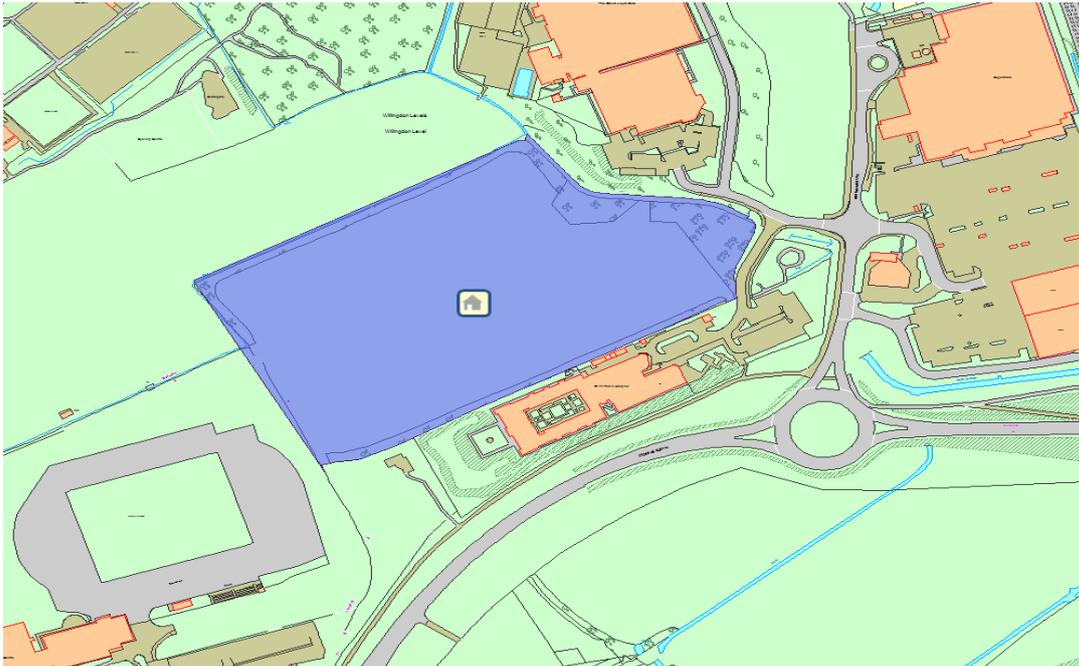


App.No: 190812	Decision Due Date: 15 January 2020	Ward: Hampden Park
Officer: Anna Clare	Site visit date: 12 November 2019	Type: Planning Permission
Site Notice(s) Expiry date: 21 November 2019		
Neighbour Con Expiry: 12 December 2019		
Press Notice(s): 28 October 2019		
Over 8/13 week reason: To allow for submission of further traffic modelling.		
Location: Land adjacent to Broadwater Way, Broadwater Way, Eastbourne		
Proposal: : Creation of new Special Educational Needs school, including part single / part two storey main school building, car parking and external play areas, landscaping and refuse storage area		
Applicant: The Department of Education		
Recommendation:		
<p>1. Subject to the Planning Committee resolving to grant planning permission then the application shall be referred to the Government Office to establish if the Secretary of State wishes to call in the application for their determination.</p> <p>2. Subject to the Secretary of state not calling in the application then the application be granted planning permission subject to S106 Legal agreement relating to, sports pitch mitigation, local labour obligations, Traffic Regulation Order for Yellow lines on the access road, submission and monitoring of the Travel Plan.</p> <p>3. If no meaningful progress is made on the S106 within 3 months of the resolution of the Planning Committee to delegate to the Head of Planning to refuse the application.</p>		
Contact Officer(s):	Name: Anna Clare Post title: Specialist Advisor - Planning E-mail: anna.clare@eastbourne.gov.uk Telephone number: 01323 4150000	

Map location



1 Executive Summary

- 1.1 It is acknowledged that the scheme proposes a net reduction in available sports pitches at the site. Given this reduction the scheme falls to be referred to the Government Office for determination.
- 1.2 Notwithstanding the referral to the Government Office it is considered that the wider public benefit of the proposal outweighs the harm caused by the loss of the playing pitches.
- 1.3 In principle the application is supported given the identified need for the new school. It is not considered that harm would be caused, either on surrounding uses, on the highway network or visually on the area and therefore the application is recommended to be approved subject to S106 legal agreement and planning conditions.

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework (2019)

2. Achieving sustainable development
3. Plan-making
4. Decision-making
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

2.2 Eastbourne Core Strategy Local Plan (2013)

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C7: Hampden Park Neighbourhood Policy
- D1: Sustainable Development
- D7: Community, Sport and Health
- D8: Sustainable Travel
- D9: Natural Environment

2.3 Eastbourne Borough Plan – Saved Policies

- NE3: Conserving Water Resources
- NE4: Sustainable Drainage Systems
- NE15: Protection of Water Quality
- NE18: Noise
- NE22: Wildlife Habitats
- NE28: Environmental Amenity
- UHT1: Design of New Development
- UHT2: Height of Buildings
- UHT4: Visual Amenity
- UHT6: Tree Planting
- UHT7: Landscaping
- UHT13: External Floodlighting
- TR2: Travel Demands
- TR7: Provision for Pedestrians
- TR6: Facilities for Cyclists
- TR11: Car Parking
- US4: Flood Protection and Surface Water Disposal
- LCF2: Resisting Loss of Playing Fields
- LCF16: Criteria for New Schools

3 Site Description

- 3.1 The site is situated to the South side of Hampden Park, east of the existing sports park, west of the David Lloyd Gym complex and north of St Wilfrid's Hospice. There is currently no vehicular access to the site, which is tree lined to the south and west. Various official and unofficial footpath access' exist to the site.
- 3.2 The site is currently occupied by sports pitches which form part of the wider Eastbourne Sports Park. The school is proposed to be sited on the southern part of the existing sports field, with the northern portion maintained as sports fields.
- 3.3 The wider surrounding area is characterised by low level commercial buildings with substantial footprints, evident in the retail park adjacent, David Lloyd Gym, Park Practice medical Centre and St Wilfrids Hospice.

4 Relevant Planning History

4.1 An application for pre-application advice was submitted for the construction of a new school on this site in June 2018. The response to such advise included, but was not limited to the following points:

- It is incumbent for any future application to provide a rigorous assessment of the frequency of use of the existing facilities and if it cannot be demonstrated that they are surplus to requirements, to set out a strategy to provide suitable replacement sports fields or to make improvements and enhancement to the facilities;
- The height of buildings should be kept to a minimum through the use of shallow roof pitches and no buildings should be above two storeys in height;
- Given the sensitivity of the neighbouring Hospice use, the building should be designed so as to prevent it from appearing overbearing towards the Hospice and offering intrusive views towards it;
- Further details need to be submitted to demonstrate how noise would be controlled and mitigation measures that would be employed;
- No objection was raised by the Council's Tree Officer to removal of trees to create the proposed access, advice was given as to the requirement for landscaping and an ecological survey to support an application.

