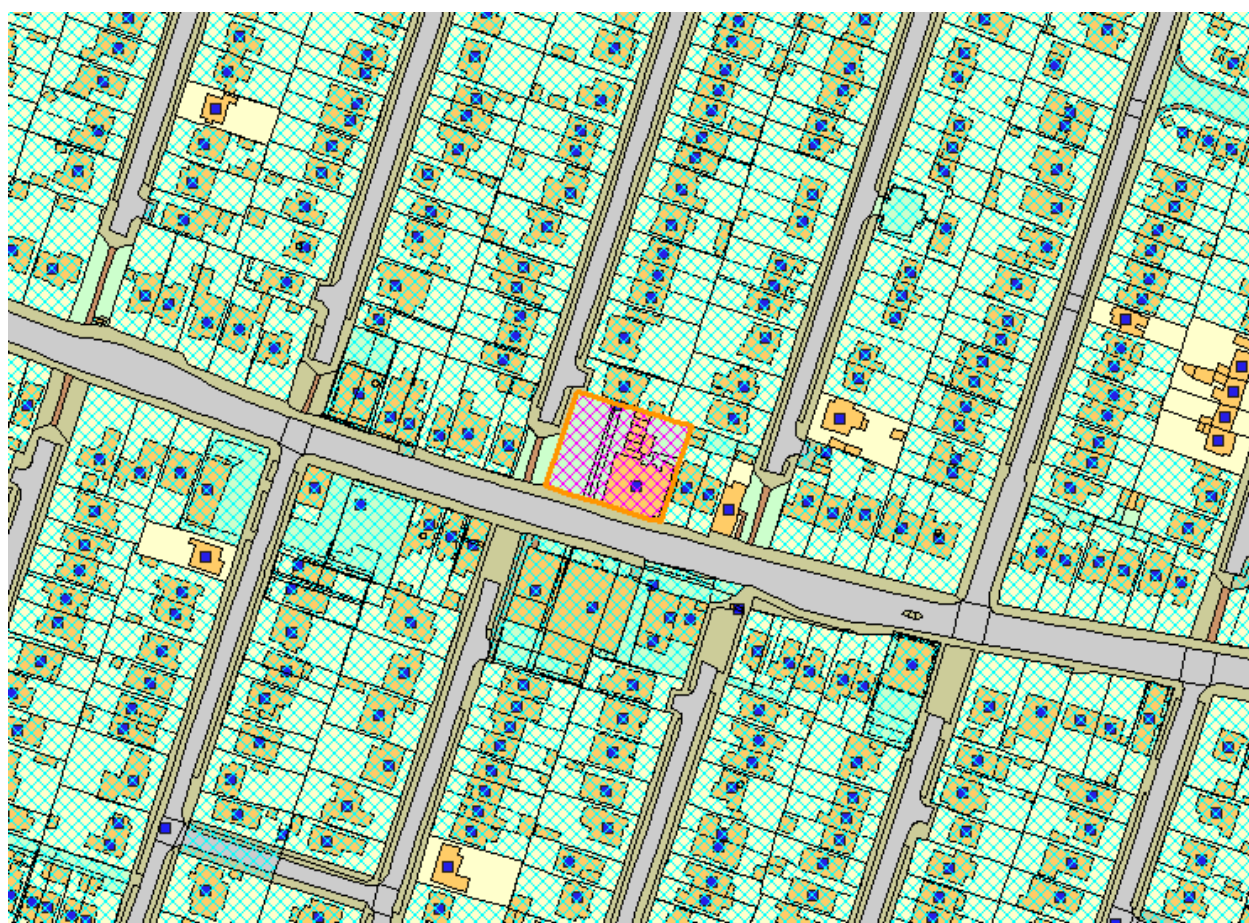


APPLICATION NUMBER:	LW/19/0242		
APPLICANTS NAME(S):	Eden Luxe Construction Ltd	PARISH / WARD:	Peacehaven / Peacehaven East
PROPOSAL:	Planning Application for proposed demolition of public house and re-development to provide seventeen residential units (10no. 1-bed flats and 7no. 2-bed flats), commercial office space (112 square metres) and associated parking and landscaping (Amended Plans) (Amended Description).		
SITE ADDRESS:	The Sussex Coaster, 80 - 82 South Coast Road, Peacehaven, East Sussex, BN10 8SJ		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

SITE DESCRIPTION

1.1 The application site lies on the northern side of South Coast Road at the corner junction with Vernon Avenue. The site is presently occupied by a two storey building previously used as a public house, which has various additions, and a large surface car park alongside the southern end of Vernon Avenue. The side elevation of the existing pub building lies adjacent to the public footway along South Coast Road, unlike other neighbouring buildings which are set back.

1.2 The site is bound on two sides by residential properties, and on the opposite corner of Vernon Avenue there is a security business's office and residential flats. On the opposite side of South Coast Road there is a 24 hour petrol station and shop and a home improvements/conservatory showroom.

1.3 The building is not listed and the site is not situated in a Conservation Area.

PROPOSAL

1.4 The application seeks full planning permission for the demolition of the existing buildings and re-development of the site with a four storey building comprising 17 flats, office space on the ground floor, and parking provision to the rear with access off Vernon Avenue.

Office-

At ground floor level and fronting the corner with Vernon Road and the A259
Office space covering 112 square metres
Bin storage, W.C. and staff rooms indicated on plans

Flats-

Seventeen flats comprising 10 x 1-bed flats and 7 x 2-bed flats
Ground floor: One 1-bed and one 2-bed flat, adjacent to 78/78A South Coast Road.
First floor: Four 1-bed flats and two 2-bed flats.
Second floor: Four 1-bed flats and two 2-bed flats.
Third floor: Comprising a recessed attic storey - One 1-bed flat and two 2-bed flats.

