

Report to: Planning Committee

Date: 12 November 2024

Application No: 240415

Location: Multi Storey Car Park, Junction Road, Eastbourne, BN21 3QZ

Proposal: Demolition of existing car park and redevelopment to provide 101no. residential apartments within a new 5 storey building, with associated car parking and access from Junction Road, together with bin and bike stores and amenity space

Applicant: Elstree Land

Ward: Devonshire

Recommendation:

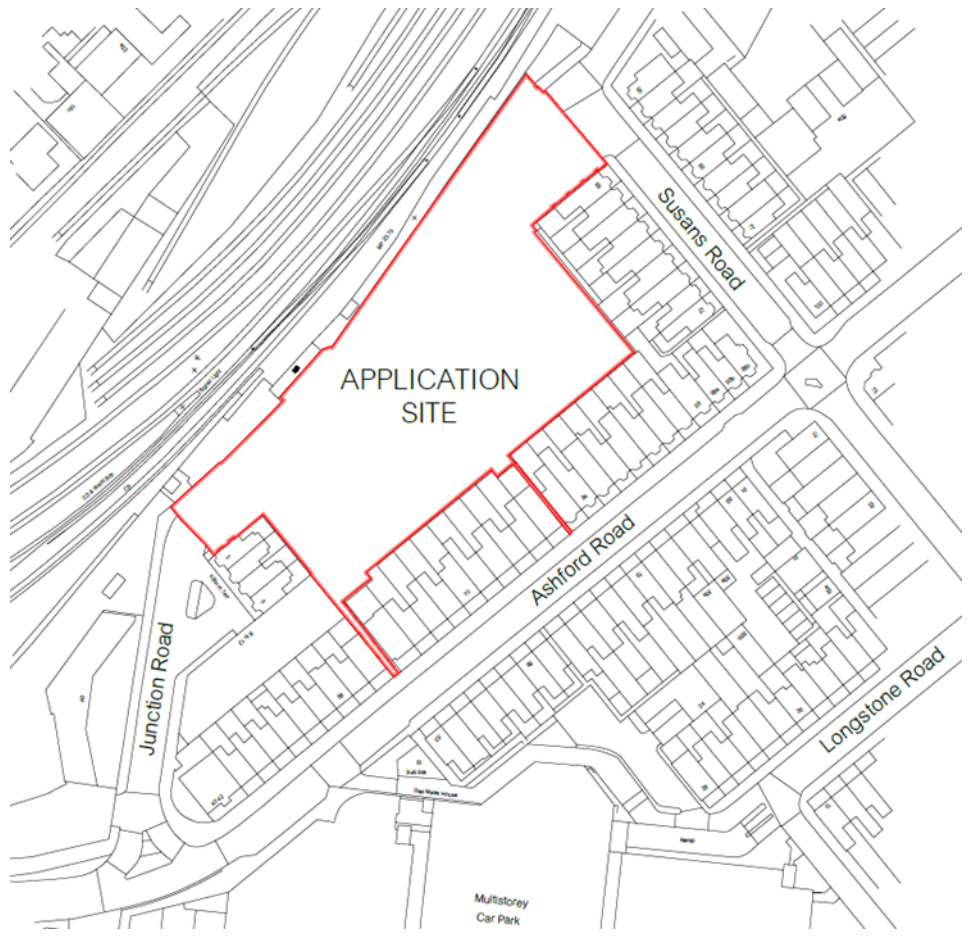
- Delegate to Head of Development Management, to:
- Conclude consultation with SUDS following the request for further information;
- Conclude the financial viability assessment from the Council's elected viability consultants; and
- Make any necessary revisions, attached conditions or seek planning obligations resulting from the above processes.

And upon conclusion of the above:

- Grant Planning Permission with conditions, subject to S160 Agreement to secure:
 - Local Labour Agreement;
 - Highway Works;
 - Bus Stop Infrastructure Upgrades
 - Travel Plan
 - Parking Management Scheme
 - Affordable Housing Contribution and late-stage review

Contact Officer: **Name: Chloe Timm**
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Site Location Plan:



1.	Executive Summary
1.1	The application is being presented to the Planning Committee taking account of the objections that have been submitted. It is noted that the number of objections.
1.2	The application seeks permission for the demolition of the existing building onsite and the erection of a five-storey apartment block containing 101no residential units, with a mix of one, two and three-bedroom apartments.
1.3	The proposal would result in development of a brownfield site and the creation of good quality residential accommodation in a highly sustainable location close to transport links and the amenities of Eastbourne Town Centre.
1.4	<p>Merits of the scheme can be summarised as:</p> <ul style="list-style-type: none"> • Delivering sustainable development of an underused brownfield site within the Built-Up Area of the Borough; • Delivering housing that meets an identified need, within a Predominantly Residential Area, as defined on the Eastbourne Policies Map; • Delivering biodiversity net gain. <p>The following paragraphs outline the weighting of the material considerations in the planning balance.</p>
1.5	<p><u>Sustainability and efficient use of land</u></p> <p>The proposal would make efficient use of a brownfield site in a sustainable location. The proposal would incorporate a number of measures to deliver a sustainable and energy efficient form of development. It would also deliver an effective sustainable drainage scheme that manages surface water and flood risk.</p> <p>This carries moderate positive weight in the planning balance.</p>
1.6	<p><u>Social Benefits</u></p> <p>There would be significant social benefits in the provision of much needed housing, in the context of a shortfall in housing land supply, including the provision of a mix of large and small, for which there is an identified need in the Borough and from the increased choice of homes in this area.</p> <p>This carries significant positive weight in the planning balance.</p>
1.7	<p><u>Design and Built Environment</u></p> <p>The proposal would deliver a high-quality building that is suitable for the surrounding context and would represent a wholesale improvement to the current site. The site would be provided with soft landscaping, additional urban trees, and hedge rows which would contribute to place-making in this significant location.</p>