5 Proposed development

5.1 The application proposes the erection of a new school. Funded by the Department for Education to be run by The Southfield Multi Academy Trust which consists of three special schools (Hazel Court, Lindfield Centre, South Downs School). The trust would then work across four schools and six sites within Eastbourne.

5.2 The school would educate up to 84 learners between the ages of 5 and 16 how was a diagnosis of Autism (ASD pupils) and will also include a separate centre called the Southfield Centre which will educate up to 51 learners with complex learning and medical needs (PMLD pupils).

5.3 The proposal will offer approximately 4047m² of teaching facilities including classrooms, specialist teaching spaces, library, sensory rooms, hydrotherapy pool, plus external play areas along with car parking and access from the existing road serving St Wilfrids Hospice. The school will employ approximately 95 full-time equivalent jobs, in teaching and non-teaching roles.

5.4 The proposal results in the loss of two football pitches (one senior, one junior) within the sports park. Two fields (one senior, one junior) will be retained to the north of the site as would the existing access from the sports park to the west. A further 5 senior pitches and 1 junior pitch are located elsewhere within the sports park.

5.5 The building proposed is part single, part two storey, with the two storey element located centrally with the east wing housing the increased height main hall.

6 Consultations

6.1 Sport England

- 6.1.1 It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.
- 6.1.2 Sport England has considered the application in light of the National Planning Policy Framework (particularly Paragraph 97) and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document': www.sportengland.org/playingfieldspolicy
- 6.1.3 Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.
- 6.1.4 The area outlined in red on the submitted drawings is a playing field that forms part of a wider playing field/sports hub area. The proposed development would result in the loss of approximately half of this section of the playing field. Sport England does not consider that the proposed MUGA and small football pitch proposed is sufficient to outweigh the extent of playing field lost in terms of quality and quality. It is noted that the report titled "*An equivalent quality assessment of the existing and proposed sports pitch provision for Summerdown School, Cross Levels Way, Eastbourne.*" has been submitted but this examines the wider hub site beyond the area outlined in red on the rest of the documents submitted. There is also no reference in any of the submitted documentation refereeing to this assessment and its recommendations therefore it is not clear if the works recommended in this document are linked to this development, would be implemented, to what extent they would be implemented, how the works would mitigate the loss and how the resultant site would be managed and maintained in the long-term. It should also note that Sport England does have concerns with some of the recommendations of this report.
- 6.1.5 Sport England, therefore, considers that the application proposes the loss of playing field without any adequate replacement provision proposed in an area where no borough wide surplus is identified. As a result Sport England does not consider that the application meets the requirements of the NPPF, paragraph 97, and Sport England's Playing Field Policy.
- 6.1.6 Overall, the proposed development would result in a substantial loss of playing field and would not align with any of Sport England's Planning Policy Exceptions. Sport England, therefore, **objects** to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF. To overcome Sport England objection it is recommended that it seeks to replace the playing field lost or seek an alternative site for the proposed development.

6.1.7 Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

6.2 Specialist Advisor (Arboriculture)

6.2.1 No material adverse comments to make subject to the following:

- That the recommendations made by the Council's ecology expert are implemented in full and that they are incorporated into a soft landscaping scheme.
- The tree protection measures for trees to be retained are implemented including installation of tree protection fencing prior to development operations and on-site arboricultural supervision (5.2 of Tree Survey & Report Delta Simmons Project 17-1117.01)
- A suitable planning condition is recommended to ensure that the existing vegetative cover surrounding the playing fields/football pitches are retained in accordance with the ecological report.

6.3 Specialist Advisor (Ecology)

6.3.1 As detailed in the *Preliminary Ecological Appraisal (PEA)* 'The Site is characterised by sports pitches bordered by woodland, hedgerow and scrub. A roadway and further woodland lie in the east'. The following habitats are listed as being present on site: Broadleaved Semi-Natural Woodland; Mixed Woodland Plantation; Dense Scrub; Amenity Grassland; Intact Species-Poor Hedgerow; Dry Ditch; and Hardstanding. Looking at aerial mapping tools (dating to 2016/17), the situation still appear to be consistent to those recorded on the Phase 1 Habitat plan.

6.3.2 The Broadwater area of the Eastbourne Park wetland complex, a nominated Local Wildlife Site, is located immediately to the south of Cross Levels Way. The development should therefore have regard to the Eastbourne Park Supplementary Planning Document (EPSPD), specifically Key Principle 9: Green Corridors for the '*network of green, ecological corridors linking Eastbourne Park.....other areas of green space within the Borough;*' and '*Encouraging local schools to create wildlife habitat areas*'. The *Figure 9 Key Principle 9: Green Corridors* map, within the EPSPD, does not specifically show the development site within the corridor, however the opportunity is there to meet with this objective, with meaningful biodiversity net gains and connectivity highly feasible on this development.

6.3.3 The site has been identified with some potential for bats, reptiles and birds. Also to note, there are records of a Grey Bush-cricket and a Grey Heron (Sussex Biodiversity Records Centre) showing within close proximity on our mapping system.

- 6.3.4 The current design shows retention of the boundary habitat features including woodland, hedgerows and scrub, and as such the avoidance of direct impacts on the habitats assessed as likely to hold protected / notable species interest, including the trees identified with low bat roost potential. This is very much welcomed within the design, and the retention of such should be fully secured through the planning permission, if granted, with the protection, in its entirety through the whole construction phase with no development stray permitted within these habitats at any later date.
- 6.3.5 Further connectivity both north to south and east to west would also be encouraged within the development by way of the inclusion of green roofs, walls and tree / shrub planting, and should be included within the scheme design so as to meet with EPSPD KP9 green corridors to and from the adjacent Eastbourne Park.
- 6.4 Specialist Advisor (Planning Policy)
- 6.4.1 The application site is situated in the 'Hampden Park Neighbourhood' as identified by Policy C7 in the Eastbourne Core Strategy (2013). Policy C7 of the Core strategy explains that the vision for the 'Hampden Park Neighbourhood' is; "*Hampden Park will increase its levels of sustainability and reduce the levels of deprivation in the neighbourhood whilst assisting in the delivery of housing and employment opportunities for the town*". The Core strategy also states that "*...the neighbourhood does suffer from deprivation in some areas and this is generally in relation to housing and education...*" Though the change of use would not provide housing, it would provide employment opportunities for the staff, it could go help with dealing with the problems caused by deprivation that affect education.
- 6.4.2 Policy LCF2: Resisting the Loss of Playing Fields of the Eastbourne Borough Plan, states that "*Proposals which result in the net loss of playing fields will not be permitted.*" However, the application includes an Equivalent Quality Assessment, which indicates that as part of the development, they will create new sports pitches nearby, which will actually result in the net gain of 3,102 sqm of playing space. It is worth noting that the photographs of the Trail pits, used to show the quality of the soil and the depth of the thatch, have been duplicated from Figure 30 and 31 to Figure 32 and 33. This document would indicate that the proposal is compliant with policy LCF2.
- 6.4.3 Policy LCF16: Criteria for New Schools, in the Eastbourne Borough Plan, states that "*Planning Permission will be granted for new schools where it can be satisfactorily demonstrated that there is a need for such a facility, provided that...the development has no significant detrimental effect on environmental, residential or visual amenity...*" A preliminary ecological appraisal is provided with the application which concludes that the site is of low ecological value, however the woodland offers an ideal habitat for nesting birds and potential for bats, as well as providing a buffer from nearby developments. Several suggestions are made for the mitigation of these losses, though it is not clear from the application that these will be implemented.

