisor - Planning Policy (rec'd 05/04/2014):

- Proposal accords with the Eastbourne Park Supplementary Guidance
- Provision of additional allotment space is in accordance with the Council's Infrastructure Delivery Plan.

Senior Specialist Advisor - Parks and Gardens:

The Eastbourne Allotments and Gardens Society (EAGS), who manage the allotments on the Council's behalf, carry out the day to day management functions with the allotment tenants.

I am awaiting confirmation on the complaints that are being submitted to EAGS but they have verbally advised that there have been none since 2011. I liaise with the EAGS and have involvement with the management of allotments on behalf of the Council and can confirm I have received no complaints since this time.

Specialist Advisor - Environmental Health:

At the time of writing this report, no complaints regarding the site from the Council's Environmental Health Team have been communicated to the officer.

External:

County Archaeologist- ESCC are happy for the conversion of the site to be done under the supervision of our museums officer (Jo Seaman) who will be able to identify any issues

- No hard landscaping / groundworks to create levels for use
- Minimal cultivation impact by users of plots
- Surface artefact survey following completion by EBC heritage team
- Any archaeological works in conjunction with ESCC
- Useful community project for survey work

Environment Agency – This is within a flood risk zone but as there is no development on the site there is no increased risk to the site. The car parks are made from free draining material.

County Ecologist:

A detailed habitat survey was carried out at the site which has highlighted the need to relocate a large population of slow worms. This will be done before the site is converted to an allotment and only after planning is granted.

Neighbour Representations:

46 neighbouring properties were consulted as part of the application. With 5 objections have been received and cover the following points:

FLOODING: Assured that drainage installed as part of phase 1 would be 'sufficient' to negate flooding issues on site (which 'occurs annually'). Recently the site has been reported to be underwater, with the access road within the site not being able to be used (to reach designated parking areas) causing allotment users to cause parking congestion on roads outside of the site due to offset parking. Concerns that increased flooding may occur due to changing the land to use as allotments.

SIZE OF SHEDS & USE: Reports of overly large sheds already on site (approx. 24ft x 12ft) and reports that these may even be 'lived in' at times and allegedly running businesses from them.

IMPACTS ON RESIDENTIAL AMENITY;

NOISE: Unsociable hours, early mornings and late in evening inc.

- Loud radios
- Children 'shouting and screaming'
- Loud Radios
- Dogs barking
- People working on the allotments before 7am building sheds, fences, structures

POLLUTION: Burning of waste and materials (bonfires) causing issues due to smoke and smell. Bringing materials from off-site to burn.

VISUAL AMENITY: The current allotment has a negative impact on visual amenity with the appearance of a 'shanty town' (through use of sheds, waterbutts and composting area for many of the plots) and erection of large flag poles and flags.

REDUCTION OF PRIVACY: Users being much closer to the rear of existing properties (some comments have been to request screening / fencing to negate impact).

FEAR OF CRIME: Perception caused by regular issues of inconsiderate behaviour by allotment users and people walking through from the allotments to the 'donkey fields' to the rear of Collier Close, for 'no apparent reason'.

MANAGEMENT OF ALLOTMENTS: Question management of allotments where perceived breaking of rules happening often.

IMPACT ON WILDLIFE & ENVIRONMENT.

Appraisal:

Principle of development:

There is no objection in principle to extending the Churchdale Road allotments provided it would not have a significant impact on the amenity of the existing nearby residents, and

would not have an adverse effect on flooding in and around the site in accordance with policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007.

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

Further to the range of comments received from local residents the Eastbourne Gardens and Allotment Society have been contacted and have confirmed that there have not been any complaints directly received regarding the proposed allotment extension and are not aware of any 'long running' issues, and have in fact have received applications for allotments from several residents in Horsey Close and Bridgemere Road for plots when they become available.

It has been advised that "In the early days when phase one was completed we, and the Council, had a number of complaints re bonfires and noise from our new tenants. Action was taken and, other than one complaint some ten days ago from a lady in Collier Close regarding a bonfire, nothing has been heard from our neighbours for well over eighteen months".

Visually, the existing allotments represent a variety of appropriately sized sheds and outbuildings for the use in conjunction with the growing of plants and vegetables for personal consumption and storage of items for the use in conjunction with maintaining allotments plots. Some composting heaps do exist, but are governed by strict membership rules to ensure that it is material generated on site.

By its very nature the use of allotments seeks to provide families with foodstuffs as cost effectively as possible. Thus there are a number of sheds made from salvaged or recycled materials. Part of the allotment lifecycle generates compostable material and low level structures are created to accommodate such material as well as water butts to recycle rainwater.

Allotments rules state that nobody is allowed to run a business from the site. A large sized shed (up to the size reported by neighbour representations) does exist on site. It has been confirmed that shed, in existence for a number of years has been funded by a grant from the Heritage Board of the National Lottery. The plot holder, together with other suitably qualified and vetted adults, provide Horticultural training classes for young people from less fortunate backgrounds, this has included 'Charlies' youth club amongst other organisations well known in the town. The size of the construction provides a group meeting place particularly during inclement weather.

Issues of Noise:

All of the allotment tenants are "reminded of Eastbourne Borough Council's Rules regarding nuisance". Whilst it cannot be guaranteed that no noise emanates from the site (used by families including children, and involving some construction of sheds and associated minor structures), any member found to be deliberately ignoring the rules can in some cases lose their right to hold an allotment on the site.

Sheds are proposed to be located at the furthest point from the resident's boundaries and the use of poly tunnels will not be strictly monitored within the plots that adjoin the properties to ensure the impact to residential amenity is managed within acceptable levels.

Air Pollution:

Members of the allotments are allowed to burn waste materials generated from onsite activity only, and their use is governed by site rules. As previously mentioned, there has been very little by way of complaint since those first months of the development of the first phase. Large green waste containers have been successfully trialled within the Gorringe Road complex and will be used on other sites, such as Churchdale Road. This will reduce the need for fires.

Compost piles are a feature of allotments providing a source of nutrients to enrich the growing plots. To ensure the impact of compost by way of smell of decomposing materials or their visual impact, none of the new tenants will be able to locate compost piles near to properties.

Reduction of Privacy and Issues of Security:

During previous public consultation in 2011, a reduction of privacy was, and still appears to be of great concern to the residents and the Council have proposed the use of buffer zones (at least 5 metres in length), a ditch and native planting to reduce the impact, especially on the end property (number 14 Collier Close) who has longest boundary affected by the proposals. An enlarged buffer zone, of 10 metres in depth has been proposed adjacent to this location to help minimise an adverse impact to the amenity of the resident in this location. The buffer zones indicated on the submitted were 'discussed and accepted' at the 2011 public consultation meeting.

A site that is well used results in less opportunity for crime through natural, ongoing surveillance by other tenants who have a vested interest in keeping the site secure and reporting/ challenging strangers. In recent years the allotment site has been made more secure with the replacement of gates and fences along large sections of the boundary. According to site rules and signs on the entrance gates, they should remain locked at all times.

Flooding:

The allotment site, just like the Bridgemere housing estate, is situated on floodplain. The low lying areas of the site have experienced flooding this exceptional winter in spite of an additional culvert runaway facility being built in the Horsey Sewer as part of the cyclepath development.

Notwithstanding the buffer zone the plan also incorporates a substantial ditch which has been designed to alleviate the flooding of the gardens in Collier Close, as well as improving the drainage of that parcel of land in general. It is considered that the change of land from fallow use to allotments will not have an unacceptable impact on flood risk due to the proposed use of land for the cultivation for planting allowing water to soak in to the ground naturally. The proposed parking areas to be created onsite, are to be constructed of materials which are permeable and allow water to drain.

Future Management:

There have been behavioural issues in the past that were raised such as fires, noise (especially early morning), children and dogs. There appear to have been very few complaints received in recent years. Generally, allotment holders are good neighbours judging by the lack of complaints. The Allotment Rules identify what is expected in terms

of behaviour of an allotment tenant and if the rules aren't abided by, they may be served with a Notice to Quit. The rules include references to bonfires, children, dogs and travelling in cars at no more than 5 mph.

New allotment tenants must apply to the Trustees to erect sheds, glass houses or poly tunnels so those taking on new plots can be advised of the restrictions before they decide to take on the plots. There will be the offer of first refusal for those residents wishing to take on allotment plots adjacent to their property.

It is considered that the rules governing the use of the Churchdale Road allotments should be sufficient to ensure that the impact to the residential amenity is kept to an acceptable level. Many of the issues raised by adjacent residents to the proposal are activities which should be governed by the members rules for allotments use.

Impacts on trees and ecology:

Boundary hedges are proposed to be retained where they exist around the border of the site, providing a habitat for nesting birds, and to help maintain residential security and privacy from members using the site. A existing tree on site is indicated to be retained which will help with drainage issues around this location.

An extensive ecological survey of the site has been conducted, and identified that the land provides a habitat for slow worms. These will be relocated to a suitable site in the event of planning permission being granted. Habitat areas for differing species are proposed on site, to help reduce the impact on ecology.

Impacts on highway network or access:

The only access to the site will be through the two existing gates that serve Churchdale Road allotments.

Three car parking areas have been created within the former allotment site, with the top car park requiring extending to serve the new plots. A second car park would be located at the bottom of the area accessed via a new track between rows of proposed plots adjacent to Collier Close and Horseeye Road. Both will be located at the furthest distance possible from properties. There is no car parking to be created adjacent to Collier Close.

The roads are proposed to be loose fill stone creating two tracks, the width of the car with grass in between which will allow water to soak away.

Other matters:

The Council has identified in its Infrastructure Delivery Plan (IDP) the need to extend the Churchdale Road Allotments, to support growth proposed in its spatial development strategy (Policy B1 of the Eastbourne Core Strategy Local Plan, 2013). The application would provide a large new area of allotments including nature zones and suitable drainage and flood mitigation arrangements, to help meet the overall additional provision of allotments required across the Borough. The application confirms with the requirements of Policy D11: Eastbourne Park of the Core Strategy Local Plan which supports 'allotment provision, located close to and within safe access to existing residential areas'.

The Eastbourne Park Supplementary Planning Document (SPD) (2013) provides specific guidance in support of Policy D11 of the Core Strategy. The application conforms with Key Principle 4: Agriculture and Allotments, as well as the concept for Sector B: Southbourne, where Churchdale Road allotments are mentioned specifically, with the requirement that planning permission is applied for to extend the area of land (0.98ha) adjacent to current allotment site.

It is considered that the proposal would provide sustainable development that meets the infrastructure needs of the local community.

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:

The proposed development is considered acceptable for the following reasons:

The proposed extension of the Churchdale Road Allotments should not have an unacceptable impact on the visual or residential and is deemed to be an appropriate use of land within the Eastbourne Park, and should not have a detrimental impact on the land for issues such drainage, and should therefore not increase the risk of flooding on site.

The development accords with policies UHT4 and HO20 of the Eastbourne Borough Plan (2007) regarding impact to Residential Amenity and Policies B1 and D11 of the, Eastbourne Core Strategy Local Plan (2007-2027) and the National Planning Policy Framework (2012).

Recommendation:

It is recommended that the application be approved with the following conditions.

Conditions:

- 1) Time limit for commencement
- 2) In accordance with approved drawings
- 3) Hours for works of implementation
- 4) Ongoing archaeology
- 5) Protection of retained trees
- 6) Sensitive treatment of ecology (pre-commencement)
- 7) Submission of sufficient flood risk information
- 8) Sheds sited on furthest point from residential boundary within plots
- 9) Boundary Hedgerow to be maintained

Summary of reasons for decision

The proposed development is considered acceptable for the following reasons:

The proposed extension of the Churchdale Road Allotments should not have an unacceptable impact on the visual or residential and is deemed to be an appropriate use

of land within the Eastbourne Park, and should not have a detrimental impact on the land for issues such drainage, and should therefore not increase the risk of flooding on site.

The development accords with policies UHT4 and HO20 of the Eastbourne Borough Plan (2007) regarding impact to Residential Amenity and Policies B1 and D11 of the, Eastbourne Core Strategy Local Plan (2007-2027) and the National Planning Policy Framework (2012).

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

App.No: 140044 (PPP)	Decision Due Date: 23 March 2014	Ward: Upperton
Officer: Toby Balcikonis	Site visit date: 26 February 2014	Type: Planning Permission
Site Notice(s) Expiry date: 19 February 2014 Neighbour Con Expiry: 12 March 2014 Weekly list Expiry: 28 March 2014 Press Notice(s): N/A		
Over 8/13 week reason: To align with available Planning Committee dates.		
Location: Gildredge Park, The Goffs, Eastbourne		
Proposal: Extension to existing bowls club pavilion, with new full width veranda and internal alterations. Other works include the erection of a shed to house water tanks to be repositioned.		
Applicant: Mr Frank Eveleigh		
Recommendation: Approve conditionally		

Planning Status:

EBC owned (leased) recreational facilities situated within a public parked

Constraints:

Convenants

Eastbourne Borough Council

Archaeological Notification Area

Consult county.archaeology@eastsussex.gov.uk

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C4: Old Town Neighbourhood Policy

D7: Community, Sport and Health

D10: Historic Environment - Archaeological Notification Area

D10A: Design

Saved Borough Plan Policies 2007

UHT1 – Design of New Development

UHT4 – Visual Amenity

UHT15 – Protection of Conservation Areas
HO20: Residential Amenity

Site Description:

The application site, namely the Gildredge Park Bowls Club, is located along the Northern boundary of Gildredge Park adjacent to the entrance by road from The Goffs (between numbers 9 and 11 The Goffs). Along the entrance road exist public parking spaces serving the park and its facilities, also leading to a gravel covered car park, used for the Bowls Club itself.