1.5 In terms of floor area, the smallest 1-bed flats would be 50 square metres and the smallest 2-bed flats would be 64 square metres.

1.6 None of the residential units are proposed to be affordable, due to financial viability of the scheme. The applicant's viability assessment was reviewed by an independent assessor on the behalf of the local planning authority and concluded that the main issues are the base build cost which together with the Community Infrastructure Levy (CIL) liability, would render the scheme unviable with affordable housing.

Car parking-

1.7 Based on the amended site plan there would be 22 car parking spaces behind the building and two of these (9%) would have electric vehicle charging points.

1.8 The vehicular access to the site is proposed to be from the bottom of Vernon Avenue, and the existing vehicular access directly onto South Coast Road is proposed to be blocked up.

2. RELEVANT POLICIES

LDLP: – CT01 – Planning Boundary and Countryside Policy

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – SP2 – Distribution of Housing

LDLP: – CP1 – Affordable Housing

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CP4 – Economic Development and Regeneration

LDLP: – CP9 – Air Quality

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage

LDLP: – CP13 – Sustainable Travel

LDLP: – CP14 – Renewable and Low Carbon Energy

LDLP:- DM25 – Design

LDLP:- DM1 – Planning Boundary

3. PLANNING HISTORY

LW/08/0716 - Section 73A Retrospective application for the continued use of land within the licensed area of The Sussex Coaster as a pub garden including paving and seating. - **Approved**

LW/09/1150 - Continued use of land within the licensed area as a pub garden (renewal of temporary planning approval LW/08/0716) - **Approved**

E/55/0460 - Proposed change of use from licensed club to fully licensed public house. - **Refused**

EV/63/0013 - Various illuminated signs at 80-82 South Coast Road. - **Approved**

EV/70/0009 - Internally illuminated wall sign. - **Refused**

E/70/0118 - Planning and Building Regulations application for demolition of garage and beer store and erection of office, staff bedrooms, kitchen and beer store. Building Regs Approved. - **Approved**

LW/83/1493 - Retention of front extension to Public Bar granted for temporary period under LW/78/1217. - **Approved**

E/62/0042 - Planning and Building Regulations application for a proposed conversion of club premises to licensed public house at The Premier Club, 82, South Coast Road. Building Regulations Approved. - **Approved**

E/71/1109 - Planning and Building Regulations application for an extension to existing Public Bar. B Regs Rejected. - **Refused**

E/56/0616 - Proposed change of use from licensed club to fully licensed public house and use of adjoining land as a car park. - **Approved**

EV/65/0023 - Double sided projecting illuminating swing sign 3'3" x 2' advertising Watneys Ales. Restrictive Planning Condition No. 4. - **Approved**

E/65/0643 - Planning and Building Regulations Applications for formation of new kitchen on first floor. Building Regs. Approved. - **Approved**

E/72/1181 - Planning and Building Regulations Applications for alterations and additions to provide garage, store, kitchen and dining room with two staff flats over. Building Regs. Rejected. - **Refused**

E/61/0870 - Planning and Building Regulations applications for erection of lock-up garages, formation of paved terrace and access at The Premier Club, 82 South Coast Road. Building Regs approved. - **Approved**

E/61/0720 - Planning and Building Regulations applications for erection of lock-up garages, resiting of car park access and use of plots to east of Club for the display and sale of used cars at The Premier Club, 82 South Coast Road. - **Refused**

LW/85/0755 - Section 32 retrospective application for retention of retractable awnings over existing ground floor windows to South Coast Road and car park entrance. - **Approved**

E/65/0480 - Planning and Building Regulations Applications for covered sun terrace. Building Regs. Approved. Commenced. - **Approved**

LW/78/1147 - Planning Application for conversion of garage into preparation room. - **Approved**

LW/78/1217 - Front extension to public bar. - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

District Services – No objection - Advised that refuse and recycling areas must be accessible to dust carts and the communal space may be used for this purpose.

ESCC Highways – No objection subject to the imposition of conditions

Executive Summary

This HT401 is issued as a result of amended plan No. 9003/P/30 revision 11 which follows extensive discussions with the agents. The revised plan [revision 11] now includes:-

- the closure of the existing vehicular access;
- revised acceptable layout of the proposed access;
- together with provision of bollards on the public highway and;
- relocation of the existing street light [position to be agreed and;
- provision of a widened footway across the site frontage on Vernon Avenue.

I confirm that the proposal is now acceptable as shown on the above amended plan. I do not object to the proposed development and recommend highway conditions.

Response

1. Trips/Access

This application is for demolition of the existing Public House and erection of a block of 18 flats. It is understood that the Public House which operated as a public house and restaurant [with 30 covers] and as a music venue for up to 200 attendees which it is understood from Lewes District Council could be brought back into use. The Transport Report suggests that the existing use generate approximately 229 trips a day. The proposed development of 18 flats would generate approximately 54 - 72 vehicular trips a day which is significantly less than the existing use. Whilst I appreciate that the use as a music venue may not have operated every day the use as a public house with 30 covers for restaurant use would still have generated slightly more traffic than that propose.

It is noted that this proposal would generate vehicle trips on the network in the AM peak whereas the existing use would not have generated vehicles in the AM peak. However, a new vehicular access would be created onto the minor road, Vernon Avenue, to serve this development. The existing vehicular access onto the A259, which is situated close to a pedestrian crossing, is shown to be closed off. Given the location of the existing access and the nature of the South Coast Road, the closure of this vehicular access onto the A259 is welcomed.