6.4.4 It is worth noting that the site is within an Archaeological Notification Area. An archaeological evaluation has been carried out on this site, and identified archaeological remains. A series of archaeological works, in accordance with the Written Scheme of Investigation approved by East Sussex County Council, will have to be undertaken prior to the development of the site.

6.4.5 As described in the Planning Statement that was provided with the application, the NPPF requires that *“Local planning authorities should...give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications...”*

6.5 Regeneration

6.5.1 This application provides employment opportunity in the construction and operation of the development. The build will enable use of local SMEs and associated supply chain as well as on site construction employment. The operation offers a substantial number of long term jobs, many of which are likely to be non-teaching/support staff. The accompanying planning statement confirms that due to the school’s pupil intake, high staffing levels and care are required.

6.5.2 Regeneration in conjunction with the school’s management team and a local training provider would be keen to develop a bespoke support staff training programme to assist with initial recruitment.

6.5.3 In line with the thresholds for development detailed in the Local Employment and Training Supplementary Planning Document, Regeneration requests that should planning permission be granted it be subject to a local labour agreement covering the construction and first operation of the development. Page 10 of the planning statement acknowledges the Council’s Employment Land Local Plan seeks to secure local labour agreements on developments exceeding 1000 sqm or more. Subject to a local labour agreement, Regeneration supports the proposal.

6.6 County Archaeologist

6.6.1 The proposed development is within an Archaeological Notification Area defining the pre-historic wetlands of the Willingdon Levels, as well as prehistoric, Roman, medieval and post medieval sites. The archaeological potential of the site has been demonstrated by means of a recent archaeological trial trench evaluation carried out by Oxford Archaeology, which identified a later Bronze Age landscape of field systems, enclosures, pits, postholes and a possible trackway, along with struck flint and pottery of probable Neolithic date, and a limited concentration of Mesolithic lithic material. Dense but disturbed lithic scatters were also noted in the subsoil horizon of the site.

6.6.2 In light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by

the proposed works, to be either preserved in situ, or where this cannot be achieved, adequately recorded in advance of their loss. These recommendations are in line with the requirements given in the NPPF.

6.7 Lead Local Flood Authority

6.7.1 No objection raised. The drainage details indicate that a package foul treatment plant will be used and the effluent discharge through the proposed surface water outfall pipe to the adjacent watercourse. This watercourse discharges into a drainage network, which contributes surface water runoff to the Pevensey Levels, a designated Site of Special Scientific Interest (SSSI).

We note that the details of the foul treatment plant includes measures to manage the potential flotation due to high groundwater. However, no such measures are indicated for the proposed surface water attenuation tanks which will be subject to the same forces as a result of high groundwater.

6.8 East Sussex County Council Highways – Raise no material objection to the proposal. Their full representation is reported below.

6.8.1 *Original Comments of 19 November 2019 - The school campus intends to accommodate 135 pupils of ages 3-16 years, with operational hours 0700-1800hrs, and school day 0845-1515hrs Monday to Friday. The anticipated staff numbers are 95 full-time equivalent members that would be based permanently on site and approximately 10 visiting professionals on a daily basis.*

6.8.2 *The proposal has 2 departments – Summerdown School and Southfield Centre, each accommodating 84 and 51 pupils respectively, with staggered later start time by 30 minutes and finish time by 15 minutes for Southfield Centre.*

6.8.3 *A Transport Statement and Travel Plan have been submitted with this application.*

The main issues to consider from a highway perspective are:

- a) Access*
- b) Highway impact*
- c) Internal layout, parking and servicing*
- d) Sustainable travel*

6.8.4 *Access – the site is proposed to be accessed from Broadwater Way which is a private road owned by East Sussex County Council. The road was constructed as part of the approved Hospice development back in 2011 and St Wilfrid's have ownership of the area of road 8m north of their car park entrance (measured from the northern edge of that access). The remainder of the road which measures approximately 64m from St Wilfrid's land up to the edge of the unnamed road that leads to the David Lloyd Sports Club (private road) has carriageway width 6m and footway provision 2m wide which is construction detail that is compliant to adoptable standard. There are parking restrictions on the east side of the access road by way of double yellow lines. Parking does take place on street, predominantly on the west side of this access road from St Wilfrid's up to the location of the pedestrian crossing facility position at the junction with the private road to David Lloyd Sports club. This distance is*

approximately 54m and is area for around 8-9 cars. From the comments on the planning portal, there is a high probability that the parking on this access road is overspill parking from St Wilfrid's. There have been no reported crashes to the Police in this area for the period of 5 years (October 2014- October 2019). This access road has street lighting.

- 6.8.5 *The proposed access is positioned 57m south from the junction with the private road leading to David Lloyd club and staggered at approximately 17m from the St Wilfrid's car park entrance (measured mid-point to mid-point). This is a position where there is already an opening between the landscaped verge/trees. Visibility at the proposed access position can be achieved at 34m looking south and 45m looking north. The sightline distances are considered to be acceptable given that vehicle speeds do not generally exceed 20 mph in this location; access is 5.5m wide to allow for 2 way flow of vehicles; a footway provision on the south side, 2m in width. The bellmouth width is approximately 15m and distance from the proposed gate to edge of carriageway is 12m.*
- 6.8.6 *The details for the access provision lacks proper footway connection, and by this there should be an area of footway with dropped kerbs and tactile paving to direct pedestrians to a suitable location to cross the road and join existing footway infrastructure where a dropped kerb and tactile paving would also be required. The south side of the proposed access does not offer sufficient pedestrian visibility to see oncoming vehicles from south, nor can it join to the opposite side of the road where it is entirely ESCC land (3rd party land would be required). Potentially a crossing point located to the north of the proposed access or a footway along the west side of the access road to link to the existing crossing infrastructure would be more favourable. For this reason an alternative option should be considered to provide pedestrian access to/from the site that complies with the safe routes to school policy (TR10) (objection).*
- 6.8.7 *To demonstrate visibility and turning at the proposed access point there are swept path plans included to validate the manoeuvre through the access into the site and back to the access road. This covers vehicle sizes between 5.4m long (ambulance) and 12m long (refuse vehicle). These vehicles can be accommodated at the access theoretically. Parked cars along the access road may cause obstruction for larger vehicles to pass and also for pedestrian visibility where they wish to cross the road. Parking restrictions may be imposed to safeguard access for all vehicles to both St Wilfrid's and the proposed development and to enable a safe position for pedestrians to acknowledge passing vehicles and to cross to road safely.*
- 6.8.8 *In principle the details provided for vehicular access position is acceptable and details will be required to secure pedestrian access and parking restrictions. Based on the highway authority policy for major development, a RSA1 is also required for this proposal. As such, matters regarding access cannot be supported until additional information is submitted.*
- 6.8.9 *Highway Impact*
Within the Transport Statement, the applicant has set out what is the anticipated traffic impact arising from a specialist school in this location. For 135 pupils and 95 FTE staff the predicted vehicle trips are predominantly taxi borne as 95% of

pupils are transported by this mode. The evidence presented in this section of the Transport Statement has been drawn from information provided by the Southdown Trust.

