

**Report to:** Planning Committee  
**Date:** August 2021  
**Application No:** 210247 & 210248 (Listed Building)  
**Location:** Bedfordwell Depot, Bedfordwell Road Eastbourne  
**Proposal:** 210247 Mixed use development comprising construction of 80no. dwellings (59no. houses and 21no. flats) and conversion of existing Pump House and Annexe into 20no. flats and 1no. commercial unit (Use Class E) and associated access, circulation road, parking, drainage and landscaping (associated listed building consent ref 210248)  
  
210248 Internal and external works to Grade II Listed Pump House and Annexe in relation to conversion into 20no. flats and 1no. commercial unit (associated planning application ref 210247)  
  
**Applicant:** Eastbourne Borough Council  
**Ward:** Upperton

**Recommendation:**

1. Delegate to the Head of Planning to:
  - a) Receive and evaluate the final response from Natural England to conclude the Habitats Regulations requirements; and
  - b) Seek agreement from ESCC SuDS on the final detailed matters related to access and maintenance of the SuDS for the site.and on the provision that no objections are received then...
2. Approve with conditions, subject to S106 Agreement to secure:
  - a) affordable housing;
  - b) a local labour agreement
  - c) car club
  - d) travel plan
  - e) S278 for off-site highway works.

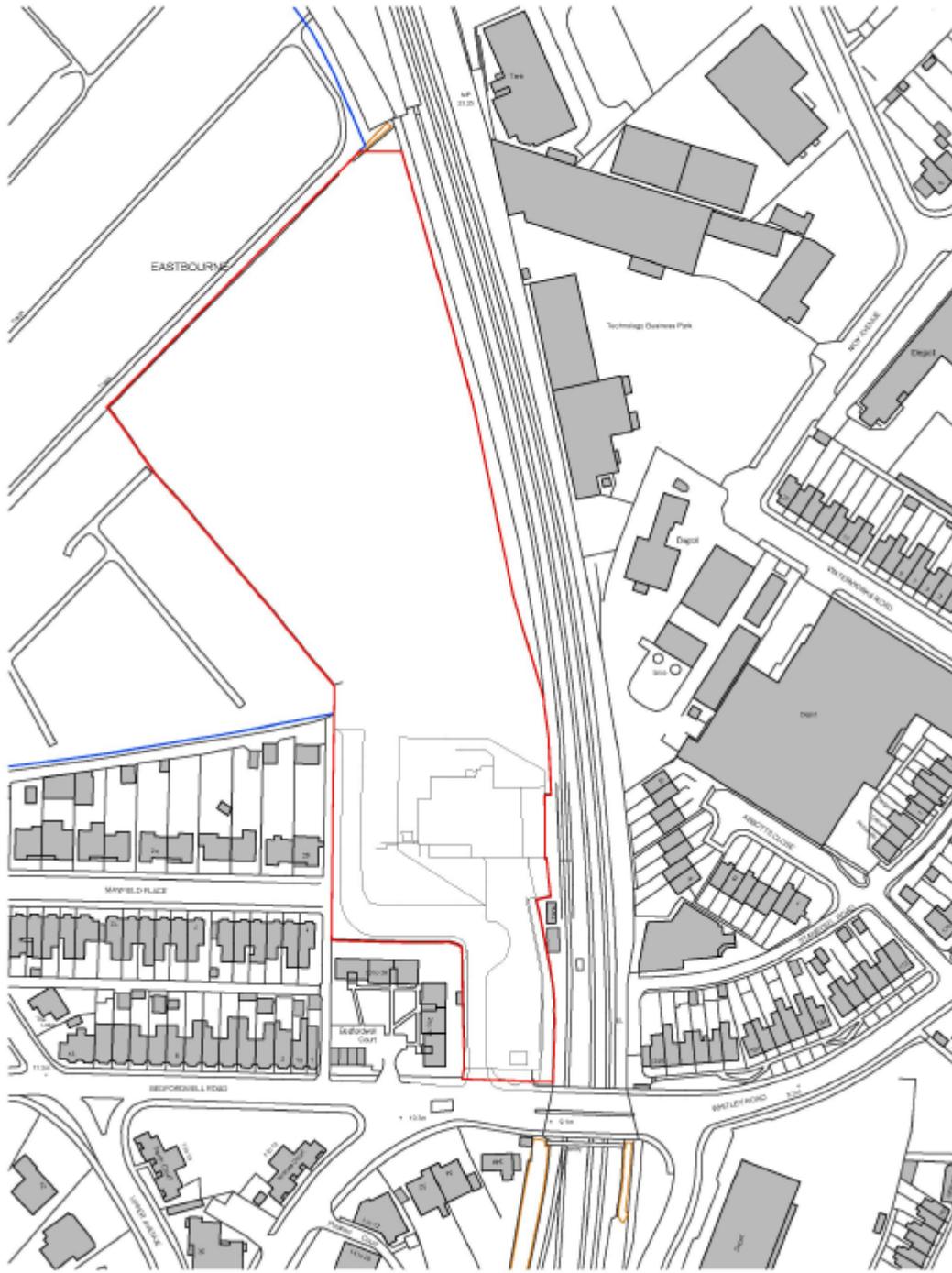
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## Map Location:



CCM 2015 Health & Safety Information:  
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## **1. Executive Summary**

- 1.1 The application is considered to comply with national and local policies and is therefore recommended for approval subject to conditions and a S106 Agreement to secure affordable housing, a local labour agreement, car club, travel plan and a S278 for off-site highway works.
- 1.2 It is acknowledged that that the Council is not, at present, able to substantiate a five-year supply of housing. The development of housing on this brownfield site is considered to accord with the 3 dimensions of sustainable development as set out in paragraph 11 of the NPPF. The proposal will make a welcome contribution to the housing stock (including affordable housing) in the Borough.
- 1.3 Any redevelopment of the site would increase traffic in the locality and specifically at the sites' junction, however fewer units are proposed than the extant permission and that the scheme has the full endorsement of County Highways.
- 1.4 Further consultee responses are expected from the ESCC SuDs team and Natural England and therefore the recommendation is to delegate to the Head of Planning to grant planning permission subject to S106 and conditions pending no material issues being raised from these consultees.

## **2. Relevant Planning Policies**

### **2.1 National Planning Policy Framework**

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

### **2.2 Eastbourne Core Strategy Local Plan 2006-2027:**

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C2 Upperton Neighbourhood Policy
- D1 Sustainable Development
- D5 Housing
- D8 Sustainable Travel
- D10a Design
- D10 Historic Environment.

### 2.3 Eastbourne Borough Plan 2001-2011:

HO1: Residential Development Within the Existing Built-up Area

H07: Redevelopment

H09: Conversions and Change of Use

HO20: Residential Amenity

NE4 Sustainable Drainage Systems

NE14 Source Protection Zone

TR1 Locations for Major Development Proposals

TR2 Travel Demands

TR5 Contributions to Cycle Network

TR8 Contributions to the Pedestrian Network

TR11 Car Parking

UHT1 Design of New Development

UHT4 Visual Amenity

UHT6: Tree Planting

UHT7: Landscaping

UHT8 Protection of Amenity Space

US4 Flood Protection and Surface Water

US5 Tidal Risk.

### 2.4 Supplementary Planning Documents and other relevant Guidance

Affordable Housing SPD

Sustainable Building Design SPD

Trees and Development SPG

Eastbourne Townscape Guide SPG.