The new access is shown to be 6m wide with a nominal junction radius on the southern side, which is acceptable in this direction given vehicles will be entering and leaving the access to the north only. The northern radius is annotated as being 6 metres but is actually shown as 3 metres, however, 3 metres would be acceptable here

2. Mitigation - Off Site Highway Works

The following works are required in order for the proposal to be acceptable to the highway authority and would normally be secured through a section 106 agreement. However, it is understood that due to the size/viability of the site no s106 is required therefore the following points are to be included as conditions of any planning permission.

- The existing lamp post [currently within centre of proposed access] is shown to be relocated to a position to be agreed with the County Council.
- Two new additional bollards are also to be provided and positioned within the public highway to the south of the proposed new access on Vernon Avenue. This is at the request of the County Council in order to ensure vehicles do not drive south over the public highway to join the A259 here.
- The plans also show widening/improvement to existing footways either side of the new access which would need to include dropping kerbing and tactile paving [to be agreed].

Conditions

1. No development shall be occupied until the existing access onto the A259 shown on the submitted plans have been stopped up and the kerb and footway reinstated in accordance with details to be submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

2. Prior to occupation of the development hereby permitted, the new access onto Vernon Avenue shall be in the position and laid out as shown on the submitted plan [number 9003/P/30 revision 11] and constructed in accordance with the attached HT407

form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

3. The new access [onto Vernon Avenue] shall have maximum gradients of 2.5% (1 in 40) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.

Reason: In the interests of road safety.

4. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

5. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development

6. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans and the turning space shall thereafter be retained for that use and shall not be used for any other purpose;

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

7. Prior to commencement of the new access onto Vernon Avenue the applicant shall reposition the existing street lamp and position new bollards in accordance with plans and details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority and which shall be in position prior to commencement of the new Access onto Vernon Avenue.

Reason: In the interests of road safety.

8. Prior to commencement of development the applicant shall submit details of improvements to the existing footway on Vernon Avenue [including informal crossing points/dropped kerbs which shall be approved by the Local Planning Authority in consultation with the Highway Authority and the works shall be completed prior to occupation of the development.

9. 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.

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding.

10. Development shall not commence until such time as temporary arrangements for access and turning for construction traffic has been provided in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To secure safe and satisfactory means of vehicular access to the site during construction.

11. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,

- o the anticipated number, frequency and types of vehicles used during construction,
- o the method of access and egress and routeing of vehicles during construction,
- o the parking of vehicles by site operatives and visitors,
- o the loading and unloading of plant, materials and waste,
- o the storage of plant and materials used in construction of the development,
- o the erection and maintenance of security hoarding,
- o the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- o details of public engagement both prior to and during construction works.

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

Informatives

1. This Authority's requirements associated with this development proposal [Access, repositioning street light, new bollards, improvements to public footway on Vernon Avenue and closure of existing access onto A259] will need to be secured through a Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
2. The applicant will be required to obtain a permit for any highway works in accordance with the requirements of the Traffic Management Act, 2004. The applicant should contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the permit being in place.
3. The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant should contact East Sussex Highways (0345 6080193)
4. The applicant is advised that the erection of temporary directional signage should be agreed with East Sussex Highways (01345 6080193) prior to any signage being installed.

LDC Policy Team - This planning application should be considered against the policies of the adopted 2016 Lewes District Local Part 1: Joint Core Strategy (LPP1) together with the retained 'saved' policies of the 2003 Lewes District Local Plan (LDLP) as listed in Appendix 2 of the LPP1, so far as they are consistent with the National Planning Policy Framework (NPPF) and the NPPF itself. In addition, the emerging Local Plan Part 2: Site Allocations and Development Management Policies (LPP2) is a material consideration and has now reached the stage where substantial weight can be given to a number of policies.

The application is for full planning permission for a mixed office and residential development. From a planning policy perspective, the following issues should be considered when determining the above planning application:

- Loss of community facility (Core Policies 4 and 7);
- Affordable Housing; and
- Electric Vehicle Charging Point.

The application site is located in Peacehaven and within the planning boundary where the principle of development is generally acceptable. The development proposal comprises of 16 net dwellings (18 gross) and 107sqm of B1a (office) floorspace.

The site's current use is a public house (The Sussex Coaster) and associated car park. However, according to the Applicant's Planning Statement (paragraph 5.30) the pub has been permanently closed since 7th June 2018. Core Policy 7 (CP7) (Infrastructure) seeks to protect, retain and enhance existing community facilities and services; in this case the proposal would result in the loss of a pub. Bullet point 2 of CP7 is therefore relevant in the consideration of this proposal.

The Applicant has submitted evidence of marketing of the site, as well as discussions with the Town Council to ascertain if there is any demand for alternative facilities that could be provided on site. Both exercises were unsuccessful. Instead, the proposal includes an element of B1a (office) floorspace. A B1a use is generally considered compatible with both the proposed residential use and existing mix of uses along the South Coast Road.

Affordable Housing

Core Policy 1 (CP1) (Affordable Housing), as amended by national planning policy, requires 40% affordable housing on developments of 10 or more units. A development such as the application site would ordinarily be required to deliver seven affordable homes. However, the Applicant has submitted evidence, as required by CP1(2), showing that the development cannot deliver any affordable housing on viability grounds.

Electric Vehicle Charging Points

The Council's Electric Vehicle Charging Points (EVCP) Technical Guidance Note sets out what is now expected from new development (outside the South Downs National Park) in terms of EVCP. The Note has been produced to help deliver the aims of LPP1, in particular Core Policy 9 (Air Quality) and Core Policy 13 (Sustainable Travel).