	This would carry significant positive weight in the planning balance.
1.8	<p><u>Transport</u> The proposal would promote sustainable means of transport, including cycling and travel plan measures, whilst preventing significant impacts upon the transport network.</p> <p>This carries moderate positive weight in the planning balance.</p>
1.9	<p><u>Economic Benefits</u> The proposed development would provide short-term economic benefits in the form of construction jobs (secured by Local Employment), jobs associated with ongoing maintenance of the site, increased local spend in the local economy and the regeneration of the area attracting further inward investment.</p> <p>This carries moderate positive weight in the planning balance.</p>
1.10	<p><u>Ecology and Biodiversity</u> The development would deliver biodiversity net gain on the site, through the addition of habitats within the landscaping scheme and the building.</p> <p>This would carry moderate positive weight in the planning balance.</p>
1.11	<p><u>Impact on Heritage Assets</u> The proposed development is not considered to have an impact or harm towards the setting of the Grade 11 Listed Junction Road Signal Box and Eastbourne Railway Station.</p> <p>This would carry moderate positive weight in the planning balance.</p>
1.12	<p><u>Neighbour Amenity</u> The proposed development would not cause significant harm to the amenity of the residential occupiers that surround the site.</p> <p>This would carry significant positive weight in the planning balance.</p>
1.13	<p>The scheme is recommended for approval subject to conditions and a Section 106 legal agreement for:</p> <ul style="list-style-type: none"> • Local Labour Agreement; • Highway Works; • Bus Stop Infrastructure Upgrades • Travel Plan • Parking Management Scheme.

2.	Relevant Planning Policies
2.1	<u>National Planning Policy Framework:</u> 2. Achieving sustainable development 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 14. Meeting the challenge of climate change, flooding and coastal change 16. Conserving and enhancing the historic environment
2.2	<u>Eastbourne Core Strategy 2006-2027:</u> B1: Spatial Development Strategy and Distribution B2: Creating Sustainable Neighbourhoods C1: Town Centre Neighbourhood Policy D1: Sustainable Development D2: Economy D5: Housing D8: Sustainable Travel D9: Natural Environment D10: Historic Environment D10a: Design.
2.3	<u>Saved polices of the Eastbourne Borough Plan 2001-2011:</u> HO1: Residential Development within the Existing Built-up Area HO2: Predominantly Residential Areas HO7: Redevelopment HO9: Conversions and Change of Use HO11: Residential Densities HO12: Residential Mix HO20: Residential Amenity NE4: Sustainable Drainage Systems NE7: Waste Minimisation Measures in Residential Areas NE14: Source Protection Zone

	<p>NE17: Contaminated Land</p> <p>NE18: Noise</p> <p>NE28: Environmental Amenity</p> <p>TR1: Locations for Major Development Proposals</p> <p>TR2: Travel Demands</p> <p>TR5: Contributions to the Cycle Network</p> <p>TR6: Facilities for Cyclists</p> <p>TR8: Provision for Pedestrians</p> <p>TR8: Contributions to the Pedestrian Network</p> <p>TR6: Facilities for Cyclists</p> <p>TR11: Car Parking</p> <p>UHT1: Design of New Development</p> <p>UHT2: Height of Buildings</p> <p>UHT4: Visual Amenity</p> <p>UHT7: Landscaping</p> <p>UHT7: Protection of Listed Buildings and their Settings</p> <p>US3: Infrastructure Services for Foul Sewage and Surface Water Disposal</p> <p>US4: Flood Protection and Surface Water Disposal</p> <p>US5 Tidal Risk.</p>
2.4	<p><u>Eastbourne Town Centre Local Plan 2013</u></p> <p>TC6 – Residential Development in the Town Centre</p> <p>TC9 – Development Quality</p> <p>TC10 – Building Frontages and Elevations</p> <p>TC11 – Building Heights</p> <p>TC12 – Servicing Access and Storage</p> <p>TC15 – Parking in the Town Centre.</p>
2.5	<p><u>Supplementary Planning Documents and other relevant guidance:</u></p> <p>Sustainable Building Design SPD</p> <p>Eastbourne Townscape Guide SPG</p> <p>Trees and Development SPG</p> <p>Sustainability in Development</p> <p>Local Employment and Training SPD</p> <p>Eastbourne Affordable Housing SPD</p> <p>EBC Sustainability in Development TAN</p> <p>EBC Biodiversity Net Gain TAN</p>

	EBC Electric Vehicle Charging Points TAN.
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3.	Site Description
3.1	The application site is a dis-used multi-storey car park located on Junction Road, the building has been vacant since 2021.
3.2	The site is located between Killburn Terrace to the south-west, Ashford Road to the south-east, Susans Road to the north-east and the railway station and associated tracks to the north-west.
3.3	The rectangular shaped footprint of the building has a south-west to north-east orientation, is approx. 32m wide with 13 car parking levels (1,015no car parking spaces) equating seven storeys to the north-west and six storeys to the south-east.
3.4	The building has residential properties on three sides and a coach drop-off/pick up point on the remaining side, nearest the railway.