## 3. Site Description

### 3.1 General Site Description

3.1.1 The site is located within the Upperton Ward of Eastbourne approximately 1km from Eastbourne town centre. The site extends to approximately 2.3ha and is accessed directly from Bedfordwell Road which is one of the main roads coming into Eastbourne, providing connection to the A2270 and the A2280 (leading to the A22) to the North of the town.

3.1.2 The site is an irregular shaped piece of land, largely triangular, with the site frontage to Bedfordwell Road being relatively narrow, representing a gap in the street scene between Bedfordwell Court (block of flats to the west) and the road bridge (Whitley Bridge) over the railway line (to the east).

- 3.1.3 To the north-west of the site are allotment gardens with open views out of the site in the direction of Eastbourne Park. To the east, running the full extent of the eastern site boundary is the main railway line into Eastbourne and which provides direct connections into London, Hastings and Brighton. Beyond the railway line, further east, there are several industrial buildings. To the south and south-west are residential properties.
- 3.1.4 The general character of the area west of the railway bridge, within which the site is located, is formed predominantly of 2 and 3 storey residential properties, either semi-detached or terraced and generally from the Victorian/Edwardian period. There are also a number of 3- and 4 storey more recent flatted blocks of accommodation in the general area.
- 3.1.5 The site itself is vacant and comprises areas of cleared ground, areas of hardstanding, scattered scrub and trees with the former Grade II listed Victorian Pump House siting generally centrally within the site.
- 3.1.6 There are a number of constraints on site, including an open drainage ditch running north / south throughout the site which connects into another drainage ditch running along the north western boundary adjoining the allotments. An electricity substation is located at the site entrance alongside Bedfordwell Road. Other site constraints include the northern aspect of the site falling within Flood Zones 2 and 3; underground adits (for drinking water); water mains; high voltage cables; and a number of protected trees (TPO).
- 3.1.7 The gradient across the site drops by approximately 2m from the site entrance toward the Pump House. There is a further fall in gradient from the Pump House toward the eastern boundary by 4.5m. This distinct change in level is dealt with by a retaining wall structure along the internal road edge and an external staircase between the upper and lower ground floor levels of the Pump House. These changes in levels mean that the railway line runs in an engineered cutting for the first part of the site and reduce to more or less grade as the site leave into Eastbourne Park.

## 3.2 Listed Pump House

- 3.2.1 The main existing feature within the site is the Grade II listed Victorian Pump House and Annexe, which is relatively centrally placed on the site, together with its retaining walls which are curtilage listed. The Pump House was first listed on 3 March 2014.
- 3.2.2 The Pump House building comprises the former engine house and adjacent boiler house (referred to within this submission as the Annexe) which was designed by Henry Currey an architect for The Duke of Devonshire's estate for the Eastbourne Waterworks Company Ltd.
- 3.2.3 The building was in operation for only 12 years, and in 1923 the site was sold for use as a Council depot and the interior was altered to house workshop machinery on two floors.

- 3.2.4 The Pump House is of a classical style of architecture characterised by yellow brick with red brick dressings and corner stones to the cornice. The main engine house element of the building has a hipped slate roof with a large rectangular glazed lantern, also with hipped roof. There is a moulded brick parapet around the perimeter of the roof with distinct corner stones.
- 3.2.5 The Annexe is of lower height but comprises a larger footprint than the original pump house building and consists of a slate style roof with a rectangular glazed lantern and a section projecting north with an external chimney stack. Similar to the main Pump House building its elevations are characterised by round headed windows, and cambered headed doors opening towards the northern, southern and eastern boundaries.

#### **4. Relevant Planning History**

##### **4.1 Planning application history**

- 4.1.1 180114 - The most recent application on the Council's planning register is a Listed Building application which sought consent for the removal of asbestos from the existing Pump House building. Consent was granted for these works on 23 February 2018.
- 4.1.2 130907 - More directly relevant to the site, as a whole, is Full Planning and Listed Building application for residential development comprising 102 dwellings (flats and houses), including the conversion of the existing Pump House into flats, together with access roads and parking spaces. This comprehensive redevelopment of the site was granted 31 March 2015 subject to S106 legal agreement.
- 4.1.3 This permission was subject to a number of conditions which were discharged by the Council and development commenced on site. As such this permission has been implemented however, as is evident on site, this did not advance to any significant degree but remains a consent which can be built out. This extant permission is a significant material consideration of this current application.
- 4.1.4 EB/2008/0609(FP) - This older planning application sought permission for residential development of greater density, to provide 154 new homes, including 47 units of affordable housing, a change of use of part of the existing pump house from commercial to residential use, together with ancillary car parking, landscaping with new vehicle and pedestrian access from Bedfordwell Road. This permission was granted 11 March 2011.
- 4.1.5 This permission allowed for the conversion of the main Pump House but also granted permission for the demolition of the Annexe.
- 4.1.6 Other planning permissions on this site relate to 'County Council matters', as part of the site's previous history for use relating to waste operations.

##### **4.2 Pre-Application submission**

4.2.1 A pre-application submission was received on 8<sup>th</sup> September 2020 seeking their view on the scheme, as was prepared at that time:

Proposed residential development comprising the construction of approximately 80no. dwelling units (flats and houses) together with the conversion of the Pump House into approximately 22no. flats. The proposed development also includes the provision of a minimum of 40% affordable housing, access roads, parking, drainage, together with hard and soft landscaping.

4.2.2 Response to the pre application submission was generally supportive of residential redevelopment given the planning history of the site but raised detailed points that any subsequent application should incorporate.

## **5. Proposed Development**

### **5.1 Proposal Summary**

5.1.1 The proposed development has been amended from a wholly residential development to one which now incorporates a commercial unit designed for use primary by residents.

5.1.2 Proposed mixed use development comprising the construction of 80no. new build dwellings (59no. houses and 21no. flats) together with the conversion of the Pump House and Annexe into 20no. flats and 1no. commercial unit (Use Class E). The proposed development also includes access and circulation roads, parking, drainage (SuDS scheme), together with hard and soft landscaping.

5.1.3 The proposed 100 new homes across the site would be comprised of: three new flatted blocks (referred to as A, B and C) comprising 15, 3 and 3 flats respectively; 20 flats within the pump house building; and 59 houses. The residential element would comprise the following mix, as set out in the schedule below:

- 8 x 1bed 2 person flat
- 13 x 2bed 3 person flat
- 20 x 2 bed 4 person flat
- 8 x 2 bed 3 person house
- 21 x 2 bed 4 person house
- 14 x 3bed 4 person house
- 1 x 3bed 4 person (wheelchair) house
- 15 x 3 bed 5-person house

5.1.4 All proposed dwellings comply with the National Space Standards.

5.1.5 The scheme delivers policy compliant affordable housing at 40% of the scheme: 33 affordable rent units and 7 shared ownership units. The mix of the affordable units will be across all proposed dwelling/flat types.

5.1.6 In addition to the new homes, it is also proposed to deliver a commercial unit (Use Class E). The proposed commercial unit, located within the pump house annexe, is directed toward use by the local community but would allow for flexible uptake within the use class.