For developments of 11 or more flats the Note states that "at least one dedicated bay with Fast EV Charging Unit to service the development" should be provided. The application proposal includes one EVCP. However, it is not clear firstly, if this is a fast charging point rather than a standard charging point and secondly, whether it will be located within a parking space designated as an EV Charger Space (paragraph 4.6 of the Planning Statement) or within a visitor parking space (paragraph 01.6 of the Sustainability Statement). The dedicated parking space would appear preferable to ensure accessibility to future occupiers and visitors. These two points should be clarified and secured appropriately.

Summary

The application scheme proposes a mixed use development in a relatively sustainable area of Peacehaven. From a planning policy perspective, provided that the determining officer is satisfied that sufficient evidence has been submitted with regards to the loss of

community facility and non-provision of affordable housing, and that the proposal is otherwise compliant with policies within the Development Plan, then it should be recommended for approval.

LDC CIL Team –

There is concern that the Viability Assessment has overplayed the CIL contributions - the CIL Forms submitted show that the pub was in use in 2018 and the floorspace would therefore be permissible for off-set. This brings the CIL liability down from £160k (allowed for in the VA) to £69k. This would allow for £91k contributions towards off-site provision of affordable housing.

ESCC SUDS – No Objection, subject to conditions.

Site investigations indicate that infiltration rates are poor, and there is a risk that discharge of surface water runoff may lead to ground stability issues as a result of dissolution features in the subsurface. This response is made on the understanding that Southern Water has agreed to allow the applicant to discharge surface water runoff into the foul sewer.

The proposals to discharge surface water runoff will provide a betterment over the existing situation, as it is indicated that the site already discharges runoff to the foul sewer and the proposals will restrict the discharge rate to 1.0 l/s for all rainfall events. As the drainage strategy has now changed, we will require the submission of additional hydraulic calculations to confirm this.

The applicant has undertaken a CCTV survey to establish the condition of the on-site sewer system that will act as a discharge point for surface water runoff. This survey indicated a number of defects in the system, particularly between MH1 and MH2, these will require improvement works to be carried out prior to completion of the development.

The Drainage Strategy indicates that maintenance will be carried out privately, with a long term maintenance regime to be agreed with the landowners. We request further clarification on the specific maintenance arrangements at the detailed design stage.

If the Local Planning Authority is minded to grant planning permission, the LLFA requests that conditions are imposed in order to manage surface water runoff from the development.

Southern Gas Networks – No objection

Information as to the location of gas pipes.

Sussex Police – No objection.

No major concerns with the proposals, subject to following guidance as to mitigating against any identified local crime trends. The segregation of the office space and residential areas is noted positively.

Main Town Or Parish Council – Last night 30th April 2019, Peacehaven Town Council Planning & Highways Committee met & discussed Planning application LW/19/0242 Sussex Coaster.

37 Residents from the locality attended the meeting and spoke against this proposed planning application.

The concerns by local Residents were reiterated at last night's Planning meeting during Public Question time.

- o This proposal is not an acceptable form of development in this area of Peacehaven.
- o The plans need to change to incorporate entrance and exit on to the A259 and not Vernon Avenue, is it possible for the plans to be amended and resubmitted to Peacehaven Town Council Planning & Highways.
- o Although other developments granted for this type of building up to 4 storeys have set up precedence within Peacehaven, this particular planning application is not comparable to this area and does not create a "sense of place" in this area. Within this "sense of space" this proposed development is an overbearing structure, loss of visual and natural light on to the Coastal view and impact of even more vehicles on to the A259.
- o The key design features in size, scale and siting of this proposed development IS OVERLY BULKY, LOSS OF STREET SCENE AND WOULD CAUSE UNDUE DOMINANCE, LOSS OF LIGHT AND PRIVACY TO NEARBY RESIDENTS.
- o Please can you respond to this proposed development as it is more than 10 units and where is the affordable housing provision associated with this scheme, as yet to be agreed.
- o Peacehaven Planning Committee would like to see the Transport statement relating to this application and what dates and times was the traffic data taken?
- o Has there been an onsite visit by Lewes District Planning Committee and if so what date and time of day did they visit?

Peacehaven Town Council Planning & Highways Committee at the meeting last night unanimously proposed Refusal of Planning Application LW/19/0242 Sussex Coaster.

- 1) Back garden development - building another property the confines of the existing one or large extension to property.
- 2) Out of keeping with street scene-impairment of the street scene, changing the character and appearance, detrimental to it, will spoil the ambience of Road/Avenue, unfriendly
- 3) Blind or blocking corners-either with fence, bushes or trees causing hazard to drivers and pedestrians, health and safety
- 4) Loss of privacy-over-looking, causing loss of privacy or light, too close
- 5) Poor design-down to developer- does not fit in with local surroundings
- 6) Inadequate local infrastructure-including A259, surgeries, school
- 7) Effect on local character-surrounding area included
- 8) Density of layout & over development -too large for plot
- 9) Absence of car parking facilities-provision for pedestrians, wheelchairs and prams
- 10) Increase of traffic & congestion-is there an alternative
- 11) Exacerbate existing parking problems
- 12) Parking & Highway safety-turning space is applicable
- 13) Listed building or tree(s) with protection orders
- 14) Local drainage needs to be improved-not really for us, but sometimes there is a problem if the drain goes under the neighbours garden or path
- 15) Could prejudice further development-not really down to us, but would depend on how the developer acts.

No further comments received following re-consultation on amended plans.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Since the amended plans were submitted in September 2019, 49 additional objections have been submitted. These largely reiterate previous objections and do not raise any new material planning considerations.

