

Report to: Planning Committee
Date: 25 July 2022
Application No: 210882
Location: 41 Brampton Road, Eastbourne, East Sussex, BN22 9BN
Proposal: Change of use of existing building B1 (C)light industrial to B8 storage and distribution, part-demolition of existing buildings and erection of bulk storage facility

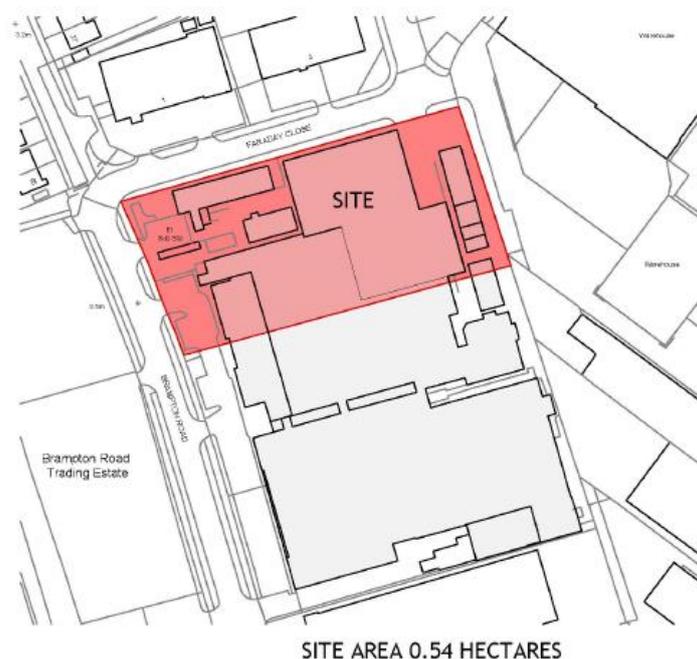
Applicant: Britannia Beckwith

Ward: Hampden Park

- Recommendation:**
1. Delegate to the Head of Planning to:
 - a) Liaise with ESCC Highways with regard to any proposed heads of terms for S106 and any additional conditions;and on conclusion of this consultation process:
 2. Approve with conditions, subject to S106 Agreement to secure:
 - a) Local Labour Agreement
 - b) Any ESCC Highways requested heads of terms.

Contact Officer: **Name: Neil Collins**
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Map Location:



1. **Executive Summary**

- 1.1 This application is brought before the Planning Committee as it is a major application, in line with the Council's adopted Scheme of Delegation.
- 1.2 The application site was originally part of a larger site formerly owned and operated by TEVA, a pharmaceutical manufacturing and logistics company. The application site has since been severed following development proposals for the rest of the site, which have been considered by the Planning Committee with a resolution to approve subject to S106.
- 1.3 This application seeks planning permission for demolition of a number of smaller existing buildings on the site, change of use of the retained building from light industrial to storage and distribution (Use Class B8) and construction of an additional storage facility, together with associated parking and circulation spaces.
- 1.4 During this application, prior approval has been granted for the proposed demolition on site, as outlined in this application, and this has now been carried out in accordance with the approved methodology.
- 1.5 The proposal would result in reuse of this site for an industrial and employment generating use that is wholly in line with the land use policy requirements in this established industrial estate. The facilities would be high quality and would secure investment in inwardly migrating business to the Borough.
- 1.6 The proposal is considered to meet many of the objectives of employment related policy in the Eastbourne Core Strategy and the Employment Land Local Plan (ELLP). Therefore, the development accords with the Development Plan.
- 1.7 The application is recommended for approval subject to conditions, together with a Section 106 legal agreement (to be determined) to secure a Local Labour Agreement in line with adopted policy requirements, together with any additional heads of terms and conditions following conclusion of the consultation with ESCC Highways.
- 1.8 For the above reason, in the absence of a formal response from ESCC Highways, Officers are seeking the delegated authority from the Committee to conclude this process.

2. **Relevant Planning Policies**

- 2.1 National Planning Policy Framework 2019:
 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