- 5.1.7 The proposed development also provides an improved widened site access together with a cycle route. This route has been designed to allow for the potential future extension of the cycle route through Eastbourne Park.
- 5.1.8 Car parking provision would be delivered at a rate of 1 space per dwelling, of which the spaces allocated to houses would be 'in-curtilage'. In addition, 32 unallocated spaces would be provided for visitors to the site. 200 secure cycle storage spaces would be provided, again 'in-curtilage' for the proposed houses. Refuse and recycling storage facilities would be provided in accordance with adopted standards.
- 5.1.9 A hard and soft landscaping strategy has been designed, following feedback from Design Review Panel, to incorporate extended areas of hard surfacing around the Pump House and Annexe to reflect its industrial heritage. The landscape strategy becomes softer further north into the site, where there are greater open views toward Eastbourne Park.

## 5.2 Apartment Block A (at the entrance to the site)

- 5.2.1 Proposes 15 units in total over three floors (5 on each floor) with a flat roof and a linear floor plan running parallel to the railway line and access into the site. External amenity space would be provided in the form of courtyard gardens for the ground floor apartments and balconies for upper floor units.
- 5.2.2 Brick will be the main external material.

## 5.3 Apartment Blocks B & C (top and bottom of the residential northern portion of the site)

- 5.3.1 Apartment Blocks B and C have the same elevational treatment and contain 3 apartments in each (one flat per floor with associated vertical circulation space). Each block has an irregular footprint around a single access core over three story and under a flat roof.
- 5.3.2 Both blocks have communal amenity space to the rear of the buildings.
- 5.3.3 Brick will be the main external material.

## 5.4 Housing Zone

- 5.4.1 To the north of the Pump House and at the lower part of the site 59 dwelling houses are proposed. All these are positioned to be inward facing overlooking the central surface water attenuation pond and green space.
- 5.4.2 All of these dwellings are to be two-storey under a pitched gable roof and utilize brick as their main façade detail.
- 5.4.3 The form of these dwellings is to provide terrace and semi-detached accommodation that is the modern response to the Victorian character of the surrounding area.
- 5.4.4 All properties have access to private amenity space to the rear and modest front courtyard to delineate public and private space.

## 5.5 Pump-House and Annexe

- 5.5.1 This is to be redeveloped to provide 20 Flats and 1 commercial unit, comprising:
- 5 duplex's and 6 flats on the Lower Ground floor and Ground floor
  - 4 flats (5 duplexes with second floor) on 1<sup>st</sup> Floor
  - 5 duplexes on the 2<sup>nd</sup> Floor.
- 5.5.2 During the course of the application, the extent of the works to the pump house have been revised following detailed analysis of the structural integrity of the existing floor plates, which were not able to meet Building Regulation requirements. This has resulted in the proposed removal of the internal floor plates and replacement with a new substrate for improved structural performance and to create the new residential floor plan within the retained historic fabric of the main building envelope.
- 5.5.3 The application proposes to replace the existing windows with heritage style replacements. The window openings would largely remain unaltered, other than some intervention by way of lowering/raising some of the windowsills.
- 5.5.4 Further to the above, the following provides a summary of the additional proposed alterations to the alterations:
- New ceilings would conceal metal roof trusses which will be retained in their current form.
  - The Pump House lantern would be concealed internally, and a new internal skin would provide a double height space.
  - The existing tunnel alongside main chimney stack would be cleared and restored
  - Removal of secondary smaller chimney, which was a later addition to the building
  - Removal of inner supporting walls and chimney stack within lower ground floor
  - Additional of a new ceiling added to the underside of existing roof trusses within Pump House and Annex to conceal these features
  - Concealment of roof lantern within Pump House form internal view.

## **6. Consultations**

### **6.1 Pre-planning Public Consultation**

- 6.1.1 A pre-planning public consultation event was held online between 18<sup>th</sup> January 2021 and 1<sup>st</sup> February 2021.
- 6.1.2 A total of 73 feedback forms were received from the virtual exhibition. One of the key concerns expressed was additional traffic and local congestion, alongside concerns about connectivity of cycle link 313. Additionally, respondents were keen to see a community use come forward and need to ensure the development incorporates sustainable modes of construction.

## 6.2 Conservation Area Advisory Group

6.2.1 The Group welcomed the prospect of finding a sustained use of the building that would help ensure its preservation. There was broad receptivity to the recommissioning of the Pump House as accommodation and an appreciation that the proposed scheme was sensitive to the building's history and design. The Group also recognised the strong need for housing including affordable housing in Eastbourne.

6.2.2 In discussion issues were raised:

- That the application needs to clarify its approach to fenestration.
- Concerns about the adverse effect of the proposed block of flats to the front of the pump house, which were felt to compromise the view of the listed building and detract from its setting
- That distinctive internal features such as hatch doors and ladders should be retained
- Provision of an interpretation board in the public area to inform of the sites history.

6.2.3 In conclusion the Group welcomed the development in principle and agreed that the proposal preserved the character, appearance and significance of the listed building.

## 6.3 Design Review Panel

6.3.1 In addition to the Pre-Application enquiry, the Applicant Team engaged with the Design Review Panel through a formal submission on 8 December 2020. A virtual meeting was held with one of the Panel Members (Mr Simon Barker, RIBA) and the Council's Specialist Advisor and Conservation Lead (Mr Chris Connelley).

6.3.2 The proposed development had evolved since the pre-application planning enquiry, with changes made primarily to the road hierarchy, cycle way, and Pump House proposals.

6.3.3 A response from the Panel Member was received on 2 February 2021, with a précis of the comments set out below:

*"We feel that the pump house's unique presence in the townscape requires a more creative approach to its reuse. We are aware that previous attempts to find community uses for it have failed, but we are also aware that there is still strong interest among the people of the town for something of this sort to happen, and that it would be sensible to keep this option open. In this town, a very visible landmark of this sort deserves a more significant public/ community use, and if this is not possible right now, then consideration should be given to finding a way to defer this decision.*

*We would prefer to see the pump house safeguarded by carrying out sufficient works to arrest decay and make the building good visually, on the exterior. The building could then be retained for reconsideration of its future at a later date, when conditions may be very different. In a town that is rich with industrial heritage, the proposed conversion to*

*residential use would be unremarkable, but in Eastbourne, where this is the only example of C19 industrial building of this scale and importance we would prefer to see a slower process that seeks a public use which has significance to the community.*

*There is potential here for a site that places a sustainable high density residential development along the lines of the well-known Bedzed projects, within a sustainable and enjoyable public landscape that connects this neglected part of the town centre with the Eastbourne Park while making a significant contribution to sustainable transport options”.*

6.3.4 In response the comments received from the DRP the applicant reviewed their submission and changes have been accommodated. This includes changes to the extent of intervention within the Pump House fabric, in particular changes to fenestration design. Additionally, opportunities for alternative uses have been reviewed, and the scheme now incorporates a commercial unit focused on local residents as a ‘easy-in / easy-out’ co-worker office space. Changes to the hard and soft landscape strategy have also been made to take account of the site’s industrial heritage.

#### 6.4 County Archaeology - No objection subject to conditions

6.4.1 The County Archaeologist originally requested two conditions of permission, including:

- a written scheme of investigation
- a post investigation verification report

6.4.2 During the course of the application, a written scheme of investigation has been completed and has met the agreement of the County Archaeologist, such that a revised condition will secure the scheme of investigation.

#### 6.5 Environment Agency - No objections subject to conditions

6.5.1 The EA has not raised any objection subject to the imposition of the following conditions of permission:

- Implementation in accordance with submitted Flood Risk Assessment
- Verification report for contamination
- Previously unidentified contamination
- Piling.