- 6.8.10 *Set out in the section 'Pupil Travel', the applicant suggested that 128 out of the 135 pupils (95%) will arrive and depart by taxi on a daily basis. It suggests further that average taxi occupancy is 3-4 pupils and therefore approximately 32-43 taxis are likely to drop off and depart at every start and finish of each day Monday – Friday.*
- 6.8.11 *Firstly, pupil travel by taxi methodology needs to be supported with evidence. Having dealt with a number of special needs schools, shared taxis with more than 2 pupils is uncommon, and ESCC Transport Hub have verbally indicated that 3-4 pupils per taxi would be most unlikely. If 1-2 pupils arrive and depart by taxi, the traffic impact at this site is likely to be twice that of the predicted figure of 100 trips for pupils.*
- 6.8.12 *School capacity for 135 pupils would create a peak surge at arrival and departure times which may cause delays as a result of vehicles attempting to arrive and depart at the same time. It is suggested that there is a stagger period so that the arrival and departure of vehicles in the AM and PM drop off and pick up periods is spread, allowing school and other traffic to access the site and Hospice without causing unnecessary waiting periods. It is crucial that there is sufficient stack area within the site to prevent vehicles blocking or causing obstruction in the access road. The submitted assumption will require verification so that the internal stack capacity can be tested and that delays on the access road are not severe or exacerbate flows on Broadwater Way.*
- 6.8.13 *Trips calculated for school staff have been derived from census data for the local area, and this provides multi modal details for residents in the local area not for those working there. As the site is a destination and not an origin point, this is not the correct way to assume trips for this use. Generally, specialist staff would travel further whereas non-teaching staff are more likely to be locally based. The applicant has not drawn evidence from the 3 other specialist schools as to the staff modes of travel as suggested for the pupil trips. This approach would be more applicable than that as submitted and this aspect of the application will need to be reconsidered.*
- 6.8.14 *The transport statement has only included junction analysis for mini-roundabout connecting the site access and Broadwater Way for the peak periods relating to the school, to assess the impact on the highway network. For a proposed development that could potentially generate 300 trips in each peak period, wider assessment on the network is necessary, and the Broadwater Roundabout, Lottbridge Roundabout and Rodmill Roundabout should be considered.*
- 6.8.15 *The trip assessment for pupils and staff is not accepted at this stage and therefore the application of such trips on the network, namely the mini-roundabout on Broadwater Way.*

6.8.16 *Parking and servicing – the application proposes a total of 82 parking spaces for staff, visitors, and an ambulance bay. A set-down area for 25 vehicles in addition is proposed, and 2 spaces for mini-buses. This accords with ESCC’s non-residential parking standards of 1 space per full time teaching staff and 1 per 3 full time non-teaching staff, 2 visitor spaces. Cycle accommodation has been proposed at the front of the school and securing this is possible by condition, with size to be agreed once it is known how many spaces are likely to be needed. The parking area has been designed in a looped arrangement which is considered to be the ideal type of arrangement for a specialist school where the majority of pupils travel by motor vehicle. As mentioned earlier, the trips associated with arrivals will require taxis to arrive and drop off pupil under supervision, and so may vary in the time taken to ensure that pupils arrive safely. The AM peak period is likely to result in queues of waiting taxis; arrivals and departures over a half hour period. If staggered, this period may extend to an hour but be less concentrated. In the PM peak, taxis will arrive and wait for end of school pick-up. This could potentially result in approximately 100 vehicles waiting collect pupils and concern is expressed with regard to how this can be managed without affecting the required safe operation of the access road and highway network.*

6.8.17 *A swept path plan for a refuse truck has been tracked to access the site, turn and exit in a forward gear.*

6.8.18 *Internal layout - The applicant should be aware that the gradient of any footway provision should be compliant with Disability Discrimination Act. Specifically, pedestrian facilities within the site should not be greater than 1:20 and be 2m in width to allow 2 wheelchair users to pass one another. It is noted that there is a pedestrian route through the car park area for car/taxi passengers. Ideally, those arriving and departing on foot should have access to an unobstructed and continual footway around the site between the site entrance and the school building entrance. Noted from the site visit was the generally level nature of the site and that achieving the recommended gradients should not be an issue.*

6.8.19 *Sustainable Travel – the site location is considered to be well connected by public transport (bus and rail), designated cycling routes and footways to enable it to be accessible by modes other than the private car.*

6.8.20 *This is not to say that the proposed development can, by the nature of the school extend sustainable transport initiatives to pupil travel as taxi travel for 1-2 pupils per journey is the same as a parent/carer transporting their child to/from school, unless pupils are local and within walking distance and able to walk or cycle. There are a number of challenges in making pupil travel sustainable and hence the assumption of 3-4 pupils per taxi requires proper justification:*

- 1) *Catchment area. It is not stated in the planning submission what the distance threshold is, or whether it is Countywide. How does the expanse of the County allow the shared journeys?*
- 2) *There are 2 separate units within the proposed campus, both starting at different times. Will a taxi collect 2 children in the same village for example where one would have to wait half an hour before they could ‘arrive’.*

- 3) *Depending on the special needs of the individual pupils, distance and ages, it may not be possible for sharing taxis as expressed by the applicant.*

6.8.21 *A framework school travel plan has been submitted which although is a welcomed element for the proposed development, it is expected that the travel plan is carefully tailored for the pupils attending, identifying abilities, travel routes and distances to encourage sustainable travel where possible. For staff, car sharing, public transport use, cycling and walking should be encouraged where possible. The content within the submitted framework is accepted, and it is acknowledged that this would be a live document, requiring annual updates and review throughout the life of the school.*

6.8.22 *As far as transport details are concerned, this application is incomplete and required further information and detail relating to access and highway impact. The pending items are:*

- 6.8.23
- a) *Pedestrian access provision*
 - b) *RSA1 for the proposed permanent access*
 - c) *Taxi trip rate*
 - d) *Junction assessments for roundabouts Rodmill, Broadwater and Lottbridge and reassessment when taxi trips rates have been agreed*
 - e) *Staff trips from Southfield Trust schools in Eastbourne.*

6.8.24 *Parking controls on the access road by way of 'School Keep Clear' markings and parking restrictions close to the junction are required. This can be secured within an appropriate legal agreement as a scheme to be delivered by the applicant and include the Traffic Regulation Order fee of £5000.*

6.9 *East Sussex County Council Highways – Comments following submission of further information of 10 February 2020*