4.	Proposed Development
4.1	The application seeks permission for the demolition of the existing multi-storey car park (Sui Generis Use) and the erection of a five-storey building to provide 101no residential flats (C3 Class Use).
4.2	The proposal would consist of 27no one-bedroom flats, 64no two-bedroom flats and 10no three-bedroom flats. 5no units (3no one-bed and 2no two-bed) will be to the higher level of accessibility of M4(3).
4.3	All flats will have access to a private balcony or terrace, as well as the communal landscaped areas surrounding the building.
4.4	60no unallocated parking spaces will be provided, including 5no blue badge spaces. 185 cycle parking spaces and refuse and recycling storage provided within the building.

5.	Relevant Planning History:
5.1	EB/1969/0648 Erection of multi-storey car park Approved Unconditional 1969-12-18
5.2	010317 Change of use (Sundays only) of the entire building for the staging of car boot sales. Planning Permission Refused 13/09/2001.

6.	Consultations:
6.1	<p><u>East Sussex Highways:</u> Having reviewed the submitted documents and drawings, this Authority is satisfied that the proposed development is located sustainably and does not represent a severe impact upon the local highway network. Therefore, a recommendation for approval would be appropriate subject to the provision of a S106 Agreement and the imposition of conditions.</p>
6.2	<p><u>Arboriculture Officer</u> Provided that the recommendations outlined within the report are fully implemented, I am confident that the prescribed measures will adequately protect the trees identified, both during the demolition of the existing structure and throughout the redevelopment of the site.</p>
6.3	<p><u>Design Out Crime (Sussex Police)</u> I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments using Crime Prevention Through Environmental Design (CPTED) principles and from a Secured by Design (SBD) perspective. SBD is owned by the UK Police service and supported by the Home Office and Building Control Departments in England (Part Q Security – Dwellings), that recommends a minimum standard of security using proven, tested, and accredited products. Further details can be found at www.securedbydesign.com</p> <p>The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear, and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas.</p> <p>The level of crime and anti-social behaviour in the Eastbourne district is above average when compared with the rest of Sussex, as indicated within Police.uk. The development is within the parameter of the late-night economy of the Town centre which experiences large amounts of footfall, noise, litter, and acts of anti-social behaviour. However, I have no major concerns with the proposals at the location, providing adequate and sufficient crime prevention measures to mitigate against any identified local crime trends and site-specific requirements are considered and implemented where required. I would like to raise the following observations.</p>

	<ul style="list-style-type: none"> • It will be imperative that access control is implemented into the design and layout to ensure control of entry is for authorised persons only. • I recommend that all the parking bays are allocated to a dwelling and that the bays themselves are marked accordingly. This will remove any neighbourhood disharmony over the rights of residents to use a particular or specific parking space. There is very limited on-street parking available around this location. Additionally, there should be signage indicating private parking only and the consequences of misuse. • Bicycle parking facilities should be limited to the storing of no more than seventy bikes.
6.4	<p><u>Land Contamination Officer</u></p> <p>The application is for the demolition of existing car park and redevelopment to provide 101no. residential apartments within a new 5 storey building, with associated car parking and access from Junction Road, together with bin and bike stores and amenity space at Multi Storey Car Park Junction Road Eastbourne East Sussex BN21 3QZ</p> <p>The applicant has submitted a Geo-environmental report prepared by Enzygo Geoenvironmental Limited (report dated July 2024).. The report para 8.6 has identified some remediation work to be carried out at the site.</p> <p>If LPA is minded to grant a planning permission, then considering the sensitive uses of the site, I recommend this be subject to conditions and an informative.</p>
6.5	<p><u>Regeneration</u></p> <p>A review of the application for planning permission for the above site identifies:</p> <ul style="list-style-type: none"> • Demolition of former town centre car park and provision of 101, one, two and three bed residential units. <p>The planning proposal presents a medium-term building contract for a main contractor and associated sub-contractors with the possibility of a longer-term contract relating to maintenance and landscaping. Building contracts for larger developments offer longer term employment and stability for local people. The size of the development is likely to create higher footfall in the town centre with the potential of increased trade for local businesses.</p> <p>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.</p> <p>In the event of planning application gaining approval, Regeneration requests it be subject to a local labour agreement in accordance with the SPD.</p>