Covering an area of over 4700 sqm the grounds of the Bowls Club contain two large sized bowling greens, which are served by a single storey pavilion situated along part of the Southern boundary of the bowls club site with attached minor extension to the east elevation to house water tanks for use with the pavilion.

The club is lined on three sides (South, East & West) by a well-maintained (by the club) mature hedgerows of Leylandii, screening the site from public areas of the Park.

A public footpath within Gildredge Park runs adjacent to the Northern Boundary of the Bowls Club, and beyond that exist the southern boundaries of properties located on the south side of The Goffs (which include: 11 The Goffs, Dukesbury House and Ripley Chase), with the properties themselves set back at a distance of over 80 metres from the Bowls Club Pavilion.

30m to the east of the Bowls pavillion lies the newly extended Gildredge Park Tennis Club facilities.

Relevant Planning History:

EB/1971/0740 - Erection of a single-storey bowls pavilion.
Approved under Regulation 11.- 1971-12-16

EB/1989/0634 - Erection of replacement pavilion.
Approved under Regulation 4. - 1989-11-28

EB/1993/0237 - Extension to bowls pavilion.
Granted, subject to conditions. - 1993-07-14

001281 - Provision of a car parking area.
FastPlanning APP TYPE - Local Authority
Approved conditionally - 15/09/2000 00:00:00

010600 - Provision of a single six metre high lighting column.
Planning Permission - Approved conditionally
04/04/2001

970277 - Proposed single storey extension to enclose water tanks.
Planning Permission - Approved unconditionally - 27/11/1997

Proposed development:

The applicant seeks permission to erect a 12 metre wide single storey side extension projecting from the East elevation of the existing Bowls Club pavilion to 36 metres in total. A minor side extension, currently used for the housing of water tanks will be demolished to make way for the scheme.

It is proposed that the appearance will replicate that of the existing pavilion by way of matching the heights and depths of the main bulk, and using external finishes to match (which include: brick with render panel walls, concrete roof tiles, and wooden framed windows and doors. A timber veranda is also proposed the full length of the northern elevation of the pavilion; together with the repositioning to the east of a shed to house water tanks.

The applicant proposes to reconfigure the internal space to continue the use of the venue as a bowls pavilion and changing rooms for members and visitors, providing teas and alcoholic drinks. In the winter the pavilion is used for member attended social functions and indoor short mat bowls.

Through repositioning the existing bar and kitchen out of the lounge area and in to the proposed extension (increasing its size from 14.5m x 6.4 to 16.5m x 9.0m which can accommodate two full length short mat bowls surfaces. The applicant also intends to increase the size of the gentleman's changing rooms and the addition of disabled toilet facilities to changing rooms for both men and woman (currently accessed externally), widening access doors for wheelchair users.

The applicant also proposes to demolish an existing minor side extension currently used to house water storage tanks in conjunction with the pavilion, and re-house them in a proposed outbuilding 3 metres wide x 3 metres x 7 metres in depth situated in the South East corner of the site to the East of the proposed extension.

Consultations:

Internal:

Specialist Advisor – Arboriculture (Rec'd 25/03/14)

- This site is adjacent to a group of mature trees, which consists of four Pines situated adjacent to the clubs car park. The other trees on site are the mature hedge line consisting of *Cypressus x leylandii*.
- Recommend trees fenced off with tree protection fencing (to be approved) and must be undertaken prior to commencement of works on site.
- Further tree protection measures will need to be in place at the edge of the root protection area of the *Cypressus x leylandii* hedge line around the edge of the application site indicated on plans to be retained
- Need to ensure new services are installed in a suitable location to prevent damage to the four Pines adjacent to the site.

EBC Estates (rec'd 20/02/2014)

The Borough Council, in its role as landlord, has been made aware of the proposal and has no objections subject to the applicants gaining planning permission.

External:

County Archaeologist (rec'd 01/04/2014)

Although this application is situated within an Archaeological Notification Area, I do not believe that any significant archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance.

Neighbour Representations:

Multiple site notices were displayed in prominent locations around the site. No objections to the proposed development have been received.

Appraisal:

Principle of development:

There is no objection in principle to extend the existing Bowls Club Pavillion along with the associated proposed works provided they would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity of persons using the park and surrounding residents in accordance with policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007.

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

It is considered that the appearance of the proposed development to match the existing pavillion will cause limited impact to the visual amenity of the surrounding area. The site is screened on 3 sides by a mature hedge screen, conditioned for retention and is of a significant distance to residential properties to the North (situated on the South side of The Goffs).

There is proposed to be no loss of natural screening, and no erosion of local distinctiveness or effect on any important vistas as a result of the proposed single storey extension and thus is in accordance with Policy UHT4 of the Borough Plan concerning Visual Amenity.

There will be no loss of outlook, overshadowing or loss of light to any nearby residential properties (or any other buildings) as a result of the proposed development. It has been acknowledged that there may be some increase in activities used in conjunction with the club and its pavillion if approval were granted for the scheme, however it is not considered this will result in any significant impacts on surrounding residential properties.

Current use / hours:

- Short mat bowls 4 days per week between 10.00am – 2.30pm*
- Bridge once per week between 2.00pm – 6.00pm*
**for these functions the bar is not used*
- Regular social function on Thursday evening (bingo / quiz)
- Monthly members coffee morning on a Saturday
- Occasional evening social function (no 3rd party organisations)
 - 'Few and far between' – 6.30pm – 10.30pm

In the summer during the bowls season the normal hours of playing bowls for 7 days per week are from 9.30am – 6.30 pm. Sometimes for Town league matches the hours of play extends to 9.00pm. Occasionally for special matches there may be a light supper after a

match which finishes by 9.00pm. There may also be a social function in the evening for members which would be from 6.30pm – 10.30pm.

Proposed use / hours:

- Proposed to be an increase in the short mat bowls activity until 6.00pm and use 2 mats instead of the current single mat

It has been advised that there may be a slight increase in the use of the pavilion for social functions but such functions would only be allowed if a Club member was present and not to as a venue to 3rd party organisations.

It is considered that the proposed uses for the reconfigured and extended space falls within the scope of the existing use, and are of a nature where there will not be any unacceptable impact on residential amenity by the continued and possible slight increase to activities carried out by club members at the pavilion.

It is considered that activities in conjunction with the use of an extended pavilion will not have a detrimental impact on the surrounding highway.

It is therefore concluded that the proposed scheme also accords with Policy HO20 of the Borough Plan concerning impact to Residential Amenity.

Design issues:

In seeking to replicate the external appearance of the existing pavillion building in terms of its height, depth, style and use of matching materials it is considered that the new development would be in-keeping with the host building, and would be appropriate in scale, form, setting alignment and layout within the site in accordance with Policy UHT1 of the Borough Plan 2007.

It is considered that the proposed the wooden veranda across the full width of the pavilion is in-keeping with the character of the building and is appropriate in its use of materials, size, scale and design.

The proposed outbuilding to re-house the water storage tanks is considered to be appropriate in its size and positioning in relation to the main pavillion building. The storage building is subservient in its size and height and is sited on slightly lower ground, decreasing its visual impact. Its proposed location, in the south east corner is considered to be appropriate for its setting, and ensures that it will not be visually dominant.

Impact on character and setting of a listed building or conservation area:

At a distance of over 130 metres to the west at its closest point lies the Old Town Conservation Area, including the land belonging to 27 The Goffs, and areas of Gildredge Park itself. Although, there is mostly open park land between the Conservation Area and the proposed development itself, it is considered that the substantial distance between the two, and its appearance to harmonise with the existing building causes no detrimental impact to the conservation area.

The position of the proposed development on the East side of the existing pavillion, in addition to the boundary leylandii hedge screening will mean that the impact of the

scheme on the Old Town Conservation Area will be virtually none, and therefore is acceptable development in accordance with Policy UHT15 of the Borough Plan.

Impacts on trees:

This site is adjacent to a group of mature trees, which consists of four Pines situated adjacent to the club's car park. The other trees on site are the mature hedge line consisting of *Cypressus × leylandii*.

The application is adjacent to an existing well-maintained screening *leylandii* hedgerow. Although the works should not directly affect the trees adjacent to the site, it is recommended that tree protection fencing is erected to the edge of the car park which is in line with the existing knee rail fencing, this must be undertaken prior to commencement of works on site and to the satisfaction of the Specialist Advisor for Arboriculture (secured through condition).

As the applicant has indicated in the plans that the *Cypressus × leylandii* hedge line around the edge of the application site is to be retained. Further tree protection measures will need to be in place at the edge of the root protection area which the applicant will need to calculate and submit for approval (also secured by condition) to prevent the accidental damage to the retained trees and prevent the storage of materials, site offices and waste within the root protection area of the trees.

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:

It is concluded that the proposal to extend the existing Bowls Club Pavilion and associated works is acceptable in terms of its design, and is considered that the proposed development would be in harmony with its surroundings. It is not considered that the proposal will have an adverse effect on the amenities of the surrounding residential properties or the amenity of persons using the park in accordance with policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007.

Recommendation:

Approve conditionally

Conditions:

- 1) Time for commencement
- 2) Approved drawings
- 3) Materials (to match) as drawings and application form
- 4) Condition T4 Tree protection: (fencing)
- 5) T10 Landscaping (A) (vii) (prevent damage through installation of services)
- 6) Hours of demolition / construction

Summary of reasons for decision

The proposed development is considered acceptable for the following reason:

It is considered that the proposed extension by virtue of the size, location and design, in relation to the area and neighbouring properties, will not have a detrimental effect on visual or residential amenity and will not affect the setting of the nearby Old Town Conservation Area. This is subject to conditions to accord with policy UHT1, UHT4, UHT15 and HO20 of the Eastbourne Borough Plan (2007), Eastbourne Core Strategy Local Plan (2007-2027) and the National Planning Policy Framework (2012).

The conditions ensure safeguarding the existing tree and mature hedgerow screening and to protect the amenity of nearby residential properties, and users of the park.

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 9

App.No: 131002	Decision Due Date: 19 February 2014	Ward: Sovereign
Officer: Anna Clare	Site visit date: 24 January 2014	Type: Outline (all reserved)
<p>Site Notice(s) Expiry date: 21 February 2014 Neighbour Con Expiry: 10 January 2014 Weekly list Expiry: 29 January 2014 Press Notice(s): 4 February 2014</p>		
Over 8/13 week reason: Discussions over S106 agreement.		
Location: Sovereign Harbour, Eastbourne.		
<p>Proposal: Outline planning permission for the development of Sites 1, 4, 5, 6, 7 and 8 at Sovereign Harbour, Eastbourne:</p> <p>Site 1 - up to 72 dwellings and access Site 4 - Commercial and employment uses (A1-A5 3,200sqm) (B1, C1 and D1 3,600sqm) Site 5 - Community use (800sqm) Site 6 - Employment and office uses (B1 up to 15,000sqm) Site 7 - Mix of employment uses (B1 6,700sqm) (C1 & C2 up to 5,500sqm) (D1 up to 200sqm), up to 70 dwellings and open space (0.80 ha) Site 8 - Up to 8 dwellings, open space and berth holder facilities</p>		
Applicant: Sovereign Harbour Ltd.		
<p>RECOMMENDATION A: Approve subject to the prior conclusion of a S.106 Agreement to secure a financial contribution for the community centre, public open space, play equipment, employment floorspace, cycle linkages, local labour obligations, Travel Plans, East Sussex County Council financial contributions and conditions.</p> <p>RECOMMENDATION B: In the event that the S.106 is not signed by 15 July 2014 that delegated authority be given to the Senior Specialist Advisor to refuse planning permission, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.</p>		

Executive Summary:

This report concerns an application for outline planning permission for the development of 6 sites within Sovereign Harbour which are still identified for potential development. These are defined as Sites 1, 4, 5, 6, 7 and 8.

All detailed matters for the submission sites are reserved; therefore they will be subject to later reserved matters applications.

The proposals, comprising the individual site boundaries and mix and scale of uses applied for are defined by the red line site location plans and parameter plans that form part of the submission. These include indicative site access details. It is proposed that these plans are approved as part of this outline submission and that future reserved matter details will be required to comply with the approved parameters for each of the sites.