6.9.1 *This response follows on from a meeting between the applicant, transport consultant, ESSC passenger transport services, and the planning case officer to discuss the matters that had been flagged up as highway information required for a full assessment of this planning application to be made. The areas of discussion were based on the bullet points listed below and since then, further details by way of a Technical Note 2: Additional Transport Information and revised access and layout plan have been submitted.*

- *Revised pedestrian access requirements*
- *Stage 1 Road Safety Audit and designer's response for the revised access*
- *Evidence of taxi occupancy for pupils arriving/departing the proposed school and taxi trip rate*
- *Junction assessments for roundabouts Rodmill, Broadwater and Lottbridge and reassessment when taxi trip rates have been agreed*
- *Staff trip assessment from Southfield Trust schools in Eastbourne to derive staff trip rate.*

- 6.9.2 *I will refer to each point in turn, and consider the submission of details recently submitted. For reference, my original comments are attached at the end of this report.*
- 6.9.3 *Pedestrian access – A revised access drawing has been provided and shows this redesigned to accommodate suitable access provision for pedestrians. Proposed now is a footway connecting on the west side of the access road (unnamed) up to existing tactile paving which is where the existing footway network is already present. The access into the site accommodates the footway and crossing point adjacent to the position of the gate so that pedestrians can use a walkway that is segregated from the car park. Drawing number 0100 rev 13 Landscape General Arrangement shows this arrangement. The only very minor concern is that the footway has been included on south side of the vehicular access right up to the carriageway where pedestrian visibility may be restricted by overgrown vegetation when looking south. This section of footway can be shortened so that pedestrians are not encouraged to cross over at this point, close to the vehicle access. The applicant should refer to comments made by the safety auditor in this regard. With regard to pedestrian access, I am satisfied that the extended footway section on the west side of the access road to connect to the existing highway network is acceptable and the minor amendment made as suggested.*
- 6.9.4 *Stage 1 Road Safety Audit and designer's response for the revised access – this has been provided and the only issues that were flagged up were related to pedestrian sightlines. This has been overcome by providing access as set out in the previous section.*
- 6.9.5 *School Travel and Taxi Occupancy Evidence – the transport occupancy assumption made in the former submitted Transport Statement was 2.5 pupils per vehicle. Verification was requested on the basis that other schools of specialist nature tended to occupy a lesser number of pupils per vehicle. It was from discussion on this matter at the meeting that it was proposed that an officer observation would be a useful exercise to verify the school transport operation. A site visit was carried out on 17th January at Lindfield School which has capacity for 84 but is oversubscribed by 11 pupils. This school is also managed by the Southdown Trust, and has pupils with similar needs to the proposed Summerdown School, also intending to enrol 84 pupils. Summerdown Centre, also being part of the proposal intends to have capacity 51 pupils with more specialist needs.*
- 6.9.6 *The gates to the school were open when I arrived at 0820 and there were 2 members of staff in the school car park who were marshalling and a staff member at the school building entrance. At 0842 taxis began arriving and the car park area was utilised as a loop so that taxis could stack in a way that pupils could leave the vehicles safely whilst being contained within the site. In total 18 taxi vehicles of which 12 were cars and 6 were people carriers. By 0855 the gates were closed as all taxis had arrived and only then pupils were chaperoned out of their respective vehicles turn by turn. All vehicles were able to fit into the car park and looped layby area and there was no evidence that vehicles had to wait outside the gate and obstruct the public highway. It is noted that Lindfield School had not been constructed with a specially designed drop*

off area, whereas the proposed site has incorporated a purpose built area in which to safely accommodate the arrival and departure procedure. The operation observed was considered be efficient and to account fully for pupil and highway safety with no disruption. Taxis contracted out for school transport are designated specifically for purposes of transporting children and have a chaperone present to ensure multiple collections and drop-offs are supervised. The occupancy of the vehicles to Lindfield School was 3-4 pupils per vehicle. Six pupils were observed arriving on foot.

- 6.9.7 *Having seen the Southdown Trust transportation operation in practice, it is clear that it works well and is a system that is supported for the 'school' proposal at Broadwater Way. The Summerdown Centre will have pupils attending with more specialist needs, including children requiring mobility assistance. As such vehicle occupancy may not be as high as 3-4 pupils per vehicles because of the space required for a chaperone as well as wheelchairs for example.*
- 6.9.8 *As a result an average occupancy rate of 2.5 has been discussed and accepted for the proposal. For 135 pupils, this would equate to 54 vehicles being present for dropping-off and collecting. It is proposed that Summerdown School has start time at 0845hrs and finish time 1500hrs; Summerdown Centre 0915hrs and 1515hrs respectively. This stagger would result in 25-30 taxis arriving and then departing by 0900 for the first cohort; this allows for 20-25 taxis to arrive and then depart by 0915 for the second cohort. There is expected to be a marshal at the gate to ensure that all arrivals can enter the site safely and not obstruct the access road. Please note that these figures are based on 100% of pupils arriving by taxi and that the school is at full occupancy, when in reality there will be some pupils who can walk to school and some that are transported by parents/carers.*
- 6.9.9 *It is therefore expected that between 0840 and 0915 approximately 100 trips would be generated at this site, with vehicle flows that are managed in tidal cohorts.*
- 6.9.10 *Teaching staff arrive between 0730 and 0800hrs and teaching assistants arrive between 0800 and 0830hrs, so that the arrival of pupils can be carried out with limited disruption and so that staff is available to assist transit between taxis and school where required.*
- 6.9.11 *Parking and pupil arrival/departure management: A plan has been provided within the Technical Note 2 which sets out a tracked stack system to allow taxis to arrive then wait for unloading before departing under instruction. I am satisfied that there is sufficient car park circulation space to allow this without disrupting the free flow of traffic on the access road leading to St Wilfrid's Hospice site.*
- 6.9.12 *Staff Trip assessment – Other Southdown Trust School staff profiles have been used to calculate the expected number of staff vehicle trips and car parking spaces required for this proposal. This has been verified and the numbers used to model the highway impact and to assign car parking is agreed. The modelled staff trips are summarised as 60 arrivals and 1 departure in period 0715-0815hrs which falls mostly into period just before standard AM peak, and 1*

arrival and 60 departures in period 1545-1645hrs which is just prior to standard PM peak 1700-1800hrs. These trips, have been applied to the modelling of junctions, discussed next.