A petition containing 112 signatures has been submitted, objecting to the application with the following preamble:-

Loss of amenities
Out of character
Over development
Parking
Increased traffic flow
Loss of privacy

Representations have been received from 9 Tollgate; 103 Malines Avenue; 69 Phyllis Avenue; 178a Roderick Avenue North; 107A Horsham Avenue North; 62 Capel Avenue; 28A Arundel Road; 27 Cinque Foil; 36 and 42 Southdown Avenue; 39 Bramber Avenue; 16 Sunview Avenue; 28 and 63 Cornwall Avenue; 96 Keymer Avenue; 3 Jay Road; 17A, 21, 23, 27, 29, 38A, 40, 48 and 56 Vernon Avenue; 5 Fairfield Sutton Avenue; Sussex Square [Brighton]; 107 Queensway [Brighton]; 5 Meadow Vale [Brighton]; 24 Furze Hill Court [Hove]; 22 Crouch Lane [Seaford]; Dale House London Road [Pyecombe], objecting to the application for the following reasons:-

The pub should remain so the community has somewhere to go a socialise
The pub is needed more than the new flats
18 new flats will not make much impact on housing availability
Should be run as a community pub like The Bevendean in Brighton
Pub should have become a restaurant like The Lounge
Effect on town centre viability
Contextual significance
Historical significance
Over development
Large building
Not an attractive building
Out of character
Harmful to outlook
Loss of open space
Overbearing building/structure
Overlooking, loss of privacy
Loss of light
Overshadowing
Noise and disturbance
Inadequate access
Parking issues
Insufficient parking
Overspill parking and increased traffic in local streets
Traffic on A259
Traffic generation
Highway hazards
Heavily congested area
Lack of infrastructure
Schools, dentists' and doctors' surgeries are all over-subscribed
Will add to pollution
Smell/fumes
Insufficient information
Will devalue property

Objection received from Cllr Enever, local County Councillor for the area, concerned with traffic generation in Vernon Avenue and impact of the development on properties to the north.

6. PLANNING CONSIDERATIONS

6.1 The main considerations in the determination of the application include the principle of development; design; the impact on amenity; accessibility and sustainable transport; and sustainable building design.

PRINCIPLE

6.2 The current use of the land is a public house and this constitutes both a business use as well as a potentially important resource for the local community. That being said, the pub has been marketed for sale for a considerable time and this has been evidenced by for sale boards on the front elevation.

6.3 Core Policy CP4 "Encouraging Economic Development and Regeneration" states that the local planning authority should safeguard existing employment sites from other competing uses unless there are demonstrable economic viability or environmental amenity reasons for not doing so. This will include:

- i. A demonstrated lack of tenant/occupier interest.
- ii. A demonstrated lack of developer interest.
- iii. Serious adverse environmental impacts from existing operations.
- iv. Where the site is otherwise unlikely to perform an employment role in the future.
- v. Where the loss of some space would facilitate further/improved employment floorspace provision.

Where these circumstances can be demonstrated, a mixed use alternative development would be preferred, such that an element of employment use is retained.

6.4 The applicant has submitted a Planning Statement, which at Appendix B sets out how the premises have been marketed since September 2016, firstly as tied to the owner (Enterprise Inns) then from March 2017 on an untied basis and marketed by Fleurets. With no deals agreed, Enterprise Inns then advertised the site for sale, by Fleurets, in February 2018. A temporary operator was found briefly at a low weekly rate and business rates were reimbursed by Enterprise Inns.

6.5 The marketing information submitted indicates that the current use of the site is not viable, and notwithstanding the objections received, potential public house operators have had the opportunity to continue the current use of the site but no deals have been reached. Furthermore, the current planning application incorporates over 100 square metres of office/commercial floor space, which could be used by local businesses and which would retain a reasonable amount of employment space at the site.

6.6 In principle therefore, the proposed development is considered to meet the requirements of Core Policy 4 of the Local Plan.

6.7 The application site is within the Planning Boundary of Peacehaven and located in a mixed use area where there are a mix of commercial premises and residential uses along South Coast Road, and where the side streets are predominantly residential in character. In principle the residential development of this site is acceptable and compliant with

retained policy CT1 and Spatial Policy 2 of the Joint Core Strategy, the site constituting an unidentified previously developed (brownfield) site within the existing Planning Boundary and the scheme providing much needed additional housing.

6.8 The inability of the applicant to provide affordable housing at a level of 40%, in accordance with both national planning policy and Core Policy 1 of the Local Plan, is deeply regrettable. However, the financial viability case put forward by the applicant has been scrutinised independently on behalf of the Council and has been found to be defensible, and that allowing for the required CIL contribution the scheme could not provide affordable housing in addition to CIL. Provision of affordable housing would, in this instance, render the scheme as a whole financially unviable, which would result in zero new homes entering the market and adding to the housing supply.

6.9 However, the Council's CIL Team is of the view that the Viability Assessment has overplayed the CIL contributions - the CIL Forms submitted show that the pub was in use in 2018 and the floorspace would therefore be permissible for off-set. This would reduce the CIL liability down from £160k (allowed for in the Viability Assessment) to £69k. This would allow for £91k contributions towards off-site provision of affordable housing.

6.10 The scheme has been independently tested in terms of the viability (sales values and build costs) and has been found to be acceptable and within industry norms. Under the CIL regulations and due to the offsetting falling from the existing floorspace of the buildings to be demolished being taken off the new floor space then there is financial headroom as a result. This headroom can be offered as a contribution towards off site delivery of affordable housing and should be secured by a S106 agreement.

6.11 In view of this it is recommended that a S106 Agreement is secured in order to make a contribution towards affordable housing off-site.