The proposals are consistent with the Core Strategy Neighbourhood Vision and Policy for Sovereign Harbour, and with the requirements of the Sovereign Harbour Supplementary Planning Document (SPD) (2013). Although the application does not precisely accord with the requirements for 30,000sqm of office space from Core Strategy Local Plan Policy D2: Economy, it is consistent with emerging policy in the Employment Land Local Plan and this is considered acceptable.

In summary, this application will result in the long overdue completion of the harbour development and will provide the missing social and economic infrastructure for Sovereign Harbour to become a sustainable community. Generally the application is in accordance with the Core Strategy and the Sovereign Harbour SPD and the recommendation is subject to the prior conclusion of a S106 agreement the details of which are set out in the report.

Relevant Planning Policies:

National Planning Policy Framework

- 1. Building a strong, competitive economy
- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 8. Promoting healthy communities
- 10. Meeting the challenge of climate change, flooding and coastal change
- 11. Conserving and enhancing the natural environment
- 12. Conserving and enhancing the historic environment

Eastbourne Core Strategy Local Plan Policies 2013

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C14: Sovereign Harbour Neighbourhood Policy
- D1: Sustainable Development
- D2: Economy
- D3: Tourism and Culture
- D4: Shopping
- D5: Housing
- D7: Community, Sport and Health
- D8: Sustainable Travel
- D9: Natural Environment
- D10: Historic Environment
- D10A: Design

Saved Borough Plan Policies 2007

BI4: Retention of Employment Commitments
NE4: Sustainable Drainage Systems
NE7: Waste Minimisation Measures in Residential Areas
NE14: Source Protection Zone
NE16: Development within 250 Metres of a Former Landfill Site
NE17: Contaminated Land
NE18: Noise
NE22: Wildlife Habitats
NE27: Developed/Partly Developed Coast
NE28: Environmental Amenity
UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT6: Tree Planting
UHT7: Landscaping
UHT8: Protection of Amenity Space
UHT10: Design of Public Areas
UHT17: Protection of Listed Buildings and their Settings
UHT19: Retention of Historic Buildings
HO1: Residential Development Within the Existing Built-up Area
HO2: Predominantly Residential Areas
HO6: Infill Development
HO7: Redevelopment
HO20: Residential Amenity
BI2: Designated Industrial Areas
BI6: Business and Industry in Residential and Tourist Areas
BI7: Design Criteria
TR1: Locations for Major Development Proposals
TR2: Travel Demands
TR4: Quality Bus Corridors
TR5: Contributions to the Cycle Network
TR6: Facilities for Cyclists
TR7: Provision for Pedestrians
TR8: Contributions to the Pedestrian Network
TR11: Car Parking
TR12: Car Parking for Those with Mobility Problems
SH2: Business uses Outside the Retail Hierarchy
SH6: New Local Convenience Stores
SH7: District, Local and Neighbourhood Centres
LCF3: Criteria for Children's Playspace
LCF4: Outdoor Playing Space Contributions
LCF20: Community Facilities
LCF21: Retention of Community Facilities
US3: Infrastructure Services for Foul Sewage and Surface Water Disposal
US4: Flood Protection and Surface Water Disposal
US5: Tidal Flood Risk
US6: Integrity of Flood Defences

Supplementary Planning Documents

Site Description:

Sovereign Harbour was originally part of the Chatsworth, Duke of Devonshire Estate and was known locally as The Crumbles. It formed part of a shingle stretch that provided a natural sea defence and habitable area.

Sovereign Harbour is one of the newest areas of Eastbourne, having been developed from a shingle landscape to an important leisure attraction and residential area over the last 20 years. The development consists of four separate harbours, a retail park and a variety of different housing developments. It is located approximately 2.5 miles north east of the Town Centre. Sovereign Harbour has been designated as one of 14 neighbourhoods in Eastbourne, and is identified in the Eastbourne Core Strategy Local Plan as Neighbourhood 14.

It has been recognised that the completion of the Sovereign Harbour development is long overdue and that the area is missing the social and economic infrastructure that is required for it to become a sustainable community.

The area set back from the immediate seafront was quarried for aggregates and some excavated areas were backfilled with domestic and builders' rubbish, which required remediation works and remains concentrated within a capped area known as the shingle bank or mound.

Relevant Planning History:

Outline permission was granted on 12th May 1988 (**EB/1986/0431**) for a:
"Comprehensive mixed use development for residential, commercial business, hotel, leisure and a retail element not exceeding 240,000 square feet, also including the construction of harbours and associated works."

The permission was subject to s.52 legal agreement and established the principle of the reclamation of the site, involving the excavation of a marina with new sea defences, substantial site remediation and on and off-site infrastructure works. Part of the site preparation works involved site clearance into the registered shingle bank landfill area to deal with waste materials in situ. It also established a range of uses and a scale of retail development.

Two subsequent outline planning permissions were approved dealing separately with the South and North Harbours.

The outline permission for the South Harbour (**EB/93/0439/OL**) was granted on 1st March 1994 for:

'Erection of not exceeding 1400 dwellings (flats and houses) with two areas for the mooring of craft, Sovereign Harbour development Areas B1, B2, B3 and C.'

The outline permission for the North Harbour (**EB/95/0267/OL**) was granted on 13th August 1997 for:

'Proposed use of land for residential development comprising houses and flats and construction of north harbour'.

Sovereign Harbour Limited sold individual plots to residential developers, each of which negotiated their own reserved matter permissions with EBC. SHL additionally sold a site for **The Crumbles Retail Park** development which comprises Asda supermarket, a number of other retail stores and a cinema. This operates independently of The Waterfront, but is connected with it via a pedestrian/cycle link.

In 2007, SHL sold the marina operation, the boat yard site (to the rear of The Waterfront) and two additional associated sites to Premier Marinas. The sale included on-going rights over established permanent car parking set aside for berth holders (part of Site 2). Short term leases were also granted over Sites 3, part of Site 6 and Site 8 to allow storage and operational uses connected with the marina to continue on a temporary basis.

The primary school has been transferred to East Sussex County's ownership and a number of the internal roads across the Harbour have been adopted by East Sussex County and are subject to parking control orders.

Site 6- B&Q Scheme

An application submitted in 2002 for a B&Q retail warehouse was refused by EBC and dismissed at appeal on the grounds of loss of allocated B1 employment land. A second outline application was submitted in 2005 for a B&Q warehouse and Class B1 offices. This was also refused by EBC on the grounds of the loss of employment land, environmental impacts in terms of lack of landscaping and inappropriate form of development for a gateway site, and traffic impact.

Sovereign Harbour Limited has previously sought to secure planning permission on a number of its remaining sites;

The Five Residential and Mixed Use Schemes

In 2006, SHL submitted five reserved matter applications pursuant to the original outline permission for Sovereign Harbour (**EB/86/431**).

Site 1 - Two applications were submitted. Both schemes were for residential development and public open space. The first scheme (**EB/2006/0349/RM**) was for 100 flats within one main block formation. The second scheme (**EB/2006/0350/RM**) was for 122 flats within three blocks. Both provided public open space, a promenade and a reserve site for a hotel.

Site 2 - The application for this site (**EB/2006/0351/RM**) was for 18 flats and replacement berth holder car parking.

Site 3 - This application (**EB/2006/0353/RM**) was for 16 flats and 7 houses.

Site 4 - The application for this site (**EB/2006/0354/RM**) was for additional commercial (Class A) space and public walkways at ground floor, as an extension of The Waterfront, with 19 residential flats above.

The applications were all considered by EBC's Planning Committee on 8 August 2006; all five applications were refused. In addition, Members voted on a cross party resolution that no further residential development would be supported at Sovereign Harbour given concern over a lack of community facilities across the Harbour.

Site 7 – Medical Centre and related Earthworks

SHL proposed the development of part of Site 7 to accommodate a medical centre in 2009. The application was approved by EBC in October 2009 under ref. **EB/2009/0438 FP**.

The decision for approval followed the consideration of the need for such a community service which would provide some employment opportunities, albeit the land was allocated for B1 space.

The implementation of the scheme provided a two-storey building of D1 Use Class on Site 7, adjacent to Pacific Drive, together with car parking and landscaping. The approved development was followed by an additional application in 2010 dealing with the stockpiled material which occupied the area for the medical centre. The approved and implemented proposal (**ref 2010/0576 FP**) was to re-grade this area providing a level platform and to relocate to the stockpiled material towards the centre of Site 7.

Site 3 - Fisherman Quay

In accordance with the vision for Site 3 set out in the adopted Sovereign Harbour SPD, planning permission has recently been granted by EBC for the development of the site to provide a fishing quay (**EBC ref. 130442**). This provides for three buildings on the site. Two will be used for storing equipment, storage and preparation of fish, as well as other associated uses on the ground floor and office space on the upper floors. The third building is proposed to be a visitor centre which will be used to promote fishing as a sustainable local industry and to educate visitors about the history of the fleet, the harbour and the significance of fishing in general.

Consultations:

Internal:

Specialist Advisor Economic Development – No objections, the proposal is in line with the vision and employment potential detailed in the Sovereign Harbour SPD.

Specialist Advisor Arboriculture – No objections. Only Sites 6 and 7 have tree related issues. Site 6 contains three poplars in the north-eastern corner which would be retained, and a group of trees on the Pevensy Bay frontage which are subject to a TPO. Site 7 has three poplars in the north-western corner replicating those on Site 6 these should be retained.

Specialist Advisor Design and Conservation – No objections, the housing proposed for Site 1 has been massed to respect the viewpoints to and from the Martello Tower, and designed to allow a visual breathing space between the edge of the proposed development and the Tower.

Specialist Advisor Planning Policy - No objections. Comments elaborated in more detail under the appraisal section of this report.

External:

East Sussex County Council – No objections, contributions required towards education, libraries and household waste and recycling which will be secured through the S106 agreement.

Environment Agency – No objections. The Flood Risk Assessment (FRA) accompanying the application states that the risk of flooding to this development can be adequately managed. Some conditions have been suggested.

County Ecologist – No objections raised. Given the location, scale and nature of the proposed development, there are unlikely to be any significant impacts on sites, statutory or non-statutory designated for their nature conservation importance provided the mitigation and compensation is carried out in accordance with reports/surveys.

Highways Agency – Concerns raised over the impact on the highway as the proposal was different to that which was included in the Local Plan. A Holding Direction which prevented permission being granted for 56 days was issued. Following further information from the applicant this was withdrawn, and the Highways Agency confirmed that the proposed development is unlikely to have a material impact on the strategic road network.

Health and Safety Executive – Concerns raised in relation to the development and the close proximity of a major gas pipeline to Sites 6 and 7; advice is given in relation to the two sites and restrictions on building in the vicinity of the pipeline. These can be considered in detail during the reserved matters stage.

Natural England – No objections. The proposed development is unlikely to affect any statutory protected sites or landscapes.

Sussex Police – No objections. Detailed design considered at reserved matters stage.

Southern Gas Networks – No objections

The Theatres Trust - The Trust supports the application in principle because the proposal seeks to provide a community facility within the Sovereign Harbour development. Community and arts venues are an important element of sustainable communities, providing social, cultural, environmental, educational and economic benefits. The Trust has no comments to make on the overall scheme as a whole.

Sovereign Harbour Residents Association – welcome the application which reflects the vision for the Sovereign Harbour neighbourhood expressed in the LDF Core Strategy and the SPD. Additional homes are unwelcome but their importance both to Eastbourne's housing needs and for the funding of much needed community facilities for the neighbourhood is acknowledged. Serious concerns raised that all accesses to Site 7 are from Pacific Drive.

East Sussex County Council Highways - While traffic levels at these junctions and the linking roads will obviously increase as a result of this development the results from modelling undertaken has shown that each of the junctions will continue to operate within their capacity. The Langney roundabout will on some arms be close to capacity but this will be only slightly worse than the situation that would occur in 2027 without this development taking place. On the basis of the evidence presented in the Transport Assessment the development is acceptable on these grounds and there would be no

defendable case for insisting that a second access point to the Harbour is provided on capacity grounds.

Although on capacity grounds it has been proved that a secondary access point is not required it is still the case that there is only one access to Pacific Drive from the A259 serving a large number of dwellings, and if this application is successful further dwellings will be provided along with substantial commercial development. If an incident occurs, as happened recently, and the first section of Pacific Drive from Pevensey Bay Road is closed, then this entire area is effectively cut off from the highway network. This obviously has implications especially as the Lifeboat is kept in the Harbour and is accessed from Pacific Drive. It is therefore the view of the Highway Authority that a secondary emergency access needs to be provided from the A259, potentially through Site 7 or via Harbour Quay.

Any reserved matters scheme submitted for any site should look to provide convenient links to the existing footways and cycle ways in addition to those provided at vehicular access points to make walking and cycling as attractive as possible. It should be noted that ESCC are committed to funding and installing the Sovereign Harbour Bus Link that would further increase bus accessibility by providing a more direct link through the Harbour by removing the need for routes to double back along both Atlantic & Pacific Drive.

Neighbour Representations:

41 Objections have been received from residents to the application,

The objections cover the following points:

15 objections were received in general to the proposals.