6.6	<p><u>CIL</u> As Eastbourne currently have a £0 charge for flats, this application would not be liable to pay CIL.</p>
6.7	<p><u>Air Quality Officer</u> Further to receipt of the documentation in respect of the above planning application, I am disappointed to note that that applicants have not submitted a suitable air quality assessment or an accurate emissions mitigation assessment.</p> <p>The council does not consider that previous use should be taken into consideration in respect of emissions calculations for air quality in this instance due to the multi storey car park having been in-operational for approximately three years.</p> <p>However, the air quality in the local area does not exceed current LAQM objectives and in addition, it is not within 10% of these objectives for Nitrogen Dioxide or for Particulate Matter. It is expected that the 'committed' mitigation measures as detailed at Table 4 of the emissions mitigation document referenced TN02-24374-R0 and submitted by Cass Allen will be conditioned into the planning decision notice should the LPA be minded to approve this application.</p>
6.8	<p><u>Conservation Officer:</u> This application seeks permission to demolish the former JCP car park with a view to redeveloping the site for new housing at the heart of the town.</p> <p>The site is not in a conservation area and is not listed, and the referral to me is prompted by a need to assess any effect the development has on the setting of two listed buildings within close proximity, namely the signal box (1413815) and Eastbourne railway station (1262160). These are obviously linked in the sense they both reference and honour the arrival of the railway to Eastbourne, effectively acknowledging its impact in terms of the growth of the town and its development as a tourism and destination economy.</p> <p>The descriptive statement for the signal box clearly identifies three main reasons for its listing, namely architectural interest, as along with Chichester, it is one of the two largest Saxby and Farmer Type 5 signal boxes in the country, and the best preserved; historical interest, as the London, Brighton & South Coast Railway has particular association with John Saxby where he commenced his career and with whom he pioneered the use of mechanical interlocking of points and signals; and degree of survival. The structure is identified as surviving well and as still being visually impressive. It also has group value with the slightly later 1886 Grade II listed station building, which is the major public transport gateway into and out of town.</p> <p>The list entry for the station is shorter and more basic, noting the architect, style and major elements of the building. Though not specifically identified,</p>

its historic significance is obvious. Put simply, the arrival of the railway quite literally put the town on the map, creating the conditions for its rapid growth and development in the latter part of the C19th.

The wider host setting is best described as eclectic, demonstrating a mixed portfolio of property types and uses. The car park was erected during the 1960s alongside the railway tracks providing public transport access to the town, adjacent to a grid of modest, late Victorian terrace housing. It sits adjacent to The Beacon shopping centre, another late C20th addition to the streetscape, which has itself been recently renovated and extended. Heading back towards the station, Junction Road hosts a few small industrial units, some of which are currently vacant. The site sits outside the borough's largest and most diverse conservation area, Town Centre and Seafont.

I do not believe that the replacement of the existing car park with housing will create any additional harm to the setting of the listed buildings, or to challenge their significance. Indeed, rather the reverse is true, as the new development will better showcase its immediate neighbour, the signal box, whilst also reinforcing the continuing importance of the railway for the town's economic wellbeing given the likelihood that the new building will provide a home for workers commuting to other locations attracted to it by its ease of access to public transport.

The JCP car park earmarked for demolition is a substantial, brutal and degraded structure, and refocusing the site for housing creates a distinctive opportunity to regenerate an area that currently has limited footfall and the ever present potential to become a magnet for anti-social behaviour, with a brand-new residential community that injects new life into this fabulously located, yet currently less visible part of the town centre, whilst also making a significant contribution to local housing figures.

The case for a better use of this space is clear, and whilst there is a necessary caution about the adverse environmental effects of demolition over re/use, the likelihood of it being redeployed for a more creative continuing use, as seen in appreciably more dense urban areas, is frankly limited.

The replacement building is broadly comparable in terms of scale and mass to the car park, but, with its altogether different function and introduction of large numbers of new residents to the town centre, creates significant positive social value.

As this application sits outside the normal frame for consultations to me, I'll keep to the narrow brief of impact on the setting of heritage assets and can advise that, in my opinion, there are no serious concerns about the generation of substantial harm to the identified heritage assets following the redevelopment of the site. The setting will change, but that is an inevitability in a busy urban context, and the proposed development will

	surely enhance the local environment when compared to the grim dysfunctionality of the current structure.
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7.	Other Representations:
7.1	<p><u>Notification:</u></p> <p>Notification of this application has been undertaken in the form of:</p> <ol style="list-style-type: none"> a. neighbour notification letters b. site notices displayed in roads neighbouring the site and c. a press advert in a locally distributed newspaper.
7.2	<p><u>Neighbour Representations:</u></p> <p>14 letters comprising 2 in support, 5 neutral comments and 7 objections have been received which raise the following concerns based upon material planning grounds:</p> <ul style="list-style-type: none"> • Not enough parking • Traffic congestion • Litter • Area will become overpopulated • Design is not in keeping • Impact to privacy • Drainage infrastructure is insufficient • Noise • Disruption from works.

8.	Appraisal:
8.1	<p><u>Key Considerations:</u></p> <p>In assessing the application, it is considered that planning policy, visual impact and residential amenity, are the key issues that require considering in the application assessment.</p>
8.2	<p><u>Principle of Development:</u></p> <p>The National Planning Policy Framework (NPPF) requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of October 2023, Eastbourne is only able to demonstrate a 1.4 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. National policy and case law has shown that the demonstration of a five-year supply is a key material consideration when determining</p>

housing applications and appeals. It also states that where relevant policies are out-of-date, permission should be granted “unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole”, (NPPF, paragraph 11). This approach, commonly referred to as applying a ‘tilted balance’ will be adopted in assessing the planning application.