6.12 Both of the commercial units proposed on the ground floor are considered to be an acceptable size for this location and have sufficient space for office and storage as well as displays and customer areas, thereby ensuring their future viability and usability.

DESIGN

6.13 Buildings which front South Coast Road, the main A259 route into and out of Peacehaven, are generally taller than the properties that characterise the residential areas set further back off the side roads, which are mainly characterised by bungalows and houses. This is particularly true of the northern side of the A259 where, throughout the length of Peacehaven, there are a variety of two, three and four storey buildings.

6.14 Whilst the buildings immediately next to this site are two storey, there are taller buildings within the same street view, and therefore the scale of the proposed development is not considered to be incongruous.

6.15 The attic storey would be set well back from the elevations below and the development seeks to follow existing building lines and include suitable boundary walls and planting creating a setting for the new building and visual coherence with neighbouring buildings. The bulk and massing has been stepped down at the side and to the rear in order to blend in with the scale of neighbouring buildings and the development proposes to use light coloured materials and finishes along with detailing including a bay projection and various balconies in order to create visual interest.

6.16 Overall the design and appearance is considered acceptable in this location and although the building would be taller and more bulky than neighbouring buildings, there are

existing developments of this scale in Peacehaven and the applicant has taken steps to ensure an attractive frontage and minimise the contrast between the development and existing neighbouring properties. Being on a relatively prominent corner location, the architecture also seeks to make an attractive feature in that the balconies and the entrance to the proposed office/commercial space would be at a diagonal to the main front and side elevations.

6.17 Subject to conditions requiring details of the final external materials and finishes, the proposed design is considered appropriate and of a satisfactory standard and meets the requirements of policies ST3 and CP11 of the Local Plan, as well as policy DM25 of the emerging Local Plan Part Two.

AMENITY

6.18 The proposed building would be larger in scale and bulk than existing neighbouring buildings, but it has been designed so that the height steps down at the side and rear in order to lessen any sudden changes in height and the space around the building is sufficient to prevent loss of light or overshadowing, especially to number 21 Vernon Avenue. This dwelling is located 11m to the north of the proposed development and abuts the northern boundary of the site. The applicant has used high-level windows to the rear elevations in order to prevent overlooking and there are no windows or other openings proposed on the easterly facing flank elevations, thereby precluding loss of privacy. The balconies and the roof terraces would predominantly front the A259, which is a busy public highway.

6.19 The proposed floor areas of each flat meet the national described space standards and future residents would benefit from private and useable outdoor amenity space as well as having adequate space for living and circulation in each flat.

6.20 Whilst it is accepted that the development would alter the outlook from adjacent residential dwellings and also result in some loss of sunlight during certain periods of the day and at different times throughout the year, it is not considered that the proposed development would have a demonstrable harm on either neighbours or future occupiers' amenity and living conditions to a level that would justify a refusal of permission.

ACCESSIBILITY AND SUSTAINABLE TRANSPORT

6.21 The application site is in a sustainable location with easy access to local shops and services and there is a petrol station and convenience store on the opposite side of the street, with a traffic-light controlled pedestrian crossing nearby. There are also bus stops within easy walking distance and these provide access to frequent bus services to Brighton and Eastbourne, with connections to mainline railway stations. The applicant is also proposing secure and sheltered cycle storage within the development. With these options close at hand there is no need for future residents to be solely reliant on private car use for all of their journeys.

6.22 The amount of car parking proposed meets highway authority standards and the highway authority raises no objection. The existing vehicular access onto the A259 is proposed to be blocked up, and this has come about through discussions with the highway authority. Although the pub use, along with potential food and entertainment activities associated with it, the level of traffic generated would be comparable with the proposed residential use except within the peak morning hours. In order to prevent additional traffic entering South Coast Road directly in the morning peak times, the applicant is proposing that the sole vehicular access in and out of the site is to the rear, off Vernon Avenue. This is acceptable to the highway authority, and although it will lead to a small increase in traffic

using Vernon Avenue, taking into account the site context this is not considered to give rise to a demonstrable harm to residential amenity and should not result in increased congestion or on-street parking owing to their being turning spaces within the application site and a sufficient amount of parking for the number and size of dwelling units proposed.

6.23 In view of this, the proposed development is considered to comply with policies CP11 and CP13 of the Local Plan.

SUSTAINABLE BUILDING DESIGN

6.24 In order to comply with policy CP14 of the Local Plan the application needs to demonstrate consideration and incorporation of energy efficient construction methods and renewable energy technologies in order to reduce local contributors to climate change. The application includes provision of two electric vehicle charging points in the rear car park, and this would help reduce emission generated by private car use. However, a minimum of 4 electric vehicle charging points should be incorporated into the scheme to meet policy requirements and for this reason a condition is recommended in order to secure the right amount and the correct type of charging points.

6.25 The applicant has also submitted a Sustainability Statement which sets out the various elements to be incorporated into the development such as energy efficiency in the building fabric; eco-labelled white goods; and methods of reducing household water consumption. This is considered acceptable but it does not touch on heating and ventilation systems or on measures such as solar or PV panels. In view of this a condition is recommended in order to secure these additional details.

7. RECOMMENDATION

7.1 In view of the above the proposed development is considered to be acceptable and approval is recommended subject to conditions and subject to the completion of a S106 Agreement as follows:

Heads of Terms

£91,000 financial contribution towards off-site affordable housing provision.

7.2 Should the legal agreement not be completed within 6 months of the committee decision the application shall be refused under delegated powers.