- Loss of open space.
- Overcrowding/too many houses.
- Lack of community provision.
- Impacts on parking/impact on highway network.
- Not in accordance with the development plan.
- Impact on natural habitats.
- Increase in noise pollution.
- Inadequate community space.
- If no new access is provided from Pevensey Bay Road then there is an impact on emergency vehicles.
- Ability of the sewage network to cope with extra demand.
- Priority should be to bring in more water based activities.

20 objections were received relating specifically to Site 1 and they cover the following points;

- Privacy/loss of light impacts on surrounding residential properties.
- Density too high for a 'small' site.
- Flooding/coastal defences.
- Car generation impact on highway/parking.
- Impact on services education/GPs etc.
- Height of buildings.
- Interference with public walkways.

- Practicalities of building so close to the sea.

1 objection was received specifically relating to Site 4 in relation to the building heights, as no other buildings are 5 storeys.

1 objection was received specifically relating to Site 6 stating the access should be from the Crumbles Retail Park via access from Pevensey Bay Road rather than Pacific Drive.

3 objections were received relating specifically to Site 7 covering the following points:

- No additional access points from Pevensey Bay Road.
- Business uses are inappropriate in such close proximity of residential properties.
- Height of dwellings is out of keeping.

Proposed Development:

The sites within Sovereign Harbour which are still identified for potential development, excluding already developed areas that provide potential for expansion or reconfiguration, are defined as Sites 1 to 11. This application for outline planning permission relates to the development of Sites 1, 4, 5, 6, 7 and 8.

All detailed matters for the submission sites are reserved. The proposals, comprising the individual site boundaries and mix and scale of uses applied for are defined by the red line site location plans and parameter plans that form part of the submission. These include indicative site access details. It is proposed that these plans are approved as part of this outline submission and that future reserved matter details will be required to comply with the approved parameters for each of the sites.

Summary of documents submitted in support of the application:

Statement of Community Involvement

Extensive consultation with residents and key stakeholders has been undertaken prior to the submission of the application. This process has resulted in a set of individual site proposals which together present a masterplan led approach to complete the sites that are within Sovereign Harbour Limited's control. These plans, together with the linked proposed S106 heads of terms, are considered to reflect the feedback received through the public consultation process, to be appropriate, positive and deliverable.

Economic Statement

The uses proposed for Sites 4, 6 and 7a have been defined through the consideration of current and emerging planning policy, the ambition to provide a high quality business environment, the local settings of the sites and the proposed design parameters for each of them.

The setting out of the additional and alternative employment uses will also have the benefit of directly supporting Class B1 occupiers: e.g. additional cafes and restaurants; a potential children's day nursery and visitor accommodation. These uses will create employment and add to the diversity of jobs at the Harbour.

Ecology and Biodiversity Statement

An assessment of the habitat types was undertaken within the site boundaries and to look at features which may support specially protected species, including a badger survey

and an assessment of the trees on site. Site 1 was found to support vegetated shingle habitat considered to be ecologically significant. Site 6 was found to have a 'good' population of common lizards and Site 7 was found to have a 'low' population of common lizards and a 'good' population of slow worms.

A mitigation strategy has been developed, which includes enhancing habitats within site boundaries and translocating populations out of the development zone footprint.

Energy Statement

To meet the Code Level 4 requirements, energy efficiency measures will be promoted through a fabric first approach:

- Carbon reduction will be achieved through a range of potential technologies. The preferred options include solar PV, solar thermal, heat pumps and additional energy efficiency measures.
- 2013 Building Regulations are to be achieved through fabric improvements where possible.
- Reserved Matters applications will review the potential for CHP in particular on Sites 1, 6 and 7, and install 'secondary elements'.
- Residential development is to meet Code Level 4 – a reduction of 25% carbon dioxide on the current 2010 Building Regulations.
- Non residential buildings will be designed and built aiming to reduce energy demands to meet the 2013 Building Regulations. The reductions will be met by fabric improvements and better design to provide passive ventilation.
- The ability to place sufficient panels on the roofs of the 150 units will depend upon the available space and orientation of each of the dwellings. The orientation will maximise the level of solar gain and sunlight on the developments.

Heritage Statement

Martello Tower 66 is a scheduled Ancient Monument and is Grade II Listed which falls within Site 1. One of several towers, it was constructed in the early years of the 19th Century for use as a gun tower within a regional chain to defend strategically vulnerable sections of the south eastern coast against the threat of invasions. Inter-visibility between Tower 66 and Tower 64 is a fundamental characteristic of their setting, purpose and design. No development is proposed as part of the masterplan that would interfere with the direct line of sight between the towers. The suggested development threshold retains approximately two thirds of the site as open and the footprint draws back from the Martello Tower at the north-western section of the site, which ensures that the key views of the tower as an isolated structure against an open backdrop are maintained. The remaining open space beyond the development edge will be used to provide the publicly accessible open space, and a natural shingle beachscape setting for the Martello Tower that reflects the original setting.

Any future use of Martello Tower No.66 will be dealt with by a separate detailed planning application and is not within the remit of this application.

Economic Statement

The proposals allow for a significant level and a broad mix of uses set within a clear vision and strategy for delivering new employment opportunities at the Harbour. These will individually and together provide a significant contribution to the Harbour and wider Eastbourne economies, both through new direct employment generation but also as a result of wider spending and business linkages that will be attracted to Eastbourne as a result of the development. Retail and leisure based provision is also proposed that will provide additional attractions and services for the existing and new local catchment of the Harbour. The development fully accords with planning policy for the Harbour and Eastbourne overall in terms of its employment based objectives and its wider benefits for the local economy.

Transport Assessment

Junction modelling showed that the three eastern roundabouts of Pevensey Bay Road/Pacific Drive, Pacific Drive and the Harbour would continue to operate well within capacity with the development future flow. Hence, there is no need for an additional access off Pevensey Bay Road through Site 7. The Royal Parade-Lottbridge Drive-Princes Rd Roundabout would also maintain the level of congestion already predicted for the 2027 forecast scenario with no development. The Langney Roundabout however will suffer minor additional congestion during the PM Peak period, although during the AM Peak period the congestion would remain as per the predicted 2027 forecast scenario with no development.

In general, the traffic generated/attracted by the six sites in the development scenarios would not generate significant additional queuing and delays on the existing highway network compared to the 2027 forecast scenario with no development.

In general, the traffic generated/attracted by the six sites in the development scenario would not generate significant additional queuing and delays on the existing highway network compared to the 2027 forecast scenario with no development, therefore no mitigation measures are required.

Waste Management Plan

Some earthworks will be required during construction to remodel the sites and in the case of each to define access and public and private spaces. The accompanying Ground Condition Report, October 2013, confirms that none of the application sites are understood to be contaminated. Sites 5 and 6 are located adjacent to a regulated landfill site, this does not however impact on potential future earthworks save for the need to be aware of the controlled area of the regulated mound.

Each of the masterplan application sites will be addressed in detail through subsequent reserved matter proposals. These will come forward at different times and by different developers and for different occupier groups. Most of the construction and operational waste decisions will be made at the reserved matters stage when a better understanding of the sites and their uses are known. At the masterplan stage, the key areas relate to the overall design, landscaping and re-use of available materials.

Environmental Appraisal

Each development site has been assessed in terms of its geological, hydrogeological and contamination conditions. No concerns have been identified or are raised by the proposed development. It is likely that protection from ground gas will be required for those sites that are partially or fully within the 250m zone of the Sovereign Harbour landfill sites.

A Flood Study Report has been undertaken. Although being within Flood Zone 3a, Sovereign Harbour benefits from existing flood defences. The additional mitigation measures outlined in the report are design-led, i.e. based on the site layouts and building formats, and will be addressed through reserved matter details following established practices at the Harbour. These are considered appropriate to address flood risk and drainage issues of the sites without resulting in the increase of flood risk elsewhere. The Utilities Report provides confirmation from the local utilities providers (water, sewage, gas, electricity and telecommunications) that the development can be serviced and accommodated by the existing infrastructure (water, sewage, gas, telecommunications) or through appropriate and developable upgrades to increase capacity (electricity).

Tree Survey/Arboricultural Statement

The information in these two reports should be used to aid the design process. It is recommended that arboricultural impact assessments be carried out when the design has been finalised to establish exactly which trees are to be removed/retained and how they will be protected during construction.

Site 6: The trees located on the boundary vary greatly in value with the most prominent being mature pines which are protected by a Tree Preservation Order. A small group of mature poplars is located in the north east corner of the site adjacent to the corner of Pevensey Bay Road and Pacific Drive. These are considered to be of moderate arboricultural and landscape value.

Site 7: There are poplars in the north west corner of moderate value (particularly when combined with the poplars on site 6). Further mature ash, sycamore and Leylandii cypress are situated in a group in the centre of the northern boundary. This group does not form a prominent landscape feature or provide any real screening benefits. Its retention should be considered in relation to the landscape plans for the development.

Principle of Development:

The application site is located within the Sovereign Harbour neighbourhood as identified in the Core Strategy. Sovereign Harbour has been identified as a Sustainable Centre, where housing growth will be balanced by significant improvements in the provision of social and economic infrastructure. This will improve the sustainability of the Sovereign Harbour neighbourhood by addressing issues such as site access, linkages and contributions to additional community infrastructure.

The Vision for Sovereign Harbour in the Core Strategy is: *'Sovereign Harbour will increase its levels of sustainability through the delivery of community infrastructure and employment development, ensuring that a holistic view is taken of development across the remaining sites'*.

Core Strategy Policy C14: Sovereign Harbour Neighbourhood Policy promotes the neighbourhood vision through a number of measures including:

- Developing community facilities in order to meet the needs of local residents;
- Providing extensive employment opportunities through the development of a Business Park (B1a Office);

- Increasing the amount of appropriately landscaped, usable open space and the number of children's play areas;
- Allowing up to a maximum of 150 new homes, (including affordable homes) the substantial majority of which should be houses rather than flats, but only if the community facilities are guaranteed to be delivered;
- Increasing the importance of the Waterfront as a leisure and tourist centre;
- Encouraging opportunities to improve the provision of public transport through improvements to bus routes;
- Enhancing the importance of the Marina for tourism through appropriate measures including the provision of additional berths and associated boat storage facilities;
- Enhancing the provision of cycle and walking routes to improve connections within the neighbourhood and to other parts of the town; and
- Encouraging opportunities for renewable energy generation particularly combined heat and power (CHP) on development sites.

Overall, the outline application contributes to meeting these measures and achieving the neighbourhood vision by providing for a community centre, up to 150 new dwellings, new open space and new retail and employment uses.

However, the application only proposes up to 22,300 sqm of B use employment space. Core Strategy Policy D2: Economy aims to support job growth and economic prosperity by measures including: Supporting the development of B1(a) office use at Sovereign Harbour, and land at Sovereign Harbour is identified for 30,000 sqm of B1(a) office floorspace. In addition, Borough Plan Policy BI4: Retention of Employment Commitments protects Site 6 at Sovereign Harbour for 30,000 sqm of B1 office floorspace.

The emerging Employment Land Local Plan and the evidence from the Employment Land Review (2013) supports the development of B space on Sites 6 and 7 at Sovereign Harbour, although at a reduced amount compared with current adopted policy of 30,000 sqm. The emerging policy will also potentially open the site up to other B1 uses, rather than exclusively B1a (office) as identified in the Core Strategy. The Employment Land Local Plan has been published for consultation and is scheduled to be subject to Public Examination towards the end of 2014.

Therefore, whilst the application would not provide sufficient employment floorspace to meet the current adopted policy, it does provide sufficient floorspace to meet the emerging policy in the Employment Land Local Plan.

In terms of Housing, Core Strategy Policy D5 requires that residential development within High Value Neighbourhoods (of which Sovereign Harbour is one) provides 40% affordable housing, which equates to 60 units provided on-site. The application does not include the provision of any affordable housing for reasons of viability.

Whilst this is disappointing, the adopted SPD for Sovereign Harbour acknowledges that the provision of affordable housing could impact on the viability of development as could the provision of community infrastructure, such as community facilities, children's play areas and open space along with East Sussex County Council contributions towards the provision of education and libraries.

The SPD therefore states that:

'if development is found to be unviable, then it is considered that the provision of the missing social and economic infrastructure that is required for it to become a sustainable community should be prioritised as follows:

- 1. Provision of community facilities, including community centre, play areas and public open spaces*
- 2. Creation of jobs*
- 3. Provision of additional retail/food and drink uses to enhance the existing offer*
- 4. Off site transport provision*
- 5. Provision of affordable housing'*

Each of the development sites are at least partly within Tidal Flood Zone 3a. Borough Plan Policy US5: Tidal Flood Risk states that development will not be permitted in areas considered to be at an unacceptable risk of flooding from the sea. The Flood Risk Assessment submitted with the application identifies that the existing flood defences are adequate to protect the development from an unacceptable risk of tidal flooding.