The application site is on the Borough’s Brownfield register, when considering effective use of land the Para 124 of the NPPF states planning policies and decisions should give substantial weight to the value of using brownfield land within settlements for homes and other identified needs and to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing land is constrained and available sites could be used more effectively.

Town Centre Neighbourhood Policy C1 of the Core Strategy Plan supports new housing through conversions, infill development and redevelopment. The Town Centre Local Plan policy TC6 seeks to protect the amenity of residential occupiers, provide a range of different dwellings, supports a design led approach provide outdoor amenity in the form of shared communal gardens, private balconies or roof terraces along with the provision of adequate bin and recycling storage screened from publicly accessible locations.

Policy TC6 also states that residential development within the Town Centre will contribute towards the provision of 30% affordable housing in accordance with policy D5 (Housing) of the Eastbourne Core Strategy Local Plan. Policy D5 seeks to ensure that there is an appropriate supply of high-quality affordable housing distributed throughout Eastbourne, it also recognises that to ensure that developments remain economically viable, the proportion of affordable housing sought will vary.

The application site is located within the existing built-up area and in a predominantly residential area, borough plan policies HO1, HO2 and HO7 support residential development in this area subject to the impacts on residential, visual and environmental amenity.

The site is identified in the Land Availability Assessment (site reference TO118) as being suitable for housing, with the justification stating: The site consists of a 6-storey multi-storey car parking surrounded by 2-storey dwellings, located adjacent to the predominantly residential area and next to the railway line and rear of the listed railway station. The car park has been closed for some time, and the current condition of the building means it is unlikely to reopen as a car park. As a previously developed site in a central and sustainable location, it is considered that the site would be suitable for redevelopment including residential development. The landowner has confirmed that the site is available. It is considered the site could accommodate 80 homes in a block of flats. A Tall Building Study will assess the possibility of tall buildings in the Town Centre and their impact on the wider landscape of the Town. Viability of

tall buildings is being investigated through a Viability Study. These study's will both inform the potential capacity of the site.

It is therefore considered that the principle of the development is acceptable subject to a balanced assessment of the potential impact of the development, with particular emphasis on the impact upon the prevailing character of the surrounding area as well as other relevant factors set out in the NPPF and consistent Local Plan policies, including highway safety, residential and environmental amenity, sustainability and biodiversity.

8.3

Affordable Housing:

Any development which involves the net gain of 10 or more new dwellings are required to incorporate provision of affordable housing as per para. 65 of the Revised NPPF and policy D5 of the Eastbourne Core Strategy.

The Policy D5 of the Eastbourne Core Strategy (2013) and the Affordable Housing SPD (2017) require on-site affordable housing provision unless such provision would render the development financially unviable. The following order of preferred provision forms the basis for assessment, taking into account the characteristics of the site:

- The Council's on-site preferred mix;
- An on-site alternative mix to be agreed upon by the Council and the relevant developer(s);
- A level of affordable housing on-site which is less than the specified threshold;
- Serviced plots onsite;
- Service plots offsite;
- Transfer of land;
- A commuted sum.

The site is located within the town centre in a 'low value area', as stated within the Council's adopted Affordable Housing SPD 2017, which requires 30% affordable housing provision. Based upon the submitted scheme (101 units), this would amount to 30 units. The tenure mix should be 70% rented, 30% Shared Ownership.

The applicant has submitted a Financial Viability Assessment, which purports that the development would not be viable with an affordable housing contribution. At the time of writing this report, the FVA is being independently reviewed by the Council's elected viability consultants. Members will be informed of any conclusion should that come before the Committee meeting, but otherwise the LPA will capture any affordable housing contribution that is payable.

	<p>Regardless of the outcome of this review, the grant of any planning permission will be by legal agreement including a clause for late-stage review.</p>
8.4	<p><u>Visual Impact and Design:</u></p> <p>Policy D10a of the Eastbourne Core Strategy requires new development to make a positive contribution to the townscape and urban heritage.</p> <p>Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout.</p> <p>The development would see the demolition of the existing part six/part seven storey detached building and the erection of a five-storey detached building in its place.</p> <p>The proposed building will sit approximately within the footprint of the existing building on site but will be to a reduced scale and mass.</p> <p>Materials proposed are red and grey brickwork with framed balconies and floor to ceiling windows in grey, to provide depth and interest to the building recessed brick patterns will be used.</p> <p>The surrounding street scene is comprised of two-storey terraced housing, whilst the proposal is not in keeping with the two-storey dwellings the replacement building is found to have a positive contribution to the area and is an improvement to what is currently on site.</p> <p>The proposed paths and landscaping to the site will be a vast improvement to the site, where there is currently no soft landscaping, only hard landscaping.</p>
8.5	<p><u>Daylight and Sunlight:</u></p> <p>The footprint and layout of the development has been designed to maximise daylight and sunlight to the accommodation provided. The daylight and sunlight report advises that not all rooms will receive the recommended number of daylight and sunlight hours, however, for larger developments with site constraints it is recommended a flexible approach is taken.</p> <p>The report suggests that 94 of the 101 units (93%) within the development will meet or exceed the recommended hours of sunlight. For daylight 210 out of 286 (73%) of rooms assessed will meet or exceed the recommended hours of daylight.</p> <p>It is generally accepted that lower levels of daylight will occur when projecting balconies are included in developments, on balance the inclusion of private outdoor amenity space is a preferred option than no private outdoor amenity space. The properties which have a lower number of daylight hours available will have an internal layout with kitchens located to the rear of the open plan living/kitchen/dining areas to maximise the light that is available to the living/dining area.</p>