The application is subject to the following conditions:

1. No development shall take place above ground floor slab level until details and samples of all external materials including the fenestration; hard surfaces; roof materials and external finishes to the walls, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples and retained as such thereafter.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

2. The highest part of the development hereby permitted (the flat roof to the attic storey) shall not exceed 5080mm in height above the ridgeline of 21 Vernon Avenue and 3400mm in height above the ridgeline of 78/78A South Coast Road, in accordance with the approved plans.

Reason: In the interests of visual amenity and neighbour amenity, and to ensure compatibility with the street scene and roofscape, and in order to comply with retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

3. The development hereby permitted shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected within and, where necessary, around the perimeter of the application site, including details of the balustrade around the edge of the top floor roof terrace. The boundary treatment shall be completed in accordance with the approved details prior to the occupation of the dwelling units or commercial units, whichever is the sooner, and retained as such thereafter.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 of the Lewes District Local Plan, Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

4. The development hereby permitted shall not be occupied until full details of the covered and secure cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be implemented prior to the first residential occupation of the development, and be retained thereafter for the parking of cycles associated with residents and visitors to the development hereby permitted.

Reason: To provide alternative travel options and encourage use of alternatives to the use of the private car, in the interests of sustainability in accordance with current sustainable transport policies including retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

5. Prior to the first residential occupation of the development hereby permitted, the car parking area shall be provided in accordance with the approved plans. The parking area shall be retained as such thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and sustainability and to provide sufficient off-street car parking for the approved development, in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

6. Notwithstanding anything contained in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any amendment or replacement thereof), prior to the commencement of any building or engineering operations for the development, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall include the following information and the development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority:-

- 1) the temporary arrangements for access and turning for construction traffic together with reinstatement as necessary at the end of each construction period;
- 2) the size and frequency of vehicles (contractors and deliveries);
- 3) the routing of vehicles (contractors and deliveries) and traffic management (to allow safe access and turning for construction vehicles);
- 4) the temporary arrangements for parking of vehicles associated with deliveries, site personnel, operatives and visitors;
- 5) a contractors' parking and Travel Plan;

- 6) facilities for the loading and unloading of plant and materials;
- 7) the location(s) for storage of plant and materials used during construction;
- 8) the location(s) of any site huts/cabins/offices
- 9) details of temporary lighting during construction;
- 10) details of the proposed security arrangements for the site including temporary site security fencing and site hoardings;
- 11) details of the precautions and facilities put in place to guard against the deposit of mud and substances from the application site on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed in order to be free of mud and similar substances prior to entering the public highway;
- 12) details outlining the proposed range of dust and dirt control measures and noise mitigation measures during the course of construction of the development, having regard to Section 61 consent under the Control of Pollution Act 1974;
- 13) details of off-site monitoring of the CEMP; and
- 14) assurance that the construction will be undertaken in accordance with the Considerate Constructor's Scheme.

Reason: In the interests of the residential amenities of the neighbours and to secure safe and satisfactory means of vehicular access to the site during construction, having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

7. The development hereby permitted shall not be occupied until details of the hard and soft landscaping associated with the development have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details prior to the occupation of the development and retained as such thereafter, unless otherwise agreed in writing by the local planning authority. All hard surfaces should be either permeable materials to allow for natural soakage of surface water into the land or direct surface run-off to soakaways within the application site.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the locality as well as managing and mitigating flood risk, in accordance with retained policy ST3 and Core Policies 10, 11 and 12 of the Lewes District Local Plan Part One: Joint Core Strategy, and having regard to National Planning Guidance contained in the National Planning Policy Framework 2019.

8. The lower sills of the high-level windows on the rear elevations of the development hereby permitted shall be no less than 1.7m in height above internal finished floor level unless otherwise agreed in writing by the local planning authority. The high-level windows shall be retained as such thereafter.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the locality as well as preserving neighbour privacy as appropriate, in accordance with retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and having regard to National Planning Guidance contained in the National Planning Policy Framework 2019.

9. Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.

Reason: In the interests of the residential amenities of the neighbours having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy,

and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and the National Planning Policy Framework.

11. Prior to the first occupation of the residential units on the first floor of the development hereby permitted, above the commercial units on the ground floor level, a scheme for protecting the occupants of those residential units from noise generated and associated with the commercial uses on the ground floor shall be submitted to and approved by the local planning authority. The approved scheme shall be implemented in full before any part of the noise sensitive development above the commercial units is occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines to minimise noise in residential dwellings. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise, prior to those residential units on the first floor being occupied.

Reason: In the interests of the residential amenities of future occupants of the residential units having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

12. Notwithstanding the areas delineated as roof terraces for the top floor flats as shown on the approved drawings, the flat roofs of the development hereby permitted shall not be used as external amenity space and shall only be accessed for maintenance purposes or in the event of emergency.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the locality as well as preserving neighbour privacy as appropriate, in accordance with retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and having regard to National Planning Guidance contained in the National Planning Policy Framework 2012.

13. Prior to the first occupation of the residential units hereby permitted, a minimum of 4 electric vehicle charging points (20%) shall be provided and made ready for use, in accordance with details of the number, location and type of electric vehicle charging points, which shall be submitted to and approved in writing by the local planning authority.

Reason: In order to reduce local contributors to climate change, to reduce emissions, and to encourage the take up of more sustainable forms of transport in accordance with policies CP13 and CP14 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

14. Notwithstanding the Sustainability Statement submitted, no construction shall take place above ground floor slab level until details of both the measures and consideration given to renewable and low carbon energy, heating and ventilations systems, including renewable energy technologies and installations, have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reason: In order to promote sustainable development and reduce locally contributing causes of climate change in accordance with policy CP14 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

15. No development shall commence until detailed drainage drawings and calculations have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include evidence (in the form hydraulic calculations) that surface water discharge rates are limited to 1.0 l/s for all rainfall events, including those with 1 in 100 (+40% for climate change) annual probability of occurrence. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features.