Residential development is defined as a 'more vulnerable' use by the NPPF Technical Guidance, and it indicates that residential development needs to pass the Exception Test in order to be compatible with the flood zone. The Flood Risk Assessment demonstrates that the proposal passes the Exception Test due to the presence of existing flood defences and protection, the wider sustainability benefits the development will provide and on-site drainage measures that will not increase the risk of flooding elsewhere.

Core Strategy Policy C14: Sovereign Harbour Neighbourhood Policy is supported by the Sovereign Harbour SPD, which provides additional guidance on the uses considered to be appropriate for each of the remaining development sites, including details of the size, scale and form of development. The SPD was developed through a working group consisting of Councillors, Officers and the Sovereign Harbour Residents Association, and involved a significant amount of community involvement.

The SPD is a material planning consideration in the determination of planning applications. The SPD requirements for each site have been examined in turn as part of the site by site appraisal.

In November 2013, the agent acting on behalf of SHL wrote to the Council to request an EIA screening opinion in relation to the proposed development. After consulting with the Environment Agency and East Sussex County Council (highways, ecology and archaeology), the Council considered the information provided by the agent and completed a screening opinion of the relevant and likely impacts of the proposed development as identified by the Town & Country Planning (EIA) Regulations 2011 (Screening Opinion).

The Screening Opinion looked at a number of issues and factors involved in the case and concluded that any impacts that would result from the proposal would be modest and contained within the site itself.

The Council was therefore able to confirm that an EIA was not required.

Site 1:

Site Description:

Situated between Martinique Way and the Beach from the Martello Tower (a Grade II Listed Building and Scheduled Monument) to the roundabout with Prince William Parade and Atlantic Drive. Currently, the site is characterised by an unfinished domestic edge that fails to mark out this gateway to the Harbour or provide a suitable destination at the eastern end of the Eastbourne seafront. The development of this site offers the opportunity to address this by finishing this edge with built form of an appropriate scale and character, to provide an entrance to the Harbour and a backdrop to both the Martello Tower and a new public open space.

The site is highly visible from the water and marks the entrance to the Harbour. However the site has limited visibility when viewed from the land, being sited away from major roads and the main approaches into the town.

Proposed Development:

The proposed development for Site 1 consists of:

- Up to 72 dwellings comprising a mix of houses and apartments
- Vehicular access with a pedestrian/cycle link along Martinique Way as part of a link between the Harbour walkway and promenade
- Public access to the beach
- Public open space with play equipment
- Potential provision for the re-use of Martello Tower 66

Appraisal:

The SPD identifies that between 50 and 80 dwellings could be built on Site 1, and that two thirds of the site should remain open to protect the openness of the site and respect the setting of the listed Martello Towers. The proposal is for up to 72 dwellings comprising blocks of houses and apartments between 2-3 storeys in height (plus a loft) for the houses and 3-6 storeys in height (plus a loft) for the apartments, the tallest of which being located on the northern boundary of Site 1. This is consistent with the requirements of the Sovereign Harbour SPD and is in keeping with the heights of buildings in the surrounding area.

The parameter plans for Site 1 show that two-thirds of the site is left open, and development does not disturb the setting of the Martello Tower. This application does not establish a new use for the Martello Tower, but does leave it open for future consideration. This is consistent with Borough Plan Policy UHT17: Protection of Listed Buildings and Core Strategy Policy D10: Historic Environment. A children's play area will be provided within the open space on Site 1, which is also consistent with the requirements of the Sovereign Harbour SPD.

The scale of the new buildings along Martinique Way to the south-west of the site, opposite the existing houses will complete the street frontage and be appropriate relative to the existing properties and the wider setting. The development will be restricted to the west maintaining a minimum set back of 62 metres from the Martello Tower, to protect the Tower's settings and view. With the buildings designed to improve the setting of the Tower by providing a consistent and appropriate backdrop. The Specialist Advisor for

Conservation and Design has raised no objection to the proposal as the proposed development has been massed to respect the viewpoints to and from the Martello Tower.

A new street will connect to Martinique Way via the existing spur and terminate at the outer harbour walkway. Two thirds of the site will be for public open space. Public access between and around buildings will be maintained to the beach and will be unrestricted and the natural shingle setting will be maintained with an equipped play area located so as to give direct access from the new pedestrian link.

The County Council's Ecologist has raised no objection to the proposals for Site 1, but advised on the retention of existing vegetated shingle where possible given its importance as a habitat. This can be addressed in detail at the reserved matters stage.

The parameter plans and indicative drawings for Site 1 are for an architecturally ambitious scheme which is designed to provide a positive addition to the Eastbourne Seafront. The completion of the existing residential edge will be used to create a publicly accessible coastal open space and a more appropriate backdrop setting for the Martello Tower. The framework and parameters have sufficient flexibility to accommodate a range of market demands and provide the opportunity for the design freedom to pursue architectural excellence.

The new street completes the pedestrian and cycle link between the end of the promenade and the Harbour, with the gaps between the three blocks providing informal access from the Street to the open space, with the opportunity to create framed views of the Martello Tower.

A Flood Risk Assessment (FRA) was submitted as part of the application and the Environment Agency was consulted. The submitted FRA states that the risk of flooding to the development can be adequately managed. The Environment Agency raised no objections in principle. Further information is to be provided in relation to flood resilience and resistance which will be considered fully at the reserved matters stage.

ESCC Highways have requested that the residential properties will require 2 allocated spaces for each dwelling (3 & 4 bedroom) and 1 for each 2 bedroom property. On this basis a total of 152 spaces should be provided, including 57 unallocated spaces for visitor and additional residential use. One cycle space will also be required for each house, with cycle storage for the flats provided at the rate of 1 space per dwelling if individual storage is provided or 0.5 spaces per dwelling if communal storage is installed. These requirements will be addressed at the reserved matters stage.

The access to this site is proposed to be via the existing access point which was installed when Martinique Way was built. Whilst this is acceptable as it is an existing access point built with future development in mind, there are currently problems in this area at certain times caused by extensive parking. This is caused by visitors to the area parking on street for free rather than paying to use the adjacent public car parks. At the current time the streets in this area are not adopted public highway but the adoption agreement is well progressed by ESCC and now simply requires signing by all parties. On this basis ESCC should soon be in a position to investigate implementing restrictions in this area, subject to public consultation.

A number of objections have been received to the proposals for Site 1. The development will undoubtedly have an impact on the occupiers of surrounding residential properties in terms of sea views etc. However the site has been identified for development for some time. The proposals are in line with the Core Strategy Local Plan and the Sovereign Harbour SPD, maintaining a significant proportion of the site for public open space and proposing development respecting the historical significance of the Martello Tower. Therefore the proposals for Site 1 are considered acceptable in principle and the detailed design will be agreed as part of a reserved matters application.

Site 4:

Site Description:

Site 4 is located in the central area of Sovereign Harbour adjacent to The Waterfront, and Retail Park which provide a leisure, retail and social focus to the Harbour. It is currently undeveloped and used for boat storage and sales as part of the activities of the adjacent Yacht Club building and Boat Yard which are an important part of the marine character of the Harbour. The site includes a Harbour frontage with long views across the North Harbour. Its location at the junction between the North and South Harbours, with The Waterfront immediately to the south and the Retail Park and car parks to the west, make this a prominent site in the life of the Harbour for residents and visitors. The brief for the site is for a mixed employment development that will complete the Harbour edge, complement the existing retail uses and create a new public open space.

The site and its immediate surroundings have a strong pedestrian character with a high level of pedestrian activity. Vehicle access to the site is from the north via Harbour Quay which runs alongside the site. There is a barrier just to the north of the Yacht Club that restricts access to emergency vehicles, deliveries, servicing and the operations of the boat yard. There is a pedestrian and cycle link to The Waterfront from the Retail Park, but the layout of the Retail Park, which turns its back on the Harbour, and the blank facades of the buildings alongside this link do little to encourage the level of movement that would benefit both areas.

A new Bus Link is planned at the junction with Harbour Quay which would be a significant improvement in accessibility and would reduce the need for car journeys. Although the Bus Link does not form part of this scheme, the proposal takes account of the future bus stop and bus link. At the eastern end of the site a drawbridge links Harbour Quay to Pacific Drive, providing a pedestrian connection and access for emergency vehicles only to the eastern side of the Harbour. There are large areas of parking to the west of the site for visitors to the Retail Park and the Harbour. A hoist dock adjacent to the northern end of the site is used along with a mobile boat hoist to move boats from the Harbour to the Boat Yard.

Although the buildings surrounding the site are of a fairly large scale, there are also significant open areas including the car parks and shingle mound that detract from the level of activity and animation that might otherwise be expected at the centre of the Harbour. The apartment block and the adjacent Yacht Club building at the northern boundary are modern style buildings with the apartment block up to eight storeys which marks the start of the Harbour centre by being of a larger scale than the residential area of the Harbour to the north. Adjacent to the eastern end of the site, the apartment blocks along Pacific Drive site are more traditional in style and range from four to six storeys,

which is appropriate to their location between the North and South Harbours. The Waterfront buildings to the south of the site are two storeys and domestic in character, but have large pitched roofs that give them greater presence. The Boat Yard and Retail Park buildings to the south and west are large single storey shed structures with metal panel cladding.

Proposed Development

The development of site 4 will provide for commercial and employment uses within Classes A1 – A5, B1a/b, C1 and D1 A1 – A5 up to 3,200 sqm gross external area.

The development is shown as two blocks on the parameter plans, although the framework will accommodate other arrangements. The blocks are laid out to form a crescent that follows the Harbour edge, and are set back to provide a publicly accessible Harbour walkway. The gap between the blocks, provides additional views of, and access to the Harbour. The depth of the blocks leaves a generous street width that can accommodate the general access, servicing and pedestrian needs as well as 'spill out' space for the ground level activities in the building or as an extension to the uses and activities of the public square. The southern part of the site is left as open space for use as a public square and the set back of the building line allows views through from The Waterfront to the Harbour to encourage movement. The northern block adjacent to the Yacht Club includes a corner feature where it faces onto Harbour Quay. With the addition of the proposed bus link and bus stops, and the movement between the car parks, Retail Park and The Waterfront, this will be an active and lively area that would benefit from an architectural feature to act as both a local landmark and waypoint.

Appraisal

The SPD identifies that Site 4 should comprise a mixed use development incorporating bars, restaurants and retail units on the ground and first floor with potential for some B1 office space or other appropriate employment generating uses above. The proposal is for up to 3,200sqm of A1-A5 uses, and other uses including offices, visitor accommodation and community uses on the upper floors, which is consistent with the SPD.

Core Strategy Policy D4: Shopping identifies the Sovereign Harbour Retail Park (including the Waterfront and Site 4) as a District Shopping Centre. It is considered that this scale and function of retail development is appropriate for a District Centre and will not have an adverse impact on the vitality and viability of the Town Centre. It will also help to maintain and develop the range of shops to meet the needs of the local community within the centre, and is therefore supported by Core Strategy Policy D4.

The SPD also requires that this site should incorporate an area of public open space so that visitors and the community can enjoy space close to the water. The parameter plans for Site 4 show that an area of open space is being provided adjacent to The Waterfront which is in line with the requirements of the SPD.

Therefore the proposals for Site 4 are considered acceptable in principle and the detailed design will be agreed as part of a reserved matters application.

Site 5:

Site Description

Site 5 is located in the central area of Sovereign Harbour to the north of the Yacht Club. The southern part of the site is currently occupied by the Sovereign Harbour Limited (SHL) site offices, the northern part forms part of the Harbour car park area that is publicly accessible. The site includes a frontage to Harbour Quay that looks onto the gable ends and boundary walls of the residential properties opposite the site. Just to the south of the site on the opposite side of Harbour Quay is the Yacht Club. To the north of the site is a large shingle mound that is used for incidental recreation and dog walking. The site is prominent sitting in the large scale open space of the car park against an equally large scale backdrop of the shingle mound.

The existing housing is of traditional design but is arranged with blank gables and perimeter walls onto Harbour Quay, so there is no active street frontage. The Yacht Club is a modern style structure which along with the adjacent apartment block marks the start of the Harbour centre, with the apartment block being of a larger scale than the residential area. On the western side of Harbour Quay, in the area that forms the setting for the site, the character is dominated by the car parks to the west and the shingle mound to the north.

The site is well located and accessible for Harbour residents, by foot and cycle, and the proposed bus link will be an additional benefit. It will also benefit from the proximity of both the Harbour and Retail Park car parks. Its location reduces the need to provide on site parking.

Proposed Development

The development of Site 5 will provide up to 800spm of D1 use, to provide a community hall facility.

The illustrative drawings provided in the parameter plans are based on the material that was used as part of the consultation exercise during a public exhibition. This material was used to describe how the development framework could translate into a detailed design proposal for site 5. However, this is not proposed as a definitive design solution for the site, but rather a means of explaining how the development principles set out in the framework could translate into scale and massing, and the relationship with the setting. Other layouts and forms are possible.