	<p>The building footprint, layout and orientation has been designed to maximise access to light, the site is constrained by the existing residential properties adjoining the site to the north-east, south-west and south-east and the railway tracks located to the north-west.</p>
8.6	<p><u>Impact upon Heritage Assets:</u> The application site is neither a listed building nor located within a conservation area. To the north and north-west of the site are the Grade II listed properties of the Junction Road Signal Box and Eastbourne Railway Station.</p> <p>The development will have no harmful impact upon the setting and character of the listed heritage assets, the application has been reviewed by the Councils Conservation Officer who raises no objection to the proposal.</p>
8.7	<p><u>Transport and Parking:</u> The redevelopment of the site will remain via Susans Road and Junction Road and the current circulation through the site will be retained. Minor modifications are proposed to the access points to reflect the change in use of the site. The road that currently sits between the existing car park building and the railway line will be removed and replaced with a pedestrian route.</p> <p>The parking demand calculator advises a requirement of 89 car parking spaces will be required for the site, the development will provide a total of 60no unallocated parking spaces, including 5no blue badge holder spaces, this is a shortfall of 29 car parking spaces. Whilst the parking provision does not meet the requirement, it is acceptable in this instance, the application site is in a highly sustainable location with short walking distances to the town's main shopping centre, the railway station and local bus routes.</p> <p>The proposal includes the provision of 185 cycle parking spaces in dedicated cycle storage areas.</p> <p>The local highway authority has been consulted as part of the application process and raise no objection to the proposal advising that the development does not represent a severe impact upon the local highway network and request that if planning permission is granted that conditions and a S106 be applied</p>
8.8	<p><u>Impact upon residential amenity of future occupants:</u> The development will provide a mix of one-, two-, and three-bedroom units across five-storeys. The units will be comprised of:</p>

	<ul style="list-style-type: none"> • 24no one-bedroom, two-person • 3no one-bedroom, two-person M4(3) • 8no two-bedroom, three-person • 2no two-bedroom, three-person M4(3) • 54no two-bedroom, four-person • 10no three-bedroom, five-person <p>All units will meet or exceed the gross internal area (GIA) as set out in the Nationally Described Space Standards.</p> <p>All units will benefit from either a private balcony or terrace to provide occupants with their own outdoor amenity space as well as the communal garden area.</p> <p>Cycle storage, bin storage as well as some car parking will also be provided on site.</p> <p>A new pedestrian path along the north boundary of the site will also be included to improve access around the site, as well as soft landscaping throughout the site.</p> <p>The development will provide a good level of accommodation for future occupiers.</p>
8.9	<p><u>Impact upon residential amenity of existing occupants:</u></p> <p>The application site is bordered by the residential properties of Killburn Terrace to the south-west, Ashford Road to the south-east, and Susans Road to the north-east.</p> <p>The scale and massing of the proposed development will see a reduction when compared to the building that is currently onsite.</p> <p>Concerns have been raised over impacts to privacy with the new residential use of the site and the windows proposed facing onto existing properties. The national design code advises a distance of 15m between proposed and existing residential windows is sufficient to protect the privacy of occupiers. The separation distances from the proposed building to those surrounding varies between 18m and 19m, this is sufficient distance to maintain the privacy of both the existing and future residents.</p> <p>The use of the site for residential is felt to be more compatible with the setting and will help improve the level of activity in and around the site than the current vacant building.</p>
8.10	<p><u>Ecology and Biodiversity</u></p> <p>Due to the level of biodiversity on the existing site, the application is exempt from biodiversity net gain (BNG). However, the application seeks to include several measures to increase the biodiversity within the site. The proposal includes the provision of a communal garden area central to the building which will provide a mix of hard and soft landscaping.</p>