#### 6.6 Crime Prevention Design Advisor (Sussex Police)

6.6.1 The Crime Prevention Design Advisor has provided advice regarding the prevention of crime. No objections are raised, but a number of recommendations are provided, including:

- Alleyways to the rear of properties should be gated
- parking areas should have a high degree of active surveillance
- street lighting should be used to reduce ASB issues

- play spaces should be in locations that are safe and have a degree of surveillance
- a number of minor detailed points that have been relayed to the construction team via the agent.

## 6.7 ESCC Highways – No objection subject to conditions

6.7.1 ESCC Highways are largely supportive of the scheme on transport and highways grounds, subject to conditions and the following legal issues to be secured by S106 agreement:

### 6.7.1 Legal Agreement:

- Travel Plan for a 5 year period plus audit fee of £4.5k. TP to include bus incentives (taster and discounted ticketing) and flexible voucher for £100 for use on sustainable travel measures, car club membership for first occupant of each dwelling
- Car club provision – vehicle and dedicated charging bay
- Road layout and access provision - subject to a combined s278/s38 agreement
- Contribution to provision of improved bus infrastructure subject to a s278 agreement.

## 6.8 ESCC SuDS – No objection subject to conditions

6.8.1 Significant liaison has followed an initial objection from ESCC SuDS regarding insufficient information to satisfy the Lead Local Authority on flood risk. Agreement has since been reached on the surface water attenuation and infrastructure requirements for the development, subject to the imposition of conditions concerning infrastructure provision, discharge rates and the ongoing maintenance of the system.

6.8.2 At the time of writing, there is a minor outstanding issue regarding access to the diverted drainage ditch on the western boundary for reasons of ongoing maintenance. It is expected that this will be overcome prior to the meeting either through the submission of revised/additional information or through the imposition of a planning condition.

## 6.9 Southern Water

6.9.1 SW has provided a standard response giving regard to the location of sewage pipes and other drainage infrastructure on and around the site. SW request that the developer surveys their location prior to the development commencing.

## 6.10 Historic England

6.10.1 HE has responded to consultation and confirmed that they have no comment to make – consideration of the impacts upon heritage assets is left to the Council's Conservation Officer.

## 6.11 Network Rail

6.11.1 NR requests that the developer liaises directly with them regarding the detailed construction, given the proximity of the development to the railway line and to align with any procedural requirements.

#### 6.12 Natural England

6.12.1 NE have objected twice on grounds of insufficient information to demonstrate that protected habitats at the Pevensey Levels would be safeguarded from surface water contaminants. However, following protracted engagement, agreement has been reached on the level of mitigation required to treat water at source prior to discharge from the site.

6.12.2 At the time of writing, a final response is outstanding on EBC's Appropriate Assessment required by the Habitat Regulations.

#### 6.14 EBC Quality Environment

6.14.1 No objection, but conditions recommended regarding land contamination and construction environmental management.

#### 6.15 EBC Regeneration

6.15.1 The Local Employment and Training Supplementary Planning Document (SPD), adopted November 2016, confirms this planning application qualifies for a local labour agreement as it meets the threshold for a residential development.

6.15.2 Should the commercial unit create 25+ jobs this will qualify for an operational local labour agreement with the end employer. The new jobs would also be subject to a sector work academy programme for those who are unemployed.

#### 6.10 EBC Planning Policy

6.10.1 Outlined the policy background for the development and recognises the benefits of housing delivery and affordable housing in meeting identified need, as outlined in adopted policy. No identified principal conflicts with the development plan.

### 7. Neighbour Representations

7.1 Statutory notification regarding the received formal planning application has been undertaken in the form of neighbour notification letters, site notices displayed in roads neighbouring the site and a press advert.

7.2 Following this consultation, a total of 5 representations have been received, which raised objections on the following grounds:

- Traffic congestion
- More vehicles added to the local network
- Danger to pedestrians
- Commercial unit should be health centre
- School paces are under pressure
- Trees should be kept to provide suitable habitat

- Listed building should not be neglected any further
- TPO trees are highly valuable and should be retained and maintained
- Boundary walls to the site need to be maintained
- Lots of development planned for the area.

## **8. Appraisal**

### **8.1 Principle of development NPPF Context**

- 8.1.1 At the heart of the NPPF is the presumption in favour of sustainable development which flows through both plan-making and decision-taking.
- 8.1.2 The role of residential and small-scale employment developments in providing for sustainable development cannot be underestimated, with the delivery of a wide choice of high-quality homes contributing to the social, economic and environmental benefit of Eastbourne. This is supported under the provisions of Paragraph 8 of the NPPF.
- 8.1.3 In this regard it is therefore considered that the proposed development to provide high quality residential dwellings and commercial unit represents sustainable development and should therefore benefit from the presumption in favour of sustainable development under the provisions of Paragraph 11 of the NPPF.
- 8.1.4 Section 5 of the NPPF seeks to boost the supply of homes. The benefit of 100no. new homes, including 40% affordable homes, should weigh positively in the schemes favour when considered against all other material considerations.
- 8.1.5 Section 7 of the NPPF is concerned about 'ensuring the vitality of town centres' and Paragraph 85 states that "planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation". Whilst the site is not situated within the defined town centre, it nonetheless is within close proximity to the services and amenities and will play a vital role in providing footfall.
- 8.1.6 Additionally, Paragraph 85 states that it should be recognised that 'residential development often plays an important role in ensuring the vitality of centres' and that residential development should be encouraged on appropriate sites.
- 8.1.7 Section 9 promotes sustainable transport and how this can be delivered through the planning system. Paragraph 103 states that development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The site is located within a highly sustainable location with access to an abundance of sustainable transport modes. Additionally, the proposal provides cycle links to the town centre.
- 8.1.8 Section 12 of the NPPF is concerned about development 'achieving well-designed places' and under paragraph 127 it states, amongst other

requirements, that 'planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities) [...]
- f) ...create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

8.1.9 Section 14 of the NPPF is concerned about 'meeting the challenge of climate change, flooding and coastal change'. Flood Risk and Drainage is discussed within Section 6 of this Statement and the within the supporting technical documents.

8.1.10 Section 16 of the NPPF, conserving and enhancing the historic environment, seeks to protect and preserve the Heritage Assets, although it recognises the importance for local planning authorities to identify development opportunities within such areas which represent an enhancement and improvement to the built form of the locality. This application, for Full Planning and Listed Building Consent, is supported by a fully detailed Heritage Statement.

8.1.11 Overall, it is concluded that the proposals comply fully with the policy objectives of the National Planning Policy Framework.

## 8.2 Principle of development general comments

8.2.1 The principle of development on this site, including the conversion of the former Pump House, was established through the grant of planning permission in March 2015 (council ref: 130709) for the construction of 102 dwellings. This extant permission is a significant and vital material consideration in the determination of this Full Planning and Listed Building application. Furthermore, the site is identified within the Eastbourne Core Strategy as a Key Area of Change within the Upperton Neighbourhood.

8.2.2 Since the grant of the previous planning permission, the planning policy position has changed with a clear national policy directive given by Government to boost significantly housing supply, as set out within the NPPF.

8.2.3 The NPPF sets the presumption in favour of sustainable development under the provisions of Paragraph 11 which states that where there are no relevant development plan policies, or the policies most important for determination of the application are out of date, then granting planning

permission should be done without delay, unless the site is within a protected area where policies give clear reasons to restrict development, or there would be adverse impacts which would significantly and demonstrably outweigh the benefits.