Appraisal

The location of the site between the North and South Harbours make it an accessible location for all Harbour residents. It is also on the edge of the central area of the Harbour with its marine uses, cafes and restaurants at The Waterfront and link to the Retail Park. There is an existing dedicated cycle way along the Harbour Quay pavement linking the North Harbour to The Waterfront. Vehicle access to the site is from the north via an existing spur off Harbour Quay. Just to the south of the access spur is a barrier that controls traffic access to the Yacht Club and The Waterfront, making this a lightly trafficked area. A new Bus Link and bus stops are planned 150 metres to the south of the site along Harbour Quay which when implemented, outside of this submission, will further improve accessibility. The site is also easily accessible from both the Harbour parking area that it sits in and the Retail Park parking area to the west.

The community use would not be expected to provide its own parking apart from any disabled spaces and cycle parking required. The nature of this development will attract

people predominantly from the local area and therefore it is expected that they will mainly walk/cycle as the Harbour is all within walking/cycling distance of the site. The adjacent car park would be able to accommodate for those that do drive to the site; disabled parking should however be provided for this site which will be addressed at the reserved matters stage.

Site 5 is identified in the SPD as an ideal location for a community centre with a footprint of approximately 750 sqm to meet the needs of the Sovereign Harbour residents. The application proposes a community centre of up to 800sqm, which will be a maximum of 2 storeys in height and will taken account of the proximity of the existing shingle bank. This is consistent with the requirements of the Sovereign Harbour SPD.

It should be emphasised that the Sovereign Harbour SPD requires that community centre must be built as a priority in the phasing of the overall development of the Harbour and should therefore be provided prior to commencement of development on any of the remaining residential development sites.

The draft S.106 will require the landowner to make a financial contribution towards the delivery of the community facility with triggers for its payment. This includes payment of a sum upon the grant of outline planning permission and the remainder of the contribution paid upon the sale of any one of the development sites.

Therefore bearing in mind that planning permission has already been granted for the provision of the Innovation Mall on part of Site 6, funding has been secured and negotiations regarding the sale of the land are currently underway, it is considered that the financial contribution will be provided earlier than if it was to be linked to commencement of development on any residential development site.

The building layout will provide a positive frontage to Harbour Quay providing a clear and appropriate boundary to the adjacent public car park ensuring there is no loss of parking spaces. The building will be a maximum height of 2 storeys, with vehicular access by way of an existing spur off Harbour Quay. The context has no predominant character and is a combination of a mix of building types and large scale open spaces. There is built development on the eastern side of Harbour Quay only which includes two and three storey housing to the north of the site and the Yacht Club and adjacent apartment block to the south.

It has long been recognised that the completion of the Sovereign Harbour development is long overdue and that the area is missing the social and economic infrastructure that is required for it to become a sustainable location. The community centre, funding for which will be secured through the S.106 agreement, will provide the social infrastructure required to enable Sovereign Harbour to become a sustainable community. Therefore the proposals for Site 5 are considered acceptable in principle and the detailed design will be agreed as part of a reserved matters application.

Site 6

Site Description

Site 6 is located along the north western edge of Sovereign Harbour. Along with Site 7, it forms an undeveloped edge to Sovereign Harbour with an extensive frontage to

Pevensay Bay Road. The site is undeveloped, a small part of it is used for boat storage and the rest is a combination of shingle, small scale bunds and some vegetation including a belt of trees along the Pevensay Bay Road boundary that are subject to a TPO.

Opposite the northern part of the site along Pevensay Bay Road is an existing residential development that is in part screened by the existing tree belt which is subject to a tree preservation order. The north eastern part of the site overlooks Pevensay Levels which is a SSSI and has a RAMSAR designation. To the south of the site is a large shingle mound that is used for incidental recreation and dog walking and screens the site from the residential development further to the south along Harbour Quay. To the west of the site is the Retail Park which adjoins Sovereign Harbour, with the immediate area being predominantly car parking fronted by four pavilion buildings.

The nearest built development is the existing residential to the north which is approximately 50 metres from the site and separated by the Pevensay Bay Road and a landscape strip that includes the Langney Sewer. It is also screened by the existing tree belt on the site. Apart from this, the pavilion buildings in the Retail Park car park and the recently completed Medical Centre on Site 7, there is little in the way of built context that might inform either the scale or character of development on this site. However, the larger scale considerations of its function as a gateway to the Harbour and as part of the eastern approach to Eastbourne are important considerations for the development of the site. The landscape character and setting of the Levels are also important considerations, both in terms of the impact of development and for the positive integration of design to take advantage of this setting and views.

Vehicle access to the site is from the north west via an existing spur off Pacific Drive which links onto Pevensay Bay Road. There is an existing dedicated cycle way along the Harbour Quay pavement linking The Waterfront to the vehicle access spur. Existing bus stops adjacent to the site on Pevensay Bay Road (opposite Tanbridge Road) serve in both directions.

Proposed Development

The development of Site 6 will provide B1 uses comprising; B1a, B1b and B1c of up to 15,000sq.m. gross external floor area.

Buildings are proposed between 1 and 4 storeys with key buildings being proposed on the eastern and western ends of the site to create gateways to the Harbour and to Eastbourne. An east to west pedestrian/cycle link will be provided to link adjacent sites with buildings designed with active frontages to overlook the link.

The illustrative images that form the parameter plans of the application are to illustrate how passive design could be used as a basis for a shared building language and detailing and the opportunity for building layouts to provide a gateway to the Harbour and Eastbourne and link internal and external landscape and spaces, with views and routes through the development.

Appraisal

The SPD identifies Site 6 as being appropriate to provide employment through development as an office/business park. The application proposes up to 15,000sqm of

B1a, B1b and B1c uses of between 1 and 4 storeys in height. This is consistent with the SPD.

In addition, the SPD notes that there is a Tree Preservation Order on the site and any development should preferably seek to incorporate the trees into the scheme. Any detailed design received in relation to the reserved matters for the site will need to be subject to a landscape plan setting out the intentions in relation to these trees and the poplars to the north-eastern corner which are replicated on Site 7.

Vehicular access for Site 6 is by an existing spur onto Pacific Drive, the development of the site will include a pedestrian walkway and cycle path through the site linking to the Retail Park. Given the access is directly onto Pacific Drive at the roundabout with Pevensy Bay Road any additional generation of vehicular traffic is unlikely to have a significant impact on surrounding residents. Parking provision will be sufficient for the proposed uses given the location and site context and will be agreed during the reserved matters stage. As the exact nature of the development for this site (apart from the use recently approved under a separate application) has yet to be determined and the parking guidelines vary by individual use class the exact parking requirement can be calculated at the reserved matters stage. Any detailed proposal will need to include car (including disabled spaces), cycle and power two wheeler parking in accordance with the ESCC, Non Residential Parking Guidance.

The County Council's Ecologist was consulted on the application given the potential ecological impacts of the proposed development. The Habitat Survey identified a 'good' population of common lizards on the site, and therefore mitigation will be required to protect reptiles from harm that might arise during the development work. The County's Ecologist concluded that provided the mitigation and compensation is carried out, the proposed outline permission is acceptable from an ecological perspective. Detailed reptile mitigation strategies will be required for the site when considering a reserved matters application to ensure no harm to the species and no net loss of reptile conservation status in the local area.

Therefore the proposals for Site 6 are considered acceptable in principle and the detailed design will be agreed as part of a reserved matters application.

Site 7:

Site Description

Site 7 along with Site 6 forms the northern edge of Sovereign Harbour adjacent to Pevensy Bay Road and is a significant part of an important public frontage and entrance to the Harbour. As such these sites provide an opportunity to improve the presence and access to the Harbour and have a role to play in creating a gateway to Eastbourne.

Site 7 is the largest undeveloped site in Sovereign Harbour; access to the site is from several existing access spurs from Pacific Drive. Site 7 has a closer relationship with the existing residential development to the south along Pacific Drive than neighbouring Site 6; on the opposite side of Pevensy Bay Road there are open fields which form part of the Pevensy Levels, a Site of Special Scientific Interest (SSSI).

Proposed Development:

The development of Site 7 is separated into three sections and will provide;

- Mixed employment uses within Classes B1a/b, C1, C2, D1 on 7a (to the west)
- A public open space of 0.80 hectares on 7b which will include a variety of informal play and amenity spaces for a range of ages
- Up to 70 dwellings on 7c (to the east)

Appraisal

The SPD identifies that Site 7 could provide a mix of uses including B1 use development, open space and residential (between 30 and 70 homes). It also recognises that there is opportunity to provide some care home accommodation (C2 use), as long as the delivery of the employment space and open space is not compromised.

The application proposes that Site 7 be divided into three sections: 7a, 7b and 7c. Site 7a (the south-western part of Site 7) will provide for a mix of employment uses comprising B1 uses, D1 (Day Nursery), C1 (Visitor Accommodation) and C2 (Care Home), of up to 3 storeys adjacent to Pacific Drive and 4 storeys along Pevensey Bay Road.

Although the amount of Class B uses provided on Site 7a does not comply with the requirements of the SPD, the overall amount of Class B space proposed within Sovereign Harbour is consistent with the emerging policy in the Employment Land Local Plan, as described earlier, and therefore there is no policy objection to the lower amount on Site 7a.

Site 7a is to the west of Site 7 with the existing medical centre to the south-western corner. Access will be from two existing spurs from Pacific Drive. Built form will be used to create a gateway at the Pacific Drive roundabout that is appropriate to the scale of the setting of the site. The building layouts will be designed to accommodate a range of building sizes and formats to meet the needs of a range of employers who might be attracted to Eastbourne and the Harbour.

The building scale and layout will be used to create positive frontages to Pevensey Bay Road and the Levels and will be appropriate to the existing residential development surrounding, and will be used to create active frontages along Pacific Drive.

Building character and materials should be complementary across the development and layouts should support a passive design approach and maximise opportunities for beneficial solar orientation.

The concept for the masterplan which forms this application is based on a simple development framework that will provide a setting for a modern high quality mixed use employment park for Sovereign Harbour that will form part of a wider employment vision for Eastbourne. A shared approach to design and materials between Sites 6 and 7 will give a consistent character helping make it an attractive environment for employers and residents.

As the exact nature of the commercial development for this part of Site 7 has yet to be determined and the parking guidelines vary by individual use class the exact parking requirement cannot be calculated at this time. Any detailed proposal will need to include car (including disabled spaces), cycle and power two wheeler parking in accordance with the ESCC, Non Residential Parking Guidance.

Site 7b is the centre section of Site 7 and is proposed to provide public open space, predominantly green space integrated with pedestrian and cycle links, with a variety of play and amenity spaces for a range of ages. The boundary with Pacific Drive will allow for visibility and surveillance of the open space, the boundary with 7c will be designed to provide connectivity and overlooking. The proposals are consistent with the requirements of the SPD; the provision of the play equipment and maintenance of the open space will be secured through the S.106 agreement.

Site 7c is proposed to be developed for housing with up to 70 dwellings, some flats may be provided as part of a mixed scheme but the majority of the units will be houses; this is consistent with the requirements of the SPD.

The built form will be used to create an active frontage to the new public open space that provides surveillance, access and an attractive setting for the new development. Building layouts will support a passive design approach and maximise opportunities for beneficial social orientation. Vehicular access will be off the Pacific Drive roundabout with a pedestrian and cycle link with the public open space on Site 7b.

Buildings will generally be a maximum of 2 storeys in height except, those fronting onto the open space will be a maximum of 3 storeys and those fronting Pevensy Bay Road will be a maximum of 4 storeys.

For the residential properties the Highway Authority would like to see 2 allocated spaces for each dwelling (based on 3 & 4 bedroom dwellings). On this basis a total of 146 spaces should be provided, including 20 unallocated spaces for visitor and additional residential use. One cycle space will also be required for each house. These requirements will be agreed at the reserved matters stage.

Larger buildings will be considered along the Pevensy Bay Road frontage to help create an appropriate sense of scale and to take advantage of the views across the Levels.

The proposals for Site 7 are in accordance with the SPD and are therefore considered acceptable in principle; the detailed design will be agreed as part of a reserved matters application.

Site 8:

Site Description:

Site 8 is located at the northern edge of the North Harbour off Pacific Drive, within an area of mixed residential development. The site overlooks the Harbour and has extensive views across the water to the south west. It is currently undeveloped although accessible and used as a pedestrian connection between the existing Harbour walkways, for dog walking and general amenity.

The brief for the site is for a residential development that will complete the Harbour edge and create a new public open space. There is an existing spur into the site from Pacific Drive for vehicle access which also provides access to a pumping station adjacent to the site. A cycle route runs alongside the site along the Pacific Drive pavement, and there are bus stops on either side of Pacific Drive next to the access road into the site. Pedestrian

walkways along the north western and south eastern sides of the North Harbour link into the site and there is a combined stepped and ramped access at the head of Hobart Quay adjacent to the site boundary which links into the access road. The site is accessible and has the potential to contribute to the recreational and amenity uses within the Harbour.