- 6.9.13 *Junction Assessments – capacity at the junctions Broadwater Way mini roundabout; Broadwater Way/Cross Levels Way; Kings Drive/Rodmill/Cross Levels Way; Cross Levels Way/Lottbridge Drove have been tested in accordance with the request made in the original Highway Authority response for Base Year, forecast year 2024 and 2024 with development. These scenarios have been checked for impact on the network to understand how the inclusion of a school and associated traffic movements are likely to affect the highway network.*
- 6.9.14 *Proposed school peak periods 0715-0915/1545-1645 to cover both staff and pupil trips*
Broadwater Way mini roundabout – AM
Base 2019 - In this period the mini-roundabout operates comfortably within capacity. Maximum queues are 3 vehicles on the Broadwater Way south arm.
Base 2024 (no devt) – In this period the mini-roundabout operates comfortably within capacity. Maximum queues expected are 4-5 vehicles on the Broadwater Way south arm.
2024 with devt – this period sees the mini roundabout operating with its reserve capacity and maximum queue expected is 6 vehicles
Broadwater Way mini roundabout – PM
Base 2019 - In this period the mini-roundabout operates comfortably within capacity. Maximum queues are 2 vehicles on the Broadwater Way south arm.
Base 2024 (no devt) - In this period the mini-roundabout operates comfortably within capacity. Maximum queues expected are 2-3 vehicles on the Broadwater Way south arm.
2024 with devt – this period sees the mini roundabout operating within capacity and maximum queue expected is 3 vehicles.
- 6.9.15 *Impact summary: This mini-roundabout will experience additional vehicles by 2024 without this proposed development and even with the school development there will not be a discernible difference to its operation (AM queue increases by 2 vehicles between 0815 and 0915 by 2024). The junction will remain operating within capacity.*
- 6.9.16 *Broadwater Way/Cross Levels Way roundabout AM*
Base 2019 - In this period the roundabout operates at a level comfortably within capacity on arms Cross levels Way west and Broadwater Way, and reaches reserve capacity on Cross Levels Way east arm and experiences queue lengths of 6 vehicles.
Base 2024 (no devt) - as above but queue on Cross Levels Way east arm queue increasing by 1 vehicle. The remainder of the arms operate within capacity during this period.
2024 with devt – This period expects to see the Cross Levels Way east arm increasing by a further vehicle. The remainder of the arms operate within capacity during this period.

- 6.9.17 *Broadwater Way/Cross Levels Way roundabout PM*
Base 2019 - In this period the roundabout operates at a level comfortably within capacity on all arms. On Cross Levels Way east arm it experiences queue length of 3 vehicles.
Base 2024 (no devt) – as base 2019
2024 with devt – as base 2019
- 6.9.18 *Impact summary: This roundabout will experience additional vehicles by 2024 without this proposed development and the impact from the school development in 2024 will not make a discernible difference to its operation (AM queue increases by 1 vehicle between 0815 and 0915). The junction will remain operating within capacity by 2024.*
- 6.9.19 *Kings Drive/Rodmill/Cross Levels Way Roundabout AM*
Base 2019 -In this period the roundabout operates at a level comfortably within capacity on all arms. On Rodmill Drive arm it experiences queue lengths of 4 vehicles.
Base 2024 (no devt) – in the AM 0815-0915 there is an increase in flows that cause the Rodmill Drive arm to operate close to capacity with RFC value 0.95 and 9 vehicles more in the queue. The remainder of the arms are operating without constraint
2024 with devt – similar to base 2024, but with further constraint on the Rodmill Drive arm bringing RFC value to 0.98. Although this is still within capacity, queue length on this arm will reach 17 vehicles.
- 6.9.20 *Kings Drive/Rodmill/Cross Levels Way Roundabout PM*
Base 2019 - In this period the roundabout operates at a level comfortably within capacity on all arms. On Rodmill Drive arm it experiences maximum queue lengths of 3-4 vehicles.
Base 2024 (no devt) – as base 2019
2024 with devt – as base 2019
- 6.9.21 *Impact summary: this roundabout should operate as it does now, in 2024 when the school is open and has 135 pupils attending.*
- 6.9.22 *Cross Levels Way/Lottbridge Drove Roundabout AM*
Base 2019 - In this period the roundabout operates at a level comfortably within capacity on all arms. On Cross Levels Way arm it experiences queue lengths of 2-3 vehicles.
Base 2024 – as base 2019
2024 with devt – as base 2019
Cross Levels Way/Lottbridge Drove Roundabout PM
Base 2019 - In this period the roundabout operates at a level comfortably within capacity on all arms. On Cross Levels Way arm it experiences queue lengths of 5 vehicles.
Base 2024 – the Cross Levels Way arm sees additional queue length by 3-4 vehicles, and RFC value reaches 0.87, just marginally higher than 0.85. In operational terms, the roundabout should not be affected by the growth of traffic.
2024 with devt – it is expected that with school related traffic the base 2024 will see an increase to queue lengths on Cross Levels Way of 1 vehicle during

departure periods for staff and pupils.

6.9.23 *Impact summary: this roundabout will see additional pressure on the Cross levels Way arm in 2024 without the proposed development and although it would operate at a level close to theoretical capacity, the with development impact would not add significantly more to affect the operation of baseline 2024.*

6.9.24 **Conclusion**

The Technical Note 2 has presented the modelled junction summaries and overall I would conclude that with regard to the operation of the highway network there is not expected to be a material increase of traffic that will result in severe impact or cause delays significantly worse than would be present in 2024 predicted impact without development. It is understood that the presented impact is based on all pupils arriving by taxi which may not be the case and there will be some that will walk or travel by bus if accompanied. Furthermore, the school may not reach full capacity for some years after opening and the occupation of the school in terms of both staff and pupils will grow gradually; also as some pupils will be relocated to the proposed school from other Southdowns Trust schools that are oversubscribed currently, it can be assumed that there are already trips on the network that will transfer from either Lindfield or South Downs Schools to this one. The pedestrian access and proposed infrastructure by way of footway up to the junction with Broadwater Way is accepted and has been considered in the stage 1 Road Safety Audit.

7 Neighbour Representations

7.1 42 Letters of objection received from members of the public across Eastbourne and the wider area covering the following points;

- Impact of noise on adjacent Hospice
- Increase of traffic
- Impact on Hospice access
- Impact on Hospice parking
- If school gates are closed cars could block the access
- Disruption during build
- Loss of park
- Congestion at roundabout with Cross Levels Way
- Loss of trees

7.2 St Wilfrid's Hospice

Have written in objection to the application for the following reasoning:

- Requested consideration of alternative access as concerned about;
 - traffic flow on the existing access road;
 - width of access road, with or without on-street parking;
 - loss of overflow parking on access road.
- Concerns the traffic flow has been underestimated, both of patients and staff
- Potential for back up of vehicles if gates are closed
- Lack of noise mitigation measures

7.3 The hospice ran an in-house petition against the application with 535 signatures, a petition on the Council website requesting consideration of an alternative access had 98 signatures.

7.4 David Lloyd Clubs
Object to the application on the basis of the increase in traffic and the resulting impact on local businesses.

8 Appraisal

8.1 Principle of development

8.1.1 Paragraph 94 of the National Planning Policy Framework states, it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. Local Planning Authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications. The proposals are considered to widen choice and this new facility is proposed to meet the specific learning needs of the children it will educate.

8.1.2 The East Sussex Education Commissioning Plan for 2017-2021 identifies a trend in increasing demand for specialist school places. Autistic Spectrum Disorder (ASD) primary need is anticipated to rise by 26% (205 places) and Profound and Multiple Learning Difficulties (PMLD) primary need is anticipated to increase by 50% (35 places). Therefore there is a demonstrable need for the facility and the County Plan for meeting identified need for new school places is reliant on all 135 places proposed being delivered in this location for September 2021.