	<p>To the north of the site will be a new shared pedestrian/cycle route which will include a mix of hard and soft landscaping.</p> <p>Around the site will also be pockets of soft landscaping. The development will therefore lead to a biodiversity gain on the site even though there is no mandatory requirement.</p>
8.11	<p><u>Sustainability and Energy Efficiency</u></p> <p>The application site is in a Town Centre Location, the Town Centre Neighbourhood Area is identified within the Core Strategy Plan as being considered one of the most sustainable neighbourhoods within the Borough.</p> <p>The site is well served in terms of public transport, amenities and public services with Eastbourne train station and the town centre just a short walk from the site. The site is served by a number of bus routes in the vicinity.</p> <p>An energy and sustainability report has been provided within the application documents and confirms that a fabric first approach to create a high-performance building envelope.</p> <p>Energy efficiency measures include solar PV array to the roof, insulation, exhaust air heat pumps, mechanical ventilation within all wet rooms, wastewater heat recovery systems, smart meters.</p>
8.12	<p><u>Planning Obligations:</u></p> <ul style="list-style-type: none"> • Local Labour Agreement • Highway Works (under a S278 Agreement - Highways Act 1980) • Local improvements to the Junction Road access • Local improvements to the Susans Road access • Bus stop infrastructure upgrades (under a S278 Agreement - Highways Act 1980) • The Ashford Road stop requires a raised kerb and a separate bus stop pole to HA specification. • The 'Tideswell Road' stop in Cavendish Place requires a bus stop pole and a real time passenger information (RTPI) sign. • Travel Plan • Travel Plan including an audit fee of £6000. • Parking Management Strategy for unallocated car parking, including blue badge spaces.
8.13	<p><u>Human Rights Implications:</u></p> <p>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</p>

	furthermore, the proposals will not result in any breach of the Equalities Act 2010.
8.14	<p><u>Conclusion:</u></p> <p>The proposed development has been designed to a high standard and will provide a good level of accommodation for future occupiers. There will be no detrimental impacts to the occupiers that surround the site and the development will improve the visual amenity of the area.</p> <p>The proposal is in accordance with national and local planning policies.</p>

9.	Recommendations
9.1	<p>It is recommended that delegated authority be provided to the head of development management to approve the application subject to a S106 Agreement and appropriate conditions that are listed below. Subject to:</p> <ul style="list-style-type: none"> - Concluded consultation with SUDS following the request for further information. - Concluded review of the financial viability assessment from the Council's elected viability consultants; and - Making any necessary revisions, attached conditions or seek planning obligations resulting from the above processes.

10.	Conditions
10.1	<p>Time Frame: The development hereby permitted shall be begun before the expiration of three years from the date of permission.</p> <p>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).</p>

10.2	<p>Drawings: The development hereby permitted shall be carried out in accordance with the approved drawings submitted:</p> <ul style="list-style-type: none"> - Drawing: 092303-ELS-01 – Presentation Planning Layout - Drawing: 092303-ELS-02 – Supporting Planning Layout - Drawing: 092303-ELS-03 – Unit Types - Drawing: 092303-ELS-04 – Location Plan - Drawing: 092303-ELS-APT-E1 – Apartment Block Elevations 1 of 4 - Drawing: 092303-ELS-APT-E2 – Apartment Block Elevations 2 of 4 - Drawing: 092303-ELS-APT-E3 – Apartment Block Elevations 3 of 4 - Drawing: 092303-ELS-APT-E4 – Apartment Block Elevations 4 of 4 - Drawing: 092303-ELS-APT-P1 – Apartment Block Ground Floor Plan - Drawing: 092303-ELS-APT-P2 – Apartment Block First Floor Plan - Drawing: 092303-ELS-APT-P3 – Apartment Block Second Floor Plan - Drawing: 092303-ELS-APT-P4 – Apartment Block Third Floor Plan - Drawing: 092303-ELS-APT-P5 – Apartment Block Fourth Floor Plan - Drawing: 092303-ELS-PER01 – Illustrative Perspective View 01 - Drawing: 092303-ELS-PER02 – Illustrative Perspective View 02 - Drawing: 092303-ELS-PER03 – Illustrative Perspective View 03 - Drawing: 092303-ELS-SC01 – Size Comparison - Drawing: 092303-ELS-SS01 – Site Section 01 - Drawing: LSP/100 Rev C – Landscape Strategy Plan - Drawing: Inset Plan of Courtyard Landscape Proposals - Drawing: Soft Landscape Palette - Drawing:458/01A – Tree Condition Survey, Constraints and Protection - Drawing:458/02A – Tree Protection Fence Details <p>Reason: For the avoidance of doubt and ensure that development is carried out in accordance with the plans to which the permission relates.</p>
10.3	<p>Contaminated Land 1: No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing by the local planning authority:</p> <ul style="list-style-type: none"> • Additional site investigation scheme, based on preliminary investigations already undertaken to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. • The results of the site investigation and the detailed risk assessment referred to in (a) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. • A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these

	<p>components require the express written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, para 170, 174, 178 and 179].</p>
10.4	<p>Contaminated Land 2: No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall include any plan (a 'long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.</p> <p>Reason: To ensure that any remediation, if deemed necessary, is satisfactorily completed</p>
10.5	<p>Contaminated Land 3: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.</p> <p>Reason: To ensure that any contamination identified during the construction works is fully characterised and assessed.</p>
10.6	<p>Contaminated Land 4: The building to be demolished may contain asbestos. Accordingly, prior to demolition, a Demolition asbestos survey should be undertaken by a competent person in accordance with the current guidance and practice. A copy of the report should be provided to the local planning authority together with a mitigation plan that removes the risk to future occupiers of exposure to asbestos.</p> <p>Reason: To ensure that risks from asbestos to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [receptors having regard to policy DM21 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.</p>