The site sits in an area of mixed residential development with larger scale buildings alongside the Harbour. To the south west a string of large scale detached properties sit along the Harbour edge with private moorings. Along Hobart Quay on the north western side the properties are mainly three storey houses, and along the south eastern side are larger scale apartment blocks of between three and five storeys and with pitched roofs that give them greater presence. To the north east of the site, on the other side of Pacific Drive, the scale is more domestic with predominantly two storey detached and semi-detached houses arranged around a cul-de-sac road layout. Adjacent to the northern boundary, next to the access road there is a pumping station which is an open topped brick enclosure approximately 1500mm high.

Proposed Development:

The development of Site 8 is for the provision of up to 8 dwellings, with a public open space overlooking the harbour and provision for potential future berth holder facilities.

Appraisal:

The illustrative plan for Site 8 shows the development laid out as paired villas set out in four blocks, although the framework will accommodate other arrangements. The buildings will be located on the north eastern part of the site fronting onto Pacific Drive, with the public open space fronting onto the Harbour. The Residential buildings will be a minimum of 2 storeys and a maximum of 3 storeys plus a loft above the street level.

A key element of the development framework is the creation of a new public open space which has been located at the south western part of the site where it will have good solar access, uninterrupted views across the North Harbour, and act as link between the existing Harbour walkways. The proposed development is consistent with the requirements of the SPD.

Although the surrounding buildings are of a mixed style and scale there is a shared residential character to the area that has a similar traditional style and palette of materials. However, rather than just being treated as an infill between existing buildings, the location of the site at the head of the North Harbour and the proposal to include a new public open space as part of the development provides an opportunity for an architecturally ambitious, approach which will help establish this as a recognisable place within the Harbour with its own character.

This is an important location and the development of this site provides an opportunity to improve the link between the existing Harbour-side walkways and create a significant new public open space. In its undeveloped state, the site presents an 'unfinished' gap in the Harbour frontage. The development of Site 8 will seek to complete the Harbour edge by creating positive frontages to both the street and the Harbour.

The blocks create a strong street frontage with the gaps between giving views across the Harbour. The layout creates internal living areas and external private amenity space overlooking the Harbour with a south west aspect. These will provide a high level of

surveillance and sense of security to the open space. The change in level across the site to meet flood protection requirements also means the external amenity spaces will be raised above the Harbour level, creating a clear threshold and privacy.

Access for vehicles uses the existing roadway with a restricted access into the public open space. Parking for the houses also takes advantage of the change in level across the site with cars tucked beneath the dwellings and screened from the Harbour.

The parking requirement for the residential dwellings, based on 2 allocated spaces for each dwelling is 19 spaces, meaning 3 spaces should be provided as unallocated. One cycle space will also be required for each house; these requirements will be assessed as part of the reserved matters application.

The proposals for Site 8 reflect the requirements of the SPD and will maintain pedestrian links with quality public open space adjacent to the Harbour, the proposals are considered acceptable in principle and the detailed design of the buildings and spaces will be agreed as part of a reserved matters application.

S106 Agreement:

The grant of any outline planning permission for the development proposed will be subject to the prior conclusion of a S.106 Agreement. This agreement will include obligations relating to the following:

- A financial contribution towards the provision of the community centre
- Public open space on Sites 1, 4, 7b and 8
- Children's play equipment to be provided on Sites 1 and 7b
- 21,700 sqm of B1 business floorspace
- Pedestrian and cycle linkages
- Local labour obligations
- Travel Plans
- East Sussex County Council's financial contributions for example towards education and libraries.

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:

In summary, this application will result in the long overdue completion of the harbour development and will provide the missing social and economic infrastructure for Sovereign Harbour to become a sustainable community. The proposals are consistent with the Core Strategy Neighbourhood Vision and Policy for Sovereign Harbour, and are consistent with the requirements of the Sovereign Harbour SPD.

Although the application does not precisely accord with the requirements for 30,000sqm of office space from Core Strategy Policy D2: Economy, it is consistent with emerging policy in the Employment Land Local Plan and this is considered acceptable. Generally the application is in accordance with the Core Strategy and the Sovereign Harbour SPD, and therefore the proposed development of each site is acceptable in principle.

Parameter plans submitted for each site are indicative of the scope of development however, the detailed development of each site will be subject to reserved matters applications to ensure the design, access, layout, landscaping and access for the proposed development is acceptable.

Recommendations:

RECOMMENDATION A: Approve subject to the prior conclusion of a S.106 Agreement to secure a financial contribution for the community centre, public open space, play equipment, employment floorspace, cycle linkages, local labour obligations, Travel Plans, East Sussex County Council financial contributions and conditions.

RECOMMENDATION B: In the event that the S.106 is not signed by 15 July 2014 that delegated authority be given to the Senior Specialist Advisor to refuse planning permission, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.

Conditions:

Conditions 1-7 will apply to all sites; for the avoidance of doubt conditions 8-155 are set out site by site.

1. Reserved matters applications, pertaining to each site (1, 4, 5, 6, 7 and 8) in accordance with the approved parameter plans which form part of the design and access statement hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any development begins (on Sites 1, 4, 5, 6, 7 and 8) and the development shall be carried out as approved.
2. Plans and particulars of the reserved matters for each site (1, 4, 5, 6, 7 and 8) referred to in the condition above, shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out as approved.
3. Application for approval of the reserved matters for any site (1, 4, 5, 6, 7 and 8) shall be made to the Local Planning Authority not later than three years from the date of this permission.
4. The development of each site (1, 4, 5, 6, 7 and 8) hereby permitted shall be begun either before the expiration of five years from the date of approval of this application or the expiration of two years from the date of the approval of the last of the reserved matters for that site to be approved, whichever is the later.
5. General hours of works during constructions for development of any site (1, 4, 5, 6, 7 and 8).
6. This outline permission conveys approval for a maximum of 150 residential dwellings only.
7. No development on Site 7 shall be occupied until a secondary 'emergency access' has been provided from Pevensy Bay Road or Harbour Quay in

accordance with a scheme which has previously been submitted and approved by the Local Planning Authority.

Site 1

8. No development shall take place until samples of the materials to be used in the external surfaces of the development on the site have been submitted to and approved in writing by the Local Planning Authority.
9. No development shall commence before details of the boundary treatments for the residential development/site hereby approved are submitted to and approved in writing by the Local Planning Authority.
10. No development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority.
11. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.
12. Measures to limit habitat enrichment and encroachment of gardens from neighbouring properties should be agreed.
13. Landscape design Proposals relating to species and size of hedging and trees
14. Landscape maintenance
15. Details of flood resilience measures to include minimum finished floor levels and a suitable development design to manage risk from drainage system exceedence events and possible overtopping of flood/sea/harbour defences as appropriate to each site's location. Ground floor uses shall be generally restricted to parking and less vulnerable uses in accordance with the submitted Flood Risk Assessment (FRA, Section 6, Flood Risk Management).
16. Details to confirm adequate provision is made in the site layouts for future maintenance access to the sea defences and inner/outer harbour walls
17. Groundwater Protection -Universal condition for development on land affected by contamination.
18. Removal of all permitted development rights to properties.
19. No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for storing domestic refuse and recycling and for access to the stores by the occupiers of the buildings and collection vehicles.
20. Prior to the commencement of development a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
21. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as a publicly maintained highway.
22. 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 and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.
23. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water

- drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority.
24. 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,
 25. The development shall not be occupied until parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.
 26. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.
 27. Before house building commences, the new estate roads shall be completed to base course level, together with the surface water and foul sewers and main services.
 28. The Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards.
 29. The building envelope of the dwellings/apartments shall be constructed so as to provide sound attenuation in habitable rooms against external noise.
 30. Site contamination
 31. Details of directional signage
 32. Details of any temporary structures/hoardings
 33. Bird deterrent measures
 34. No burning of waste on site
 35. Details of interpretation/information boards on the ecological value of the site.

Site 4

36. No development shall take place until samples of the materials to be used in the external surfaces of the development on the site have been submitted to and approved in writing by the Local Planning Authority.
37. No development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority.
38. Landscape maintenance
39. Details to confirm adequate provision is made in the site layouts for future maintenance access to the sea defences and inner/outer harbour walls
40. Groundwater Protection -Universal condition for development on land affected by contamination
41. No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for storage of refuse and recycling and for access to the stores by the occupiers of the buildings and collection vehicles.
42. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.
43. Prior to the commencement of development a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

44. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority.
45. 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.
46. The development shall not be occupied until parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.
47. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.
48. The Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards.
49. A Travel Plan is required in association with this development to ensure that private car trips to and from the site are reduced. The travel plan should include targets for reduced car use and a monitoring programme to ensure these targets are met.
50. Submission of lighting Strategy for public open space.
51. Submission of signage strategy for commercial units.
52. Hours of operation of Class A uses to be restricted.
53. Site contamination.
54. Details of all plant and machinery (e.g. air conditioning, refrigeration units) including predicted noise levels.
55. Details of any temporary structures/hoardings.
56. Bird deterrent measures.
57. No burning of waste on site.

Site 5

58. No development shall take place until samples of the materials to be used in the external surfaces of the development on the site have been submitted to and approved in writing by the Local Planning Authority.
59. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.
60. Landscape maintenance
61. Groundwater Protection -Universal condition for development on land affected by contamination
62. No development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority.
63. Prior to the commencement of development a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
64. 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 and, similarly, to prevent the discharge of surface

- water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.
65. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority.
 66. 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.
 67. The development shall not be occupied until parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.
 68. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority
 69. Site contamination.
 70. Details of all plant and machinery (e.g. air conditioning, refrigeration units) including predicted noise levels.
 71. Details of any temporary structures/hoardings.
 72. No burning of waste on site.
 73. Restriction on hours of opening of proposed community centre.
 74. Restriction on use within Class D1.
 75. Submission of details of boundary treatment.

Site 6

76. No development shall take place until samples of the materials to be used in the external surfaces of the development on that site have been submitted to and approved in writing by the Local Planning Authority.
77. No development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority.
78. Removal of shrubs/trees outside of bird breeding season
79. Subject to site and proposal specific detailed reptile mitigation strategy
80. proposal should comply with advice given by HSE regarding distance from gas pipeline.
81. Tree Protection: No burning
82. Tree Protection: Excavations regarding the bund associated with TPO 77
83. Tree Surgery
84. Landscape design Proposals relating to species and size of hedging and trees
85. Landscape maintenance
86. Groundwater Protection -Universal condition for development on land affected by contamination
87. No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for storing domestic refuse and recycling and for access to the stores by the occupiers of the buildings and collection vehicles.
88. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.

89. Prior to the commencement of development a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
90. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as a publicly maintained highway.
91. 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 and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.
92. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority.
93. 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.
94. The development shall not be occupied until parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority
95. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority
96. The Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards
97. A Travel Plan is required in association with this development to ensure that private car trips to and from the site are reduced. The travel plan should include targets for reduced car use and a monitoring programme to ensure these targets are met.
98. Site contamination
99. No development affecting the shingle mound.
100. Details of all plant and machinery (e.g. air conditioning, refrigeration units) including predicted noise levels.
101. Details of any temporary structures/hoardings.
102. No burning of waste on site.

Site 7

103. No development shall take place until samples of the materials to be used in the external surfaces of the development on that site have been submitted to and approved in writing by the Local Planning Authority.
104. No development shall commence before details of the boundary treatment for the building plots hereby approved are submitted to and approved in writing by the Local Planning Authority.
105. No development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority.
106. Subject to site and proposal specific detailed reptile mitigation strategy

107. Proposal should comply with advice given by HSE regarding distance from gas pipeline.
108. Tree and natural feature protection fencing: 2.4m Hoarding around the around the three Poplars on the north western corner of the site, this is to be undertaken to BS5837: 2012 Trees in relation to design, demolition and construction
109. Tree Protection: No burning
110. Tree Surgery
111. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.
112. Landscape design proposals relating to species and size of hedging and trees
113. Landscape maintenance
114. Groundwater Protection -Universal condition for development on land affected by contamination
115. Removal of all permitted development rights to properties.
116. No development shall commence for site 7c until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for storing domestic refuse and recycling for access to the stores by the occupiers of the buildings and collection vehicles.
117. Prior to the commencement of development a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
118. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as a publicly maintained highway.
119. 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 and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.
120. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority.
121. 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.
122. The development shall not be occupied until parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.
123. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.
124. Before house building commences, the new estate roads shall be completed to base course level, together with the surface water and foul sewers and main services.