8.1.3 Saved policy LCF16: Criteria for New Schools, in the Eastbourne Borough Plan, states that planning Permission will be granted for new schools where it can be satisfactorily demonstrated that there is a need for such a facility and subject to certain criteria which is considered to be met.

8.1.4 Therefore in principle the proposed new school is supported as there is an identified need for the provision.

8.2 Sports Pitch Provision

8.2.1 National Planning Policy Framework paragraph 97 states that existing open space, sports and recreational buildings and land, including playing fields should not be built on unless one of three exceptions are met. Exception b) states, the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

8.2.2 Saved policy LCF2: Resisting the Loss of Playing Fields of the Eastbourne Borough Plan, states that proposals which result in the net loss of playing fields will not be permitted. However the policy allows in exceptional circumstances this will be allowed where alternative provision of equivalent community benefit is made available, or enhancement is made of the existing playing fields for

wider community use.

8.2.3 A detailed Equivalent Quality Assessment has been undertaken to compare the existing sports pitch provision and an Agronomy Report (Open Space Assessment) has been submitted in support of the application and the applicant has proposed a range of measures to offset the loss of the existing sports pitches.

8.2.4 However Sport England have raised an objection to the application. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field unless one or more of the five exceptions stated in its policy apply. The issue arises from the lack of clarity over what works are to take place, a timeframe for these, and how they will be managed in the future, not the works in and of themselves.

8.2.5 Given the objection the application would if resolved to be approved, need to be referred to the Secretary of State.

8.3 **Impact on amenities of surrounding uses**

8.3.1 The site is situated to the north of St Wilfrid's Hospice which is a noise sensitive development. There are no surrounding residential properties that would be impacted by the proposed use. Given the distance it is unlikely that the nearby David Lloyd club would have any significant impacts from noise or disturbance.

8.3.2 In terms of impact on the Hospice the proposal is sited and orientated, so that windows generally face away from the hospice. At ground floor any views towards the hospice would be blocked by boundary treatments. The existing patient rooms of the hospice either face into an internal courtyard or out onto the garden at the western end of the site, therefore it is not considered there would be any overlooking or privacy impacts resulting from the proposed development.

8.3.3 The bulk of the school is single storey and therefore will not be overbearing on the existing hospice. The main impacts will be from general increase in footfall/vehicle impacts and potential for noise. The Hospice with windows closed is very tranquil; the location however with windows open is subject to high levels of traffic noise from the adjacent road. There is potential for noise impacts from the use of the outside play area's on the users of the hospice grounds. The proposal includes the erection of an acoustic fence to the boundary between the hospice and the school. A condition requiring the erection of the fence as soon as practicable is recommended to try to assist with some impacts from the construction noise and not just the noise once the school is operational.

8.3.4 The impacts of additional coming and going to the site, either footfall or vehicular will have limited impacts on the running of the Hospice, the road is set away from the building itself and the additional traffic will not impact generally on the noise perceived by the users of the Hospice.

8.4 Design

- 8.4.1 The building itself is for the most part single storey and as a result has a large footprint. Generally the building will not be visible from the road or wider area, but will be visible from within the sports field north of the site.
- 8.4.2 A palette of 2 brick tones has been selected to be robust and low maintenance, appropriate for a school typography. Colour is introduced in window reveals and canopies. The choice of materials is considered acceptable given the context as is the proposed bulk and scale of the proposal.
- 8.4.3 The landscaping and boundary treatments are considered typical of this type of use and not inappropriate within the setting of the park/sportsfields.

8.5 Ecology and Trees

- 8.5.1 The design shows the retention of the boundary habitat features including woodland, hedgerows and scrub and as such avoids direct impacts on the habitats assessed as likely to hold protected/notable species interest. A condition requiring no encroachment into these areas is recommended, including during the construction period.
- 8.5.2 Tree removal is kept to a minimum and impacts only a small section of the boundary for the new access. Otherwise existing trees are protected by condition along with the hedgerows and vegetation.

8.6 Highways Impacts

- 8.6.1 A number of comments have been received regarding the highway safety of the proposal and impacts of the loss of car parking on the access road. The application submission has been subject of scrutiny by the Highways Officer who following amendments, a Road Safety Audit of the access and further modelling of the traffic impacts has no objection to the proposal subject to the imposition of conditions.
- 8.6.2 The applicant has submitted details of other considered access points and why these have been discounted. It is considered that the proposal access is suitable for the proposed development and will not result in detrimental impacts to the highway network to justify a reason for refusal on this ground.
- 8.6.3 The access to the site has been the subject of a Road Safety Audit (RSA) at the request of the Highways Officer, the only issue raised was in relation to pedestrian sightlines which has been overcome by providing a revised pedestrian access with a walkway to the west side of the access road which connects to the existing highway network.
- 8.6.4 Following requests further modelling of the surrounding junctions for base year, forecast year 2020 and 2024 with the development. These show the impact of the proposal in terms of associated traffic movements. This has shown that the roundabouts will operate within capacity. It is also worth noting that a number of the pupils attending the school will do so from other over subscribed schools

within Eastbourne and as such journeys already existing within the network. As such it is not considered that the proposal will result in additional traffic movements, causing harm to the highways network to justify a refusal of the application on this ground.

- 8.6.5 The application proposes a total of 82 parking spaces for staff and visitors (this does not include the set down area for drop off or pick up of students). This accords with ESCC's non-residential parking standards of 1 space per full time teaching staff and 1 per 3 full time non-teaching staff. Therefore there are no concerns regarding overspill parking on surrounding uses.
- 8.6.6 The proposed access will result in the loss of on street car parking on the existing access road. The parking on the existing access is unauthorised as the road is unadopted. The proposed development will result in the loss of some car parking spaces due to the access road, and position of yellow lines to allow visibility and safe access. However this will provide a passing space which should actually improve the conflict which is currently experienced when this length of access road is fully parked.
- 8.6.7 The majority of the students attending the school will be dropped off by taxi, the arrangement has been designed in a loop arrangement which is considered to be the ideal type of arrangement for a specialist school where the majority of pupils travel by car. The Highways Officer has confirmed that the circulation space should allow the taxis to arrive, wait for the unloading/loading of passengers under instruction then departing without causing disruption to the free flow of traffic on the access road. This is also aided by an onsite marshal who is present for both am and pm arrival and departure from the site to ensure the vehicles do not block the free flow of the access road. This is a process that works well for other schools within the trust and given the fact that the circulation space for this school is specifically designed for this purpose no concerns are raised regarding this issue.
- 8.6.8 Therefore there are no justifiable reasons to refuse the application on Highways grounds. The modelling has shown no significant impacts on the highway network, no concerns regarding overspill parking, the access is suitable and safe and would include improvements of a passing pass for the access road, and a pedestrian path, and no concern is raised regarding the drop off/pick up arrangement blockages on the access.