- 8.2.4 In this regard, the Council's housing policy and guidance are now considered to be 'out of date' by reason of the NPPF and therefore the housing policies, such as Policy D5, no longer carry weight in the determination of this proposal. Housing delivery must be considered in the wider national planning context, as set out in the NPPF.
- 8.2.5 The application site is not located within a protected area and there are currently no known adverse impacts which should restrict development. The assessment of impacts, in particular on the grade II listed Pump House, are a key material consideration in the determination this application.
- 8.2.6 For the purposes of clarification, 'out of date' policies are defined by whether the Council is able to demonstrate a five-year supply of deliverable housing sites, or where the Government's Housing Delivery Test indicates that the delivery of housing within the borough has been substantially below the housing requirement over the previous three years.
- 8.2.7 In this regard, the Council is unable to demonstrate a 5-year housing land supply. Based on the most recent published Authority Monitoring Report (December 2020) the Council can only demonstrate a 1.8-year supply of housing land. Additionally, the Council's historic housing under-delivery currently stands at 38% when assessed against the Government's 2019 Housing Delivery Test thus invoking the NPPF 'Presumption' test which means that the policies relevant to housing delivery are considered out of date, and NPPF Paragraph 11 (and Paragraph 73 and footnote 7) are fully engaged.
- 8.2.8 In light of the clear Government message to boost significantly housing delivery, together with the historic under-delivery of sufficient homes to meet the Borough Council's needs, the proposed development should be considered favourably in the context of sustainable development and attributed significant weight when considered alongside all other material considerations, in particular the presumption in favour and the site's identification within the Core Strategy as Key Area of Change.
- 8.2.9 In terms of the principle of the proposed commercial unit, Policy EL1 (Economy and Employment Land) states that job growth and economic prosperity in Eastbourne will be supported, including promoting development which provides units for new start-up businesses and small enterprises. In this regard, the proposed commercial unit (Use Class E) located within the Annexe, should be considered favourably against this policy and supported in principle.

### 8.3 Housing Mix

- 8.3.1 The application proposes to deliver 100no. new homes comprising a blend of flatted and semi-detached and terraced housing.

8.3.2 The proposed housing composition, comprising a mix of 1-bedroom, 2-bedroom, and 3-bedroom units provides a generous mix of much required family accommodation within a central location within the town. Many recent developments within Eastbourne town centre have provided a higher proportion of 1-bedroom units. It is therefore considered that the higher percentage of 2 and 3-bedroom units is appropriate in this location and will assist in redressing the housing needs of the borough.

#### 8.4 Affordable Housing

8.4.1 The Council's Core Strategy advises that for developments within Neighbourhoods in High Value Areas, such as Upperton, the Council will seek 40% affordable housing on all sites with a tenure split of 70:30 Rented to Shared Ownership.

8.4.2 This application seeks to deliver a policy compliant provision of 40% affordable new homes, and which will be delivered tenure blind across the site on the basis of 82.5% Affordable Rent and 17.5% Shared Ownership.

#### 8.5 Design, Form, and Appearance

8.5.1 The design approach has focused primarily on the style, materiality and setting of the Grade II Listed Pump House and Annexe and neighbouring properties. These influences have informed this mixed-use development.

8.5.2 There are 3no. proposed flatted blocks of accommodation. Block A sits at the entrance to the site from Bedfordwell Road. The building is three storeys in height and linear in appearance thereby creating a corridor for the Pump House to be viewed as a focal point beyond. Blocks B & C, located to the west of the site, are more compact in stature and are mirrored buildings framing the north and south of the central open space.

8.5.3 The proposed housing, which sits to the north of the Pump House and Annexe, has been designed to reflect the local vernacular, greatly influenced by traditional Victorian housing form, being two storeys in height with a mix of front to back roofs and gable forms.

8.5.4 There are no material objections raised to the design and appearance of these residential dwellings.

8.5.5 The Pump House conversion seeks to retain where possible, the historic character of the building by limiting the degree of physical alterations to the fabric. Overall, the provision of residential units and single commercial unit, within this listed building, is considered to respect the character and appearance ensuring the long-term conservation and enhancement of this heritage asset.

8.5.6 The proposed commercial unit is proposed within the Annex, well accommodated having regard to the building's previous industrial use.

8.5.7 Bike and refuse storage will be provided on-plot for houses or in shared stores for the flatted accommodation. The majority of on-site parking will be provided on-plot with smaller courtyard arrangements serving the flats. In this regard, 100no. allocated residential parking spaces are

proposed together with 32no. unallocated parking bays, 1no. car club and 1no. commercial bay. Of the unallocated parking proposed, 6no. spaces will be dedicated active electric vehicle charging bays.

## 8.6 Heritage and Archaeology

### 8.6.1 Heritage

- 8.6.2 The management and mitigation of change to a heritage resource resulting from development is based on the recognition within Government planning objectives that "...heritage assets are an irreplaceable resource..." (NPPF para. 126). Impacts on the historic environment and its associated heritage assets arise where changes are made to their physical environment by means of the loss and/or degradation of their physical fabric or setting, which in turn leads to a reduction in the significance of the historic environment record and its associated heritage assets.
- 8.6.3 The application site is not located within a Conservation Area but is occupied by the Pump House and Annexe, which sit prominently within the site and were given statutory Grade II listing in 2014. The Pump House and Annexe are currently classed as derelict, having been vacant for a considerable time.
- 8.6.4 The proposed development seeks to convert the Pump House and Annexe into 20no. residential units together with a single commercial unit within the Annexe, adjacent the railway line. The accompanying drawings illustrate how the conversion would be sympathetically undertaken, including replacement of roof with matching materials and retention of lantern feature to the Pump House.
- 8.6.5 It is acknowledged that works are proposed to the fabric of the building which would alter its present appearance, such as the inclusion of additional rooflights and the extension of the Diocletian windows together with the relocation of the roof lanterns to the Annexe. However, these changes are considered to be nominal in scale and result in less than substantial harm, in terms of NPPF test at paragraph 196, facilitating the conversion of the building whilst ensuring its long-term conservation and contribution toward Eastbourne's industrial heritage.
- 8.6.6 It is also acknowledged that concern has been expressed in respect of the setting of building, and in particular key views of the Pump House from Bedfordwell Road. Views towards the Pump House from Bedfordwell Road will be altered by the introduction of Flat Block A. However, it should be noted that views of the Pump House are already obscured by trees along the boundary with Bedfordwell Court. The change to the views from the road will not result in entire obscuration of the Pump House roof line and roof lantern. It is therefore contended that the new entrance route leading from Bedfordwell Road toward the Pump House will facilitate an improved view of the asset by widening the access route into the site, and this will create a better opportunity to glimpse the southern façade of the building.
- 8.6.7 There are a number of structures, specifically retaining wall features, which have not been specifically noted within the Historic England listing

schedule, but which nonetheless have been attributed curtilage listing in the assessment of this proposed development. Some of these are in poor repair, particularly those which are located at the bend to the internal road (within the western side of the site) where the levels drop considerably and will require replacement to ensure compliance with necessary safety standards. This is considered to be acceptable.

8.6.8 The NPPF (para 192) states that in determining planning applications, the following should be taken into account:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conversion
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness

8.6.9 Additionally, Paragraph 196 states that “where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

8.6.10 In this regard, and cognisant of the derelict state of the heritage asset, it is asserted that the proposed conversion to residential and commercial use, is the most viable use ensuring the long-term conservation and enhancement of this asset, and its key features, which until now have remained in a state of significant neglect and dereliction.