10.7

DCEMP: Prior to commencement of development, including any ground and demolition works, a Demolition Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved DCEMP shall be implemented and adhered to in full throughout the entire demolition/construction period. The DCEMP shall provide details as appropriate, which shall address but not be restricted to the following matters:

- sequence and schedule of demolition phases;
- the anticipated number, frequency and types of vehicles used during development;
- the method of access and egress and routing of vehicles during development;
- parking of vehicles by site operatives and visitors;
- loading and unloading of plant, materials and waste;
- method of removing material from the site, including special measures for hazardous material;
- times of any deliveries related to the development, which should avoid peak travel times;
- photographic survey of the condition of the surrounding highway;
- storage of plant and materials,
- erection and maintenance of any security hoarding;
- provision and operation of wheel washing facilities or any other works required to mitigate the impact of development upon the

	<p>public highway (including the provision of temporary Traffic Regulation Orders);</p> <ul style="list-style-type: none"> • confirmation of no burning of materials on site; • operating hours; • anticipated timescales for completion of the works; • measures to manage flood risk during construction; and • public notification, including site notices with public contact details during the works. • Site map; • Complaint investigation procedures; • Designated site contact name/s and contact details in case of pollution complaint/query for Lewes and Eastbourne Environmental Health team. • Mitigation measures against negative impact on air quality and receptors in the vicinity of the development; • Measures that will be taken to reduce the impacts on air quality during all construction phases (Demolition, Construction, Earthworks, Track out); • A maintenance schedule of proposed dust mitigation measures; • Details of proposed real-time air quality monitoring (PM10) before and during demolition and construction works (usually three months prior to commencement of any works on site). Parameters to be monitored, duration, locations and monitoring techniques must be approved in writing by LPA prior to commencement of monitoring. • Proposed working hours including out of hours work; • Noise predictions, managing risk and reducing impacts; • Details of waste storage, handling, asbestos, contaminated land; • Details of mitigation measures to prevent nuisance from artificial lighting; • Details of measures to protect existing installations; • Details of procedures for emergency and environmental incidents e.g. health and safety procedures, dealing with spillages. <p>Reason: In the interests of highway safety and the amenities of the area</p>
10.8	<p>Tree Protection: Prior to the commencement of works the Tree Protection Plan and Arboricultural Method Statement are to be implemented as set out in the Arboricultural Report dated July 2024.</p> <p>The auditable scheme of arboricultural site supervision and record keeping will be implemented and adhered to throughout the entire construction period.</p>

	<p>If any damage to trees, root protection areas or other breaches of tree protection measures occur then the LPA shall be notified of the details of the incident and any mitigation/amelioration.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990.</p>
10.9	<p>Access: No development shall commence until the vehicular access serving the development has been constructed in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway</p>
10.10	<p>Parking: The development shall not be occupied until parking areas have been provided in accordance with the approved plans/details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway</p>
10.11	<p>Parking: The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).</p> <p>Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway</p>
10.12	<p>Cycle Parking: The development shall not be occupied until the cycle parking areas has been provided in accordance with the approved plans/details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.</p> <p>Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development</p>
10.13	<p>Turning Space: The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans/details which shall have been submitted to and approved in writing by the Planning Authority in consultation with the</p>

	<p>Highway Authority and the turning space shall thereafter be retained for that use and shall not be used for any other purpose.</p> <p>Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway</p>
10.14	<p>Landscaping: The site shall be landscaped strictly in accordance with the approved Landscape Plan (Drawing: LSP/100 Rev C – Landscape Strategy Plan) in the first planting season after completion or first occupation of the development, whichever is the sooner.</p> <p>Any new tree(s) that die(s) are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which die, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approve details unless agreed otherwise with the Local Planning Authority.</p> <p>Reason: To safeguard and enhance the character, amenity, and biodiversity of the site.</p>
10.15	<p>Refuse/Recycling: Prior to first occupation of the development, hereby approved, the enclosed refuse and recycling storage facilities shall be provided in accordance with Drawing: 092303-ELS-APT-P1 – Apartment Block Ground Floor Plan. Thereafter, the facilities shall be retained solely for the storage of refuse and recycling in accordance with the approved plans for the lifetime of the development.</p> <p>Reason: To ensure satisfactory refuse and recycling to the properties and to protect the amenity of the adjacent residential property.</p>
10.16	<p>Informative: The applicant is hereby reminded of the Control of Asbestos Regulations 2012 when carrying out demolition and other works associated with the development hereby permitted. For more information, please visit http://www.hse.gov.uk/Asbestos/regulations.htm</p>
10.17	<p>Informative: All waste material arising from any site clearance, demolition, preparation and construction activities should be stored, remove from the site and disposed of in an appropriate manner.</p>
10.18	<p>Informative: The applicant is reminded that according to NPPF where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.</p>
10.19	<p>Informative: This Authority’s requirements associated with this development proposal will need to be secured through a Section 278 Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Control</p>

	team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
10.20	Informative: The applicant will be required to obtain a permit for any highway works in accordance with the requirements of the Traffic Management Act, 2004. The applicant should contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the permit being in place.

11.	Appendices
11.1	None.

12.	Background Papers
12.1	None.