8.7 **Conclusion**

- 8.7.1 There is an identified need for the new school and therefore in accordance with NPPF paragraph 94 the local planning authority should take a proactive positive and collaborative approach to meeting this need. Accordingly great weight should be given to the need to create the school. The loss of the sports pitches would be mitigated/compensated and the loss is considered acceptable on balance given the identified need for the school.
- 8.7.2 The actual building will have limited impacts on the adjacent Hospice, the main impacts will be from increased use of the access road, and noise impacts. Noise is considered to be mitigated some what by the acoustic fence proposed to the

boundary, and highways have raised no objection over the increased use of the access and with the proposed access arrangement with marshal there should be no significant impacts on the use of the access road from build up of vehicles.

- 8.7.3 The building design is considered acceptable and appropriate given the setting.
- 8.7.4 The loss of on street parking on the road is minimal and would provide a benefit by way of the passing space. Highways have raised no objection in principle to the traffic generation, and modelling has shown no long term impacts on the highway network capacity.
- 8.7.5 Therefore the proposal is supported.

9 Human Rights Implications

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10 Recommendation

- 10.1 Subject to the Planning Committee resolving to grant planning permission then the application shall be referred to the Government Office to establish if the Secretary of State wishes to call in the application for their determination.
- 10.2 Subject to the Secretary of state not calling in the application then the application be granted planning permission subject to S106 Legal agreement relating to, sports pitch mitigation, local labour obligations, Traffic Regulation Order for Yellow lines on the access road, submission and monitoring of the Travel Plan.
- 10.3 If no meaningful progress is made on the S106 within 3 months of the resolution of the Planning Committee to delegate to the Head of Planning to refuse the application.
- 10.4 Grant planning permission subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.

Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

P5351_2000 Rev K - Proposed Plans - GA
P5351_3000 Rev E - Proposed GA Elevations 1 of 2
P5351_3001 Rev C - Proposed GA Elevations 2 of 2

P5351_3500 Rev P03- Proposed Sections - GA
P5351_3501 - Proposed GA Sections Sheet 2 of 2
CPW -190224-E-EXT-00-01 Rev P1 - External Lighting Layout
CPW -190224-E-200-01-01(4.8-22) Rev P3 - Proposed Lighting Philosophy Layout
First Floor
P11781-00-001-GIL-0601 Rev 03 – Site Security Plan
MV07007-GIL-00-GF-DR-L-0100 Rev 13 – Landscape General Arrangement Plan

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

3. The external materials of the development shall be as shown on the approved drawings unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development.

4. That no demolition, site clearance or building operations shall take place except between the hours of 8:00 a.m. and 6:00 p.m. on Mondays to Fridays and 8:00 a.m. and 1:00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank Holidays unless previously been agreed in writing by the Local Planning Authority.

Reason: In the interest of maintaining the amenities of surrounding users.

5. Prior to the occupation of the development hereby approved a Habitat Management Plan (HMP) shall be submitted to and approved in writing by the Local Planning Authority; the HMP is to include in full all the measures set out within the PEA notably Section 6.2 alongside the protection (in line with measures also set out in the Tree Report) and management of the woodland and hedgerow habitats in the long term in order to protect and enhance biodiversity value; the HMP shall thereafter be adhered to in full unless agreed otherwise for the lifetime of the development.

Reason: To protect and enhance the biodiversity of the site.

6. Prior to the occupation of the development hereby approved, landscaping plans shall be submitted to and approved in writing by the Local Planning Authority, thereafter the development shall be carried out in accordance with the approved landscaping plans. The landscaping plans shall include measures as set out in the PEA including use of appropriate species of biodiversity/ pollinator/wildlife value, alongside planting set out so as to promote and increase connectivity and green corridors on and off the site. The landscaping prescription is to employ native pollinator friendly species, avoid the use of non-native low value ornamental species, and avoid pesticide treatments in line with emerging council policy and strategy.

Reason: To protect and enhance the biodiversity of the site.

7. The Acoustic Fence shown on the approved plans shall be erected as soon as practicable and shall be retained as such thereafter for the lifetime of the development.

Reason: To provide noise attenuation to protect the amenity of the neighbouring Hospice.

8. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a

written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

9. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post-investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post –investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

10. Detailed surface water drainage drawings and calculations shall be submitted to and approved in writing by the Local Planning Authority. These shall include the following:
 - a. Surface water runoff from the proposed development shall be limited 12.7 l/s (as detailed in drainage strategy) for all rainfall events including those with a 1 in 100 (plus climate change) annual probability of occurrence. Evidence of this (in the form hydraulic calculations) shall be submitted with the detailed drainage drawings. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features.
 - b. The details of the outfall of the proposed attenuation pond and how it connects into the watercourse or highway drains shall be submitted as part of a detailed design including cross sections and invert levels. Evidence that East Sussex Highways has agreed to the connection and discharge rate shall be provided with an proposed connection to the highway drains.
 - c. The detailed design of the attenuation pond shall incorporate details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system shall be provided.
 - d. Details of the measures proposed to manage exceedance flows shall be submitted to the Local Planning Authority. This should also include details of how the existing overland surface water flows have been retained.
11. Prior to the construction of the outfall, a survey of the condition of the ditch/ordinary watercourse which will take surface water runoff from the development shall be investigated. Results of the survey shall be submitted to and approved in writing by the Local Planning Authority. Any required improvements to the condition of the watercourse shall also be included and, if approved by the Local Planning Authority, implemented accordingly.
12. A maintenance and management plan for the entire drainage system shall be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:
 - a. This plan should 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.

13. Details of measures to manage flood risk, both on and off the site, during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. This may take the form of a standalone document or incorporated into the Construction Management Plan for the development.
14. Prior to occupation of the development, evidence (including photographs) shall be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.
15. The development shall not become occupied until details of the layout of the new access and the specification for its construction which shall include details of pedestrian crossing, gateway, footway link, position of DYs, have been submitted to, approved in writing by the Planning Authority in consultation with the Highway Authority and the construction of the access has been completed in accordance with the agreed specification.

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

16. The access shall not be used until visibility splays of 2.4m by 34m are provided in both directions and maintained thereafter.

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

17. The development shall not be occupied until the car park has been provided in accordance with the approved plans and the area shall thereafter be retained for that use

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

18. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons within the car park area

19. The development shall not be occupied until cycle parking area has been provided in accordance with the approved plans and the area shall thereafter be retained for that use

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

20. 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 obstructed;

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

21. 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.

22. 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:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and egress and routeing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- 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),
- details of public engagement both prior to and during construction works.

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

23. The recommendations contained in section 5 of the Preliminary Geo-Environmental Risk Assessment (issued July 2018) shall be carried out in full during the course of the construction unless agreed otherwise in writing by the Local Planning Authority and if during construction contamination not previously identified is found to be present at the site then no further development on that part of the Site (unless agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how the suspected contamination shall be dealt with and written approval for the associated strategy has been obtained from the Local Planning Authority. The remediation strategy shall be implemented thereafter as approved.

Reason: In order to ensure that the site contamination is dealt with in an appropriate way in the interest of maintaining the quality of the local water sources.

11 Appeal

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