Reason: In order to manage surface run-off and reduce the risk of flooding both on and off site, in accordance with policy CP12 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

16. No development shall take place until evidence that the public surface water sewer has enough capacity to accommodate runoff from the application site, and support the detailed design of the drainage system, has been submitted to and approved by the local planning authority. In the event the public sewer is utilised, its condition and capacity to accommodate runoff from the site shall be assessed and details submitted to and approved in writing by the Local Planning Authority. Evidence of understanding of the drain's outfall and any potential impact on the flood risk of downstream areas shall be included. Any required improvements to the condition of the drain shall be carried out prior to construction of the outfall and completed prior to the first occupation of the development hereby permitted.

Reason: In order to manage surface run-off and reduce the risk of flooding both on and off site, in accordance with policy CP12 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

17. Prior to the first occupation of the development hereby permitted, a maintenance and management plan for the entire drainage system shall be submitted to, and approved in writing by, the local planning authority, in order to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:

- a) Clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
- b) Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development. These details shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter remain in place for the lifetime of the development.

Reason: In order to manage surface run-off and reduce the risk of flooding both on and off site, in accordance with policy CP12 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

18. Prior to the first occupation of the development, evidence (including photographs) shall be submitted to and approved by the local planning authority, to show that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason: In order to manage surface run-off and reduce the risk of flooding both on and off site, in accordance with policy CP12 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

19. No development shall be occupied until the existing access onto the A259 shown on the submitted plans has been stopped up and the kerb and footway reinstated in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to comply with policies CP11 and CP13 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

20. Prior to the first occupation of the development hereby permitted, the new access onto Vernon Avenue shall be in the position and laid out as shown on the submitted plan [number 9003/P/30 revision 11].

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to comply with policies CP11 and CP13 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

21. The new access [onto Vernon Avenue] shall have maximum gradients of 2.5% (1 in 40) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.

Reason: In the interests of road safety and in order to comply with policies CP11 and CP13 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

22. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles associated with residents of, and visitors to, the development hereby permitted.

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

23. The development shall not be occupied until the turning spaces for vehicles have been provided and constructed in accordance with the approved plans and the turning spaces shall thereafter be retained for that use and shall not be used for any other purpose;

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and in order to comply with policies CP11 and CP13 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

24. No works to construct the new access onto Vernon Avenue shall commence until the applicant has repositioned the existing street lamp and placed new bollards in accordance with plans and details that shall first be submitted to and approved in writing by the local planning authority.

Reason: In the interests of road safety and in order to comply with policies CP11 and CP13 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

25. No development shall take place above ground floor slab level until details of improvements to the existing footway on Vernon Avenue [including informal crossing points/dropped kerbs] have been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted.

Reason: In the interests of amenity and highway safety in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

26. 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, and approved in writing by, the local planning authority.

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding, in accordance with policies CP12 and CP13 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

27. Development shall not commence until such time as temporary arrangements for access and turning for construction traffic has been provided in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To secure safe and satisfactory means of vehicular access to the site during construction and in order to comply with policies CP11 and CP13 of the Lewes District Local Plan Part One and having regard to the National Planning Policy Framework.

28. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,

- o the anticipated number, frequency and types of vehicles used during construction,
- o the method of access and egress and routeing of vehicles during construction,
- o the parking of vehicles by site operatives and visitors,
- o the loading and unloading of plant, materials and waste,
- o the storage of plant and materials used in construction of the development,
- o the erection and maintenance of security hoarding,
- o the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- o details of public engagement both prior to and during construction works.

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

INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

3. All waste material arising from any clearance and construction activity at the site should be stored, removed from the site and disposed of in an appropriate manner. It is an offence to burn trade waste, so there should be no bonfires on site.

4. The new access onto Vernon Avenue shall be constructed in accordance with form/diagram HT407 which may be obtained from East Sussex County Council as the local highway authority.

5. This Authority's requirements associated with this development proposal [Access, repositioning street light, new bollards, improvements to public footway on Vernon Avenue and closure of existing access onto A259] will need to be secured through a Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

6. The applicant will be required to obtain a permit for any highway works in accordance with the requirements of the Traffic Management Act, 2004. The applicant should contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the permit being in place.

7. The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant should contact East Sussex Highways (0345 6080193)

8. The applicant is advised that the erection of temporary directional signage should be agreed with East Sussex Highways (01345 6080193) prior to any signage being installed.

9. The applicant is reminded of the Control of Asbestos Regulations 2012 when carrying out the works, including demolition of the existing building.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Floor Plan(s)	2 September 2019	9003-P-31
Survey Plan	8 August 2019	9003-P-02
Location Plan	2 September 2019	9003-P-01

Proposed Block Plan	2 September 2019	9003-P-30
Proposed Floor Plan(s)	2 September 2019	9003-P-32
Proposed Elevation(s)	2 September 2019	9003-P-33
Proposed Elevation(s)	2 September 2019	9003-P-34
Proposed Section(s)	2 September 2019	9003-P-35
Proposed Elevation(s)	2 September 2019	9003-P-38
Other Plan(s)	2 September 2019	9003-P-39
Other Plan(s)	2 September 2019	9003-P-40
Street Scene	2 September 2019	190830
Additional Documents	21 October 2019	Ambiental Letter
Flood Risk Assessment	23 October 2019	4489_FRA_SWDS V3 Amended