15. Conserving and enhancing the natural environment.

2.2 Eastbourne Core Strategy Local Plan 2006-2027:

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C7: Hampden Park

D1: Sustainable Development

D2: Economy

D5: Housing

D7: Community Sport and Health

D8: Sustainable Travel

D9: Natural Environment

D10: Historic Environment

D10A: Design

2.3 Eastbourne Borough Plan 2001-2011:

UHT1: Design of New Development

UHT4: Visual Amenity

UHT6: Tree Planting

UHT7: Landscaping

HO1: Residential Development Within the Existing Built-up Area

H07: Redevelopment

H09: Conversions and Change of Use

HO20: Residential Amenity

TR1: Locations for Major Development Proposals

TR2: Travel Demands

TR5: Contributions to the Cycle Network

TR8: Contributions to the Pedestrian Network

TR11: Car Parking

BI1: Retention of Class B1, B2 and B8 Sites and Premises

BI2: Designated Industrial Areas

BI4: Retention of Employment Commitments

NE4: Sustainable Drainage Systems

NE23: Nature Conservation of Other Sites

2.4 Eastbourne Employment Land Local Plan 2016:

EL1: Economy and Employment Land

EL2: Industrial Estates

2.5 Supplementary Planning Documents and other relevant documents:

3. Site Description

- 3.1 The application site was originally part of a larger site formerly occupied by TEVA, a pharmaceutical manufacturing and logistics company, and included buildings used for light industrial use and associated storage and distribution. The application site was severed following development proposals for the rest of the site, which have been considered by the Planning Committee with a resolution to approve subject to S106.
- 3.2 The site has changed during the application period following the grant of prior approval for demolition in line with the details contained within this application. This has been carried out and the site now comprised a single retained building, awaiting the outcome of this application.
- 3.3 The site currently benefits from three accesses, two on Brampton Road and one on Faraday Close.
- 3.4 The site is located within the Hampden Park Ward and the Hampden Park Neighbourhood, as defined by the Core Strategy 2013. It is also located within a designated Industrial Estate.
- 3.5 The site falls across all three of the Environment Agency's Flood Risk Areas: 1 (Low Risk), 2 (Medium Risk) and 3 (High Risk).

4. Relevant Planning History

- 4.1 The site has been the subject of an extensive number of planning applications over the years, the majority of which are small scale applications for alterations/extensions/plant associated with the established industrial use of the site. As such, applications have not been listed here for reference.

5. Proposed Development

- 5.1 The applicant is an established company operating in storage facilities together with a removals and transportation fleet.
- 5.2 This application seeks planning permission for demolition of a number of smaller existing buildings on the site, a change of use of the sole retained building from light industrial to storage and distribution and the construction of an additional storage facility between the existing building and Brampton Road, together with associated parking and circulation spaces.
- 5.3 The proposal would result in a net reduction of in floorspace compared to the existing buildings due to the amount of demolition and the change in the nature of the buildings from multiple storeys to storage facilities.
- 5.4 Associated parking and circulation spaces would be provided to accommodate the required operation. This element of the scheme has been revised during the application to take account of ESCC Highways concerns.

5.5 The units would be accessed via the existing access points from the public highway on Brampton Road and Faraday Close.

6. **Consultations**

6.1 External

6.2 ESCC Highways

6.2.1 ESCC Highways has been liaising with Officers during the application with regard to concerns surrounding the parking arrangement and the parking provision for the intended use.

6.2.2 The Highways Officer has responded positively to revisions and additional information aiming to addressing the initial concerns and formal response is awaited.

6.3 Internal

6.8 Specialist Advisor - Regeneration

6.3.1 In support of the job creation that would be brought about by the proposal (30).

6.3.2 The application qualifies for a local labour agreement as it meets the thresholds for a residential development as detailed on page 11 of the Employment and Training Supplementary Planning Document adopted November 2016.

7. **Neighbour Representations**

7.1 No representations have been received regarding the application following public notification.

8. **Appraisal**

8.1 Principle of Development

8.1.1 Given the location of this site within a designated Industrial Area, as defined by the Core Strategy 2013, consideration of the application is governed principally by related Core Strategy policy D3: Economy, policies ELP1 (Economy and Employment Land) and EL2 (Industrial Estates) of the Employment Land Local Plan 2016, together with saved policies BI1, BI2 and BI4 of the Eastbourne Borough Plan 2003.

8.1.2 The Employment Land Local Plan (ELLP) explains (at paragraph 2.21) that economic growth has changed in recent years and that Eastbourne has seen lower levels of inward investment particularly due to the age and quality of the existing stock. Paragraph 2.22 describes that the majority of existing stock was built in the 1960's and 1970's and will 'not necessarily meet the needs of existing and future businesses' and describes the opportunity to redevelop to provide higher quality and more suitable stock. It goes on to confirm that the ELLP needs to '*ensure it provides the right space...including new, high quality floorspace*'.

- 8.1.3 Policy D2: Economy of the Core Strategy 2013 outlines the objectives for employment land, including, *‘Maximising the use of existing employment sites, through redevelopment for employment use and increased density on existing industrial estates, and the upgrading of the existing stock’*. Policy ELP1 of the ELLP also confirms a *‘presumption in favour of sustainable economic development’* in assessing proposals concerning employment land and (in policy EL2) that, *‘within the designated Industrial Estates, redevelopment and intensification of under-utilised sites to provide B class use floorspace will be supported’*.
- 8.1.4 It is noted that this proposal would lead to a net loss of employment floorspace when compared to the existing. However, the proposal would incorporate high quality facilities, built to modern standards, which would be attractive to businesses inside and outside of the Borough. Indeed, the applicant is an inwardly migrating business, already operating elsewhere in Sussex with experience in the storage and distribution industry.
- 8.1.5 This proposal would introduce high quality employment floor space suitable for business start-ups, which meets with the overarching objectives of the ELLP.
- 8.1.6 The Council’s Regeneration Team have confirmed their support for the proposals, including the employment generation opportunities, which the application confirms would comprise 30 new jobs.
- 8.1.7 Taking account of the above considerations, the proposal is considered to meet the overarching objectives of adopted policy and would provide for the ongoing in employment needs of the Borough, both for existing and inwardly migrating businesses.
- 8.2 Amenity for future occupants
- 8.2.1 The site is close to, but separated from, neighbouring occupants by the public highways of Brampton Road and Faraday Close.
- 8.2.2 As such, the proposed building would not have any significant impact upon the light and outlook for neighbouring occupants.
- 8.2.3 In addition, no new windows would affect neighbour amenity.
- 8.2.4 Taking account of the above, no amenity issues have been identified.
- 8.3 Accessibility and impacts upon highway networks.
- 8.3.1 Policy TR2 of the Eastbourne Borough Plan states that development proposals should provide for the travel demands they create and shall be met by a balanced provision for access by public transport, cycling and walking. Additionally, Policy D8 of the Core Strategy recognises the importance of high-quality transport networks and seeks to reduce the town’s dependency on the private car.
- 8.3.2 The development would be accessible by foot, train, bus, cycle, and car. The site is located close to Hampden Park Train Station and numerous other means of public transport nearby. Numerous bus stops are in the vicinity, including on Mountfield Road and Lottbridge