8.6.11 The replacement of some curtilage listed features (retaining walls) together with alterations to the fabric of the Pump House and Annexe to facilitate the conversion are considered to weigh heavily in favour of the development when considered against the less than substantial harm to the heritage asset.

## 8.7 Archaeology

8.7.1 The application site has been subject to previous archaeological investigations. These were prior to the listing of the Pump House and Annex and also prior to the expansion of the Grade I Willingdon Levels: Prehistoric Wetland. The northern area of the application site falls within this Archaeological Notification Area (ANA) (DES9135).

8.7.2 The updated archaeological evaluation has been undertaken and has confirmed that it is unlikely the Site contains any extensive archaeological deposits of high significance or value which would require preservation in situ. The evaluation further advises that below ground effects on potential archaeological remains within the site are already likely to have been partially disturbed by previous works.

8.7.3 During the course of the application, the applicant’s archaeology consultants (HCUK) have liaised directly with the County Archaeologist to agree a Written Scheme of Investigation to satisfy the requirements

for further site investigations. This will be secured in a condition, with a further condition to secure a post-investigation assessment.

## 8.8 Transport, Highways and Parking

- 8.8.1 The application is supported by a Transport Assessment and Travel Plan. Discussions with the Local Highway Authority (East Sussex County Council - ESCC) have taken place and their consultee response is included above.
- 8.8.2 ESCC Highways have engaged with the applicant in terms of the modifications to the access onto Bedfordwell Road. The scheme now proposes the relocation of the existing site access to accommodate a two-way vehicle circulation by large vehicles; facilitate the inclusion of a 2m footway on the eastern side of the access; and to accommodate an uncontrolled pedestrian crossing at the bell mouth of the site access.
- 8.8.3 Additionally, a second uncontrolled crossing point is also proposed further into the site, to facilitate pedestrian access/egress to the proposed car club bay.
- 8.8.4 In terms of the internal road network, this has been amended to respond to comments made at pre-application stage, and incorporates a spine road providing access to all dwellings and the commercial unit; together with a shared surface space adjacent to the central open space. The whole length of the spine road is proposed to be adopted and has accordingly been designed in accordance with ESCC standards.
- 8.8.5 The proposed development incorporates 100no. allocated residential parking spaces together with 32no. unallocated parking bays, 1no. car club and 1no. commercial bays. Additionally, 6no. electric vehicle (EV) charging points are also proposed, and which are included as part of the 32no. unallocated spaces. The proposal also includes provision of 200no. cycle parking spaces, comprising 2no. spaces for each residential unit; further, 4no. cycle parking spaces are also provided on-site, allocated to the commercial unit.
- 8.8.6 A cycle lane and pedestrian footways are also provided across the site. The cycle lane can be extended further north into Eastbourne Park if the opportunity arises.
- 8.8.7 The application is considered to satisfy local and national planning policy, specifically paragraph 109 of the NPPF which states that development should “only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. The accompanying technical reports clearly demonstrate that the development impacts would not be severe, and in this regard the development should be considered acceptable.

## 8.9 Flood Risk and Drainage Strategy

- 8.9.1 The front portion of the application site, nearest Bedfordwell Road, is located within Flood Zone 1. The northern section of the site is located primarily within Flood Zone 2, with the western edges of the site falling within Flood Zone 3.

- 8.9.2 Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk. The proposed residential use falls within a more vulnerable classification, which is acceptable in Flood Zone 2 but not generally within Flood Zone 3. In this regard, whilst there is medium risk of fluvial flooding, these events have been modelled as part of a detailed drainage strategy, in consultation with the Lead Local Flood Authority.
- 8.9.3 In terms of site drainage, a highly detailed assessment has been undertaken and which is set out within the accompanying technical reports. It is proposed that surface water run-off will be attenuated (taking into account a 100year rainfall event plus an allowance of 40% for climate change) through a combination of measures, including a hydro brake flow control, pumping station, underground cellular attenuation, oversized pipes, voided sub-base to permeable paving and detention basin.
- 8.9.4 In terms of the foul water drainage strategy, it is proposed that this will connect to the primary foul water network and discharge into a proposed foul water pumping station to the west of the existing Pump House. From that point, foul water will be pumped to the public sewer located in Bedfordwell Road. It is anticipated that the pumping station will be adopted by South East Water.
- 8.9.5 Overall, the drainage strategy has been designed, having regard to site levels and relevant flood risk. In this regard, it is asserted that the proposed development complies with relevant policies within the adopted Development Plan documents and NPPF Section 14 and has been future proofed.

#### 8.10 Land Contamination

8.10.1 The land has previously been identified as comprising contaminants resulting from previous use. A number of intrusive investigations of the site have been undertaken over the course of the past 7 years. In this regard, a number of discussions and agreement with statutory authorities have already taken place. The Environment Agency (EA) and South East Water (SEA) are aware of the site and proposed development and are in agreement with the previously approved Remediation Specification, on the understanding that the proposed remedial works are carried out with their approval and to their satisfaction.

8.10.2 Site remedial works comprise two phases:

- Phase 1 Remedial Enabling Works
- Phase 2 Remedial Development Works

The first phase remedial work has been completed (Phase 1 Remediation Verification Report, February 2021 – ref: 12781), whilst the second will be undertaken following approval of this application.

8.10.3 The site has been subject to detailed and thorough investigations to assess the potential sources of contamination, the potential contaminant

types, and the receptor and exposure pathways. Overall, the measures proposed are considered acceptable in accordance with national and local policies and can be controlled by appropriately worded planning condition.

#### 8.11 Protected Habitats

- 8.11.1 The application site is not designated for its nature conservation interest. Crumbles & Horsey Sewers Local Wildlife Site (LWS) lies c. 165m east. Given the nature, scale and location of the proposed development, there are unlikely to be any impacts on the LWS.
- 8.11.2 The LPA, as Competent Authority, has completed a Habitats Regulation Assessment in accordance with its requirements under The Conservation of Habitats and Species Regulations 2017.
- 8.11.3 Stage 2 (Screening Assessment) concluded that, given the hydrological connection of the application site to the Pevensy Levels, without mitigation the proposed development would impact upon neighbouring Pevensy Levels Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC) and Ramsar sites (wetlands of international importance) resulting from fluvial water pollution via surface water run-off and foul water discharge. As such, Appropriate Assessment of the Likely Significant Effect upon European designated sites and that Stage 3: Appropriate Assessment, of the Likely Significant Impacts, either in isolation or cumulatively with other projects, upon these protected Habitats.
- 8.11.4 The application is supported by a Surface Water Runoff Treatment Strategy (HOP Consulting Civil & Structural Engineers, May 2021) plus additional information regarding the treatment of three potential contaminant types; total suspended solids, metals and hydrocarbons (Letter to Natural England, HOP Consulting Civil & Structural Engineers, 15/07/21). These reports demonstrate that each of the SuDS components contain at least two stages of interconnected treatment, including specialist end of system water treatment units and that the components of these systems will sufficiently treat each of the aforementioned contaminant types at source prior to discharge from site.
- 8.11.5 Therefore, Appropriate Assessment has concluded that there would not be any significant impact upon European protected sites and, at the time of writing, the Appropriate Assessment is with Natural England for formal agreement.