125. The Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards.
126. A Travel Plan is required in association with site 7a, to ensure that private car trips to and from the site are reduced. The travel plan should include targets for reduced car use and a monitoring programme to ensure these targets are met.
127. The open space within Site 7 shall not be brought into use until an improved pedestrian crossing facility has been provided over Pacific Drive.
128. The building envelope of the dwellings/apartments shall be constructed so as to provide sound attenuation in habitable rooms against external noise, to attain a maximum daytime level not more than 35dB Laeq 16 hour; and to provide sound attenuation in bedrooms against external noise, night time level not more than 30dB Laeq 8 hour; 45dB Laeq, MAX in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
129. Subject to site and proposal specific detailed reptile mitigation strategy.
130. Site contamination
131. Details of any temporary structures/hoardings
132. Bird deterrent measures
133. No burning of waste on site

Site 8

134. No development shall take place until samples of the materials to be used in the external surfaces of the development on that site have been submitted to and approved in writing by the Local Planning Authority.
135. No development shall commence before details of the boundary treatment for the building plots hereby approved are submitted to and approved in writing by the Local Planning Authority.
136. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.
137. Details to confirm adequate provision is made in the site layouts for future maintenance access to the sea defences and inner/outer harbour walls
138. Groundwater Protection -Universal condition for development on land affected by contamination
139. Removal of all permitted development rights to properties.
140. No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for storing domestic refuse and recycling and for access to the stores by the occupiers of the buildings and collection vehicles.
141. Prior to the commencement of development a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
142. The new estate roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's standards with a view to their subsequent adoption as a publicly maintained highway.
143. 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 and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.
144. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority.
 145. 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.
 146. The development shall not be occupied until parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.
 147. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority.
 148. Before house building commences, the new estate roads shall be completed to base course level, together with the surface water and foul sewers and main services.
 149. The Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards.
 150. The building envelope of the dwellings shall be constructed so as to provide sound attenuation in habitable rooms against external noise, to attain a maximum daytime level not more than 35dB Laeq 16 hour; and to provide sound attenuation in bedrooms against external noise, night time level not more than 30dB Laeq 8 hour; 45dB Laeq, MAX in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
 151. Site contamination.
 152. Details of any temporary structures/hoardings.
 153. Bird deterrent measures.
 154. No burning of waste on site.
 155. Submission of details of birth holder facilities.

Informatives

EA Informatives
Highways Informatives
General Informatives

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Agenda Item 10

App.No: 140154 (PPP)	Decision Due Date: 30 April 2014	Ward: Meads
Officer: Anna Clare	Site visit date: 2 April 2014	Type: Planning Permission
Site Notice(s) Expiry date: 13 March 2014 Neighbour Con Expiry: 02 April 2014 Weekly list Expiry: 18 March 2014 Press Notice(s): 18 March 2014		
Over 8/13 week reason: Brought to Planning Committee within statutory timeframe.		
Location: St Andrews School, 72 Meads Street, Eastbourne.		
Proposal: Installation of a traverse climbing wall on existing sports field, adjacent to Darley Road.		
Applicant: Mr Stephen Henderson-Reid		
Recommendation: Approve conditionally		

Executive Summary:

Conservation Area

Meads Conservation 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

C11 Meads Neighbourhood Policy

D10 Historic Environment

D10A Design

Saved Borough Plan Policies 2007

UHT1 – Design of New Development

UHT4 – Visual Amenity

UHT15 – Protection of Conservation Areas

HO20: Residential Amenity

Site Description:

The site forms part of the existing playing fields of St Andrews School. The position of the proposed climbing wall is to the north of the playing fields adjacent to Darley Road. The site falls within the Meads Conservation Area.

Relevant Planning History:

None relevant to this specific application.

Proposed development:

The installation of a climbing wall to the northern edge of the existing school playing fields measuring 13.5m in length, 2.1m in height, to be sited approximately 7m from the existing wall fronting Darley Road.

Consultations:

Internal:

Specialist Advisor Design and Conservation – no objections.

Neighbour Representations:

4 objections have been received and cover the following points:

- Increase in noise
- Location adjacent to residential properties
- Bringing children closer to the school boundary
- Could be rented out putting pressure on car parking

Appraisal:

Principle of development:

There is no objection in principle to the erection of the climbing wall in this location provided it would be designed to a high standard, respect the established character of the area and would not have a significant adverse effect on the amenity of surrounding residents or the character of the conservation area in accordance with policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007.

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

It is considered that the climbing wall is located sensitively, the wall is located opposite the Aldro Building, part of the University of Brighton site where the playing field is significantly lower than street level. It is considered the location will minimise impacts on surrounding residential properties.

Objections have been received to the location and the noise generated by children using the climbing wall. It is not considered that the wall will significantly increase the noise generated by children using the existing playing field. Whilst it is accepted that the wall may bring more children to this specific location the wall itself is minor and will not increase children's play activity in general and therefore noise generation to warrant a refusal of the application.

Design issues and Impact on character and setting of a conservation area:

The proposed climbing wall is a simple timber construction with coloured hand and foot holds. The playing field here is below ground level when on Darley Road and therefore the visual appearance will be minimal. The site is located within the Meads Conservation

Area, the size and design are appropriate for the setting and it is considered that the proposal will preserve the character and appearance of the Meads Conservation Area.

Impacts on trees:

The proposed location of the climbing wall is set back 4.5m from the adjacent trees and therefore there will be no impact.

Other matters:

An objection has been received that the climbing wall may be used by third parties generating additional traffic. Given the size of the proposed wall it is considered unlikely that this will be the case.

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:

It is considered the climbing wall is located sensitively, separated sufficiently from residential properties to minimise impacts; whilst it is acknowledged there may be an increase in the number of students in this location attracted by the climbing wall it is not considered that a refusal on amenity grounds can be substantiated. The design and size of the wall is considered acceptable, and the proposal will preserve the character and appearance of the conservation area; therefore it is recommended that planning permission is granted.

Recommendation: Approve conditionally.

Conditions:

- 1) Time for commencement
- 2) In accordance with approved plans

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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Body:	Planning Committee
Date:	Tuesday 15 April 2014
Subject:	Tree Preservation Order – Land at St. Saviour's and St. Peter's Vicarage, Spencer Road, Eastbourne, East Sussex No. 164 (2013)
Report Of:	Senior Head of Development and Environment and Lawyer to the Council
Ward	Meads
Purpose	This report seeks confirmation of a Tree Preservation Order
Recommendation(s):	That the Eastbourne Borough Council Tree Preservation Order (Land at St. Saviour's and St. Peter's Vicarage, Spencer Road, Eastbourne, East Sussex) No. 164 (2013) be confirmed without modification.
Contact:	Diane Fearn, Paralegal/Admin. Assistant, Telephone 01323 415029 or internally on extension 5029. E-mail address: diane.fearn@eastbourne.gov.uk

1.0 Introduction

- 1.1 On 1st October, 2013 the Development Control Manager exercised his delegated powers and authorised the making of a Tree Preservation Order in respect of trees on the above land. The trees are 2 Evergreen Oak and 3 Sycamore.
- 1.2 The Development Control Manager took this action because the trees makes a significant contribution to the visual amenities of the area, and their loss would be detrimental to those amenities. The Order was made on 11th November, 2013. A copy of the Order plan is attached (Appendix 1).
- 1.3 The Order will continue in force until the expiration of a period of six months from the making of the Order or the date on which the Order is confirmed, whichever first occurs.

2.0 Confirmation Procedure

- 2.1 The Committee must now decide whether to confirm the Order. The Committee may:
 - Confirm an Order without modification or subject to such modification as it considers it expedient; or
 - Decline to confirm the Order, in which case it lapses.

Before making a decision the Committee must take into account any objections or representations made within the prescribed period.

3.0 Consultation

- 3.1 Copies of the Order and statutory notice have been served on the owners and occupiers of the land and adjoining land.
- 3.2 A letter dated 28th December, 2013 has been received on behalf of the Management Company of a block of flats known as Barchester Place, 1 Hardwicke Road, Eastbourne. A copy of the letter dated 28th December, 2013 is attached (Appendix 2) which sets out the observations with regard to the Order.

The responses from the Council's officers with regard to the contents of the letter of 28th December, 2013 are set out below:-

Natural daylight

An application in 2011 was approved to undertake a crown reduction for this reason and should still be preventing this issue; a further application to thin the re-growth would be deemed acceptable.

Litter caused by twigs, leaves and guano

Detritus in the form of leaf and twig litter is not a sufficient reason to prevent the making of an Order.

Branches becoming a danger due to the size

Should an application be made which indicates the tree is causing a danger to residents of Barchester Court, it would be assessed on the evidence provided, and an inspection of the trees. An Order does not prevent appropriate maintenance of trees.

Noises created by a tree

Most trees do create some noise during windy conditions with the wind passing through the crown of the tree but this is not a sufficient reason to prevent the making of an Order. The Order will not increase this, nor the number of birds using the trees.

Balcony doors

Moths, birds, dust and insects flying into a room could all happen with or without the presence of trees, and is not a sufficient reason to prevent the making of an Order.

Natural growth

It is not considered that natural growth is untidy or intrusive.

Undesirables

An application to crown lift the lower branches of the trees would alleviate this issue.

Value of flats

The trees predate the development of Barchester Court, and the value of the flats would have reflected their presence when they were first marketed. The Order would not affect the status quo in any way.

The suggestion that the trees are due to be lopped indicated that the trees were under threat and the making of the Order was necessary to prevent inappropriate works, or their removal. The trees provide an effective screen and contribute to the visual amenities of the area, particularly in this town centre location. The trees have been regularly maintained by the owners (the Diocese) since the construction of Barchester Court, and the making of the Order would not hinder the ongoing management of the trees.

4.0 Resource Implications

4.1 Financial

There are none.

4.2 Staffing

There are none.

5.0 Environmental Implications

5.1 The confirmation of the Order will ensure the protection of the trees, which make a significant contribution to the visual amenity of the area.

6.0 Human Rights

6.1 Whilst the owners have the right to the peaceful enjoyment of their property, the Council has the right to make the Order to preserve and protect the visual amenity to which the trees make a significant contribution.

7.0 Conclusion

7.1 The trees make a significant contribution to the visual amenity of the area. We therefore recommend that the Tree Preservation Order be confirmed without modification.

JEFF COLLARD
SENIOR HEAD OF DEVELOPMENT AND ENVIRONMENT

VICTORIA SIMPSON
LAWYER TO THE COUNCIL


Background Papers:

The Background Papers used in compiling this report can be found in PLAN/39.

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Appendix 1



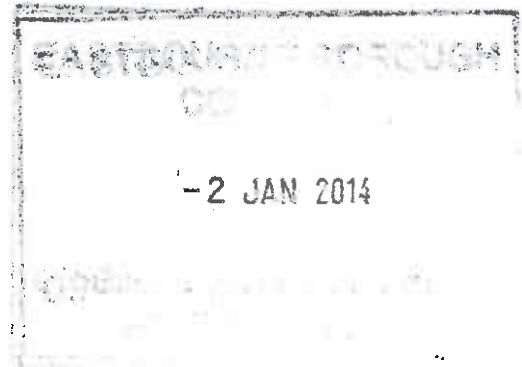
	T.P.O 164 ST SAVIOUR'S & ST PETER'S VICARAGE, SPENCER ROAD EASTBOURNE		ECONOMY, TOURISM AND ENVIRONMENT PARKS AND GARDENS 66 Grove Road, Eastbourne	Preced by:	Scale: 1:1000
				Date: 30/09/2013	Dwg. No.:

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Barchester Place (Eastbourne) Limited

LEGAL
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex BN21 4TW



28th December 2013

Dear Sirs,

BARCHESTER PLACE (EASTBOURNE) LTD – 1 HARDWICK ROAD, BN21 4NU - Eastbourne Borough Council Tree Preservation Order – Land at St Saviour’s and St Peter’s Vicarage, Spencer Road, Eastbourne – No 164 (2013)

We write as the Management Company for the block of flats known as, Barchester Place, 1, Hardwick Road, Eastbourne BN21 4NU and confirm that each owner of a flat, is the holder of one share in the Company, there being 12 issued shares in total.

We wish to make observations on the Order and the impact that the restrictions imposed are or will have, on the property in general, and the owners of flats at the rear of the block, in particular.

The trees obscure natural daylight and natural warmth, which effect increases as the trees grow, and the greater the height the more the flats at the rear of the block require additional consumption of electricity/gas to light and heat: this is quite definitely not environmentally-friendly.

The leaves of the Holm Oak trees do not compost down, fall mainly during the summer months and are a year-round nuisance.

Leaves, twigs, and guano fall onto the rear access pathway at the block and create a year round hazard with much increased risk of tripping and slipping for all owners, many of whom are senior citizens and their visitors.

The longer tress are left to grow and as height increases so does the danger of falling branches onto the footpaths and vicarage garden with the potential to cause serious injury.

The trees already create significant noise levels in windy conditions and from large birds (magpies, crows, pigeons) resting or nesting: this will only increase as a nuisance.

It is already not possible to have balcony doors open on occasion due to ingress of moths, insects, birds entering and dust and leaves being blown into resident’s properties.

Natural growth is untidy and intrusive: this is not a reflection on the excellent work carried-out by Gary Pearce in March of this year.

Continued/

Continued/

As the trees are so close to the boundary fence with Barchester Place they offer opportunities to undesirables on the gardens and grounds by blocking-out or reducing views from surrounding properties.

All of the above points adversely affect the value of flats and the potential for owners to sell or let individual properties.

We welcome your response to these comments and the opportunity to meet and discuss early in 2014 as the trees are due to be lopped again under the terms of the 5 year agreement with the Diocese.

Please reply to The Directors, C/O , Barchester Place, Hardwick Road, Eastbourne

Yours faithfully