Drove. Taking this into account, the site is very accessible, including via sustainable means of transport.

- 8.3.3 At the time of writing, ESCC Highways is yet to provide formal comments on the application. However, Highways have been involved during the application and provided informal views throughout. This has highlighted a concern with the amount of parking, particularly the balance between visitor and distribution vehicular parking on site, in the interest of preventing an exacerbation of on-street parking stress in the vicinity.
- 8.3.4 However, during the application, the applicant has responded to these concerns through revisions to the layout and parking provision, which can be summarised as an increase to the visitor parking, together with an operation and parking strategy which allows for flexible use of the larger service vehicle spaces whilst they are undertaking daily operations off site. This has been accepted by ESCC Highways and is acceptable subject to their final confirmation.
- 8.3.5 Receipt of formal comments would also conclude any remaining heads of terms and/or conditions required by ESCC Highways.
- 8.3.6 Vehicle manoeuvring
- 8.3.7 The applicant has demonstrated by way of swept path diagrams that service vehicles would be able to access and egress the site safely.

8.4 Other matters

- 8.4.1 Surface Water Drainage
- 8.4.2 The applicant has submitted a Drainage Strategy for the site, which concludes that there is little opportunity for infiltration at the site given the geological ground conditions. Coupled with the amount of hard surfacing and absence of soft landscaping features in the scheme, the surface water run off from the proposal would not be altered from the existing arrangement.
- 8.4.3 Construction Management
- 8.4.4 A Construction and Environmental Management Plan (DCEMP) would be required by condition to ensure that demolition/construction related traffic would be suitably managed in relation to the site, including delivery times, parking, types of vehicles and construction traffic movement on and around the site. The Plan would demonstrate how the environmental impacts of construction upon neighbouring occupants would be mitigated. The plan would also include pollution mitigation measures, including dust suppression, wheel washing, commitment to not burning on site, etc.
- 8.4.5 Flood Risk
- 8.4.6 The site falls across all three of the Environment Agency's Flood Risk Areas: 1 (Low Risk), 2 (Medium Risk) and 3 (High Risk) although zones 2 and 3 only affect a small north eastern portion of the site.

8.4.7 The applicant has submitted a Flood Risk Assessment (FRA) in support of the application, which is considered to be acceptable.

8.4.8 Community Infrastructure Levy

8.4.9 The development is CIL liable.

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 Grant planning permission subject to conditions and a S106 Agreement to cover local labour agreement and any heads of terms requested by ESCC Highways.

10.2 Planning permission would be subject to the following conditions:

10.3 **Time Limit:** 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).

10.4 **Approved Plans:** The development hereby permitted shall be carried out in accordance with the following approved drawings:

- To be updated by Addendum

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

10.5 **External Materials:** The external surfaces of the development, hereby approved, shall be finished in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory appearance.

10.6 **Drainage Maintenance and Management:** Prior to first use of the development, hereby approved, a maintenance and management plan for the drainage feature of the site shall be submitted to and approved in writing by the local planning authority. Thereafter, the drainage features shall be managed and maintained in accordance with the details approved for the lifetime of the development.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve existing habitats

10.7 **Parking spaces:** No part of the development shall be occupied until the car parking spaces have been constructed and provided in accordance with the approved plans. The spaces shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure car-parking spaces are provided prior to occupation and retained thereafter.

- 10.8 **Construction and Environment Management:** Prior to commencement of the development (including demolition), hereby approved, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, which 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 routing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the times of any deliveries related to the development, which should avoid peak travel times;
 - the storage of plant and materials used in construction/demolition of the development,
 - the erection and maintenance of any security hoarding;
 - the provision and utilisation of wheel washing facilities or any other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - dust and/or any pollutants;
 - confirmation of no burning of materials on site;
 - measures to manage flood risk during construction; and
 - details of public engagement both prior to and during construction works
 - detailed methodology on any piling.

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

11. **Appeal**

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

12. **Background Papers**

- 12.1 None.