#### 8.12 Sustainability and Energy

- 8.12.1 The proposed new build units have been designed to achieve an A rated Energy Performance Certificate (EPC), whilst the proposed conversion of the Pump House and Annex are designed to meet minimum compliance with the Part L1B 2013 regulations.
- 8.12.2 The submission is accompanied by an Energy Strategy Statement which assesses the energy requirements of the proposal. The proposal will utilise both fabric and building services efficiency measures into the

scheme, which will result in an energy efficient design that minimises CO2 emissions associated with the use of regulated energy.

8.12.3 Following Standard Assessment Procedure (SAP) analysis, the proposed new build homes will exceed Part L compliance. This is being achieved under a fabric first approach and highly efficient services strategy, together with the incorporation of Photovoltaic (PV) panels. The proposed use of PV solar panels on roofs is also considered to be the most viable strategy for generating energy and offsetting site wide emissions.

8.12.4 Each property type will achieve a CO2 reduction on average of 53% with the inclusion of PV.

8.12.5 In this regard, it is considered the scheme to be highly sustainable exceeding the requirements of the Development Plan and is therefore considered to be acceptable.

### 8.19 Noise and Vibration

8.19.1 This application is supported by a Noise and Vibration assessment which includes outcomes from noise level survey undertaken on site and which should be referred to for detailed technical conclusions.

8.19.2 The primary source of noise and vibration is the railway line which runs the length of the eastern boundary, operating between the hours of 04:56 – 00:15 most days (notwithstanding COVID-19 adjustments to timetable). Other sources of noise and vibration are from the industrial area east of the railway line. The road network to the south of the site is also a source of noise and vibration.

8.19.3 The noise assessment sets out predicted daytime and night-time levels across the site. In order to provide acceptable habitable accommodation, it will be necessary to incorporate a combination of measures, such as an acoustic fence; non-opening windows and acoustic glazing in order to mitigate against noise from the sources mentioned previously. However, the detail and combination of these measures can be developed further during the technical design stage alongside the ventilation strategy, and therefore these measures can be controlled by an appropriately worded planning condition.

8.19.4 These measures are considered appropriate for a development such as proposed within this application and are acceptable when considered against local and national policy.

### 8.20 Residential Amenity

8.20.1 Having regard to the residential amenity of potential occupiers of the proposed development, all of the units would meet the Government's Nationally Described Space Standards.

8.20.2 All new homes will benefit from private gardens; whilst the fatted accommodation (Blocks A, B and C) would benefit from a mix of communal areas, individual patios (ground floor) and balconies. The Pump House and Annexe are proposed to have a mix of both communal area of open space located to the west of the Pump House; whilst two

areas of private garden are proposed for the duplex units within the Annexe.

8.20.3 Within the site, the development has been designed to ensure appropriate separation distances between properties to avoid overlooking. Furthermore, the development has also been designed to ensure appropriate separation distances between the new development and existing development within Mayfield Place and Bedfordwell Court. Whilst the outlook from some of these existing properties will inevitably change as a result of the development, it is asserted that the proposal will not result in unacceptable degrees of overlooking.

8.20.4 Consideration has also been given to the proximity of the new development from the adjacent railway line and impact on the enjoyment of private and communal spaces within the site, and as noted earlier in this report a proposed acoustic fence will screen the eastern boundary and provide the necessary sound attenuation.

## 8.21 Landscaping and Trees

8.21.1 The hard and soft landscape strategy has evolved to take account of comments received through the Design Review process, in particular the desire to see the landscape strategy reflect the industrial heritage of the Pump House. In this respect, the use of hard landscape features in the vicinity of the Pump House and Annexe have been incorporated, whilst offering versatile spaces for communal living.

8.21.2 The landscape strategy further north into the site responds to the more open periphery of the site and proximity to the adjacent allotment gardens and Eastbourne Park beyond, thereby adopting a more subtle soft landscape approach.

8.21.3 This landscape approach is set within the existing landscape structure provided by hedgerows and mature trees and the central culvert running through the site. The aforementioned culvert has been incorporated into a central greenspace which will act as a blue/green corridor further enhancing connections with Eastbourne Park and Pevensey Levels.

8.21.4 Biodiversity within the site will be enhanced through a combination of the retention and protection of existing vegetation together with new planting as part of the wider landscape strategy. Buildings also have the opportunity to incorporate habitats through installation of green roofs, and in this instance, it is proposed that the cycle stores will be constructed with green roof systems offering an opportunity to improve on site biodiversity. It is also proposed that bird and bat boxes can be incorporated into the development.

8.21.5 The scheme includes replacement planting and habitat creation, using predominantly native species, and the enhancement of the existing ditch and corridor. These measures are considered to be acceptable. The recommendations of the submitted Preliminary Ecological Appraisal would be secured by condition.

8.21.6 The site benefits from Tree Preservation Order (TPO) No. 108 and therefore statutory constraints apply to the development in respect of

trees. However, it should be noted that tree protection orders do not preclude development, but rather are a material consideration in the assessment of impacts.

- 8.21.7 The TPO trees present on site consist of 4no. individual trees and 4no. group trees. These protected trees, together with other non-protected trees have been taken into consideration as part of the design stages, seeking to minimise the loss of trees. Where tree removal has been necessary, including the removal of protected trees, the development has proposed replacement tree planting of higher quality trees more suitable to the new development whilst making a lasting contribution to the landscape character and to mitigate and compensate for the loss.
- 8.21.8 In this regard, the proposed development will require the removal of twenty-nine individual trees and nine groups of trees, as identified within the Arboricultural Impact Assessment.
- 8.21.9 A number of the aforementioned trees were identified as being unsuitable for retention and therefore the removal of those trees would be required, irrespective of the proposed development, due to their poor condition.
- 8.21.10 Whilst the proposed development of the site will result in the loss of a large number of existing trees, it should be noted that the majority of these trees have been assessed as being of low retention value and in a number of cases, trees were noted to be in active decline. In terms of visual amenity, having regard to the relatively low visibility of the site to the general public, it is considered that the extent of tree removal proposed will be mitigated through replacement planting in order to actively improve the overall quality of tree stock.

## 8.22 Ecology

- 8.22.1 The site currently comprises bare ground (previously cleared with brash and rubble piles), buildings, dense scrub, fence, hard standing, scattered scrub, scattered trees and standing water (concrete lined ditch). The habitats of greatest ecological significance are scattered trees and standing water. The majority of mature and semi-mature trees are to be retained and would be protected in accordance with BS5837:2012.
- 8.22.2 The site evaluation surveys concluded that no bat roosts were identified within the buildings (Pump House and Annexe) but the site and its surroundings did provide suitable foraging and commuting habitat for bats, and in this respect bat boxes are proposed to be provided on site to compensate for loss of natural habitat.
- 8.22.3 The County Ecologist has requested that further bat surveys are undertaken with regard to retained trees. As such, a condition is recommended to ensure that such surveys can take place prior to disturbance of trees on the site and to secure any mitigation/relocation of identified bat populations with the agreement of the County Ecologist.
- 8.22.4 No evidence of badger activity was recorded in the walkover survey. However, given the areas of dense scrub that were present at the time of the survey, it is possible these areas offer suitable foraging opportunities

for badger. In this respect, safeguarding is recommended during the site clearance works. Similarly, the on-site habitat also offers suitable refuge and foraging habitat for hedgehog and onward connectivity to the allotments north west of the site.

8.22.5 There was no evidence of otter, water vole or Great Crested Newt, and indeed the habitat and features present on site at the time of the surveys, particularly the man-made ditch and hardstanding are considered unsuitable for these aquatic mammals and amphibians.

8.22.6 The desk study provided records of common lizard, slow worm and grass snake potential on site. Furthermore, it is noted that a reptile trapping and translocation exercise was undertaken in 2019. Whilst the site has undergone this exercise alongside a destructive search in 2019, the vegetation has since recolonised and as such the site provides suitable reptile habitat once again. The presence of previous species trapping fencing along the site boundaries reduces the likelihood that reptiles have returned to site. However, the vegetation is overgrowing the fencing in places and as such presence of reptiles on site can no longer be ruled out. On this basis, a precautionary approach to site clearance and ecology mitigation can be controlled via planning condition.

8.22.7 As noted above, the on-site vegetation does offer suitable habitat for some species, and mitigation is recommended and controlled via planning condition. These measures are considered to be acceptable and compliant with both local and national planning policy.

8.22.8 As stated above the consultee response from Natural England is awaited and whilst it not expected that there will be any issues arising the recommendation has been drafted to allow for evaluation of their response prior to the decision being dispatched.

### 8.23 Air Quality

8.23.1 The application site does not fall within a designated Air Quality Management Area and therefore would not normally require an air quality assessment. Eastbourne Borough Council is however a signatory to Sussex: Air – Sussex Air Quality Partnership, which has published the Air Quality and Emissions Mitigation Guidance for Sussex 2020, and this has been used to assess the development.

8.23.2 On a national level, the NPPF (Paragraph 170) advises that decisions should contribute to and enhance the natural and local environment and wherever possible, help to improve local environmental conditions such as air and water quality.

8.23.3 The accompanying Air Quality Assessment has considered the potential impacts of the development on the local air quality, identifying that the construction phase of the development is likely to have the greatest impact due to dust and particulate matter. In this regard, mitigation measures will be necessary, and which can be controlled through a Construction Environmental Management Plan.

8.23.4 From the operational phase i.e. an occupied development, the potential impacts on local air quality are likely to arise from vehicle emissions and particulate matter. However, the accompanying Air Quality Assessment has determined that in this location, the development would not have a significant impact to sensitive air quality receptors.

8.23.5 Overall, the proposed development satisfies local and national policy requirements.

#### 8.24 Other Material Considerations

8.24.1 The Council has previously acknowledged at pre-application stage that they may wish to control the occupancy of the proposed units on site, in a phased manner, to ensure the conservation and enhancement measures proposed to the Pump House and Annexe are delivered at an early stage in the development. This could reasonably be controlled by way of a S106.

8.24.2 Community Infrastructure Levy (CIL) was adopted by Eastbourne Borough Council on 1 April 2015. The Council assessed the viability of CIL within the Borough and have determined that only residential (excluding flatted developments) and retail (A1-A5 Planning Use Class) developments will be CIL liable; all other types of development are zero rated.

8.24.3 In this respect, only the new build housing proposed within the application should be CIL liable and which should be confirmed by the Council. Based on the current published indexation rate, the new build housing would be liable to a charge of £64.23/sqm and which is subject to annual review.

#### 8.25 Conclusions

8.25.1 The site is in a highly sustainable location within close proximity to Eastbourne Town Centre with excellent access to shops and services as well as sustainable transport options. The site constitutes previously developed land, and the proposed development makes efficient use of the land, bringing a vacant heritage asset building back into use.

8.25.2 The proposed residential use makes the best use of the building and surrounding land, which has been identified within the Core Strategy as Key Area of Change and would make a considerable contribution toward much needed housing in a Borough.

8.25.3 The conversion of the Pump House and Annexe has been sympathetically designed to ensure works are limited to those which are necessary to implement the development and bring the building back into a viable use, ensuring the long-term preservation of this heritage asset. The proposed works to the Pump House and impact on the wider setting of this heritage asset, are less than substantial when considered against NPPF Paragraph 196 and weighed against the public benefits resulting from its optimum viable use, in addition to provision of 40% affordable housing on-site and making efficient use of this otherwise derelict site.

8.25.4 The proposed development would have no significant impacts on ecology, arboriculture, drainage or the highway network. Additionally, there would be no harmful impacts on the residential amenities of neighbouring properties.

8.25.5 The proposal would therefore meet the requirements of the NPPF, the Eastbourne Core Strategy, saved policies of the Eastbourne Borough Plan, and Eastbourne Employment Local Plan.

## **9. Human Rights Implications**

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

## **10. Recommendation**

10.1 Delegate to the Head of Planning to:

- c) Receive and evaluate the final response from Natural England to conclude the Habitats Regulations requirements; and
- d) Seek agreement from ESCC SuDS on the final detailed matters related to access and maintenance of the SuDS for the site.

10.2 Subject to no objections being received, to grant planning permission subject to S106 agreement and the following conditions:

### **10.3 Planning Permission**

1. Time limit.
2. Drawing numbers.

#### *Prior to Commencement*

3. Materials and samples
4. Site Levels
5. SuDS Completion Schedule and Lifetime Maintenance and Management Plan
6. Large-scale details of windows/doors/window aperture alterations in Pump House (Prior to commencement of pump house works)
7. Construction Environmental Management Plan – Revised with additional detail, notwithstanding submitted
8. Tech details of highway layout and construction
9. Ecology (Bats) – Preliminary Roost Assessment of existing trees and (if req.) schedule for surveys, together with phasing of development (to ensure non-disturbance of habitats).
10. Ecology – recommendations of the Bat Survey Report - further bat surveys for Pump House if not developed within 12 months
11. Ecology – recommendations of the PEA
12. Arboricultural Method Statement – tree protection, phasing, methodology
13. Survey and Scheme for protection of assets (Adits, water mains, high voltage cables)

*Prior to Occupation*

14. Pump House works completed prior to 50% occupation of site
15. Lighting Strategy
16. Contamination - previously unidentified
17. Contamination – Verification Report
18. Contamination - Long term monitoring
19. Contamination – Importing or re-use of soils
20. Landscaping - in accordance with approved details – re-provision of planting that dies within 5 years
21. Cycle parking provision in accordance with approved details
22. Refuse and recycling storage facilities in accordance with approved details.
23. Car Parking spaces and vehicular turning spaces provided.
24. Details of acoustic fence to railway boundary.
25. Details of acoustic windows/insulation to dwellings.
26. Locations of affordable housing units on site.
27. Archaeological works in accordance with approved written scheme of investigation
28. Archaeological post investigation assessment
29. SuDS Verification Statement demonstrating completion of works
30. In accordance with Landscape Strategy (prior to first occupation of relevant part of site)
31. Details of electric charging facilities
32. Details of biodiverse green roofs on Apartment Blocks A, B and C
33. Renewables provision
34. Bird and bat boxes – details approval and provision

*Other conditions*

35. Visibility splays at access – prior to first use
36. Details of Interpretation board to inform of the site and listed building history – prior to completion of Pump House
37. Construction Waste Minimisation – In accordance with approved Waste Minimisation Plan
38. If work not started in 2 years, all surveys updated and submitted.
39. Development implemented in accordance with the FRA.
40. Working hours
41. Removal of PD rights.

10.4 Listed Building Consent

1. Time Limit
2. Approved Plans

*Prior to Commencement*

3. Full Schedule of Works

**11. Appeal**

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

**12. Background Papers**

12.1 None.