

<b>App.No:</b> 160788	<b>Decision Due Date:</b> 26 <sup>th</sup> January 2017	<b>Ward:</b> Old Town
<b>Officer:</b> Thea Petts	<b>Site visit date:</b> 19 <sup>th</sup> August 2016	<b>Type:</b> Outline (some reserved)
<b>Site Notice(s) Expiry date:</b> 27 <sup>th</sup> November 2016		
<b>Neighbour Con Expiry:</b> 27 <sup>th</sup> November 2016		
<b>Press Notice(s):</b> 18 <sup>th</sup> November 2016		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b> Victoria Drive Bowling Club, The Drive, 153 Victoria Drive, Eastbourne		
<b>Proposal:</b> Outline application for the development of a medical centre with all matters reserved except access (revised scheme)		
<b>Applicant:</b> Row Properties		
<b>Recommendation:</b> Approve conditionally with S106 agreement covering Highway Issues and Local Labour Initiatives and a CIL contribution if retail floorspace is sustained in the development.		

### **Executive Summary:**

The current scheme proposes a new Medical Centre on the site of the Victoria Drive Bowling Green and car park. The application is in outline form and is for 'access' only, with all other matters to be decided later at the reserved matter stage.

The applicants supporting information suggests that the site is of sufficient size to provide accommodation sufficient for the creation of two GP practices, rooms for third party practitioners, specialised outpatient clinic(s), a pharmacy and some car parking for patients.

The site is to be accessed via the existing vehicular access point on Victoria Gardens with an ancillary pedestrian access running alongside it. Initially, a second pedestrian access was to be provided from Victoria Drive, but this has been removed from the scheme due to tree impacts.

The bowling green does provide a facility for private members and does host County based events/tournaments. As such - and as is reflected in the public response to the scheme from local residents and further afield - the bowling green does undoubtedly play a significant role for some members of the community. However, the potential improvements to a frontline healthcare

provision in this part of the town are considered significant enough to outweigh the benefits of retaining the bowling green and car park.

Given the wider public benefit of the proposal the application is recommended for approval subject to legal agreement and conditions and a CIL contribution if new retail floor space is proposed at the reserved matter stage.

**Planning Status:**

Outdoor bowling green and ancillary car park

**Relevant Planning Policies:**

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure.
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities

Para 74. *States:-*

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- o *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements*

10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

Core Strategy Local Plan 2013 Policies

B2: Creating Sustainable Neighbourhoods

C4: Old Town Neighbourhood Policy

D1: Sustainable Development

D2: Economy

D4: Shopping

D7: Community, Sport and Health

D8: Sustainable Travel

D10: Historic Environment

Eastbourne Borough Plan Saved Policies 2007

LCF2: Resisting Loss of Playing Fields

NE4: Sustainable Drainage Systems

NE14: Source Protection Zone

UHT1: Design of New Development

UHT5: Protecting Walls/Landscape Features  
UHT7: Landscaping  
TR1: Locations for Major Development Proposals  
TR2: Travel Demands  
TR3: Travel Plans  
TR7: Provision for Pedestrians  
TR8: Contributions to the Pedestrian Network

**Site Description:**

This planning application includes the extent of the Bowling Green on Victoria Drive and the ancillary car park. The site, which is roughly rectangular in shape, covers an approximate area of 3000m<sup>2</sup>. The scheme does not include the Victoria Drive and Ladies Bowling Club clubhouse which stands outside but adjacent to the western boundary of the application site.

Victoria Drive itself runs on a north to south axis along the eastern boundary of the site. Victoria Gardens runs along the southern boundary and currently provides all access (both vehicular and pedestrian access) into the site. In addition to the clubhouse, the western boundary is shared by gardens of residential properties in Victoria Gardens (nos. 2, 4, 6, 8 and 10).

The site is relatively flat and open. There is a significant cluster of mature trees which run along the eastern boundary of the site (adjacent to Victoria Drive) and are highly visible from the wider area as well as nearly entirely obscuring views of the site when the trees are in leaf. Some smaller trees are dotted along the southern boundary (adjacent to Victoria Gardens). The car park is hard surfaced and is located to the south of the site, approximately this makes up about a third of the site's area.

**Relevant Planning History:**

EB/1988/0112

ERECTION OF BOWLS PAVILION & ANCILLARY FACILITIES REAR OF 8 & 10 VICTORIA GARDENS

Approved Conditionally

1988-04-27

950070

Erection of single-storey extension to clubhouse.

Planning Permission

Approved conditionally

23/03/1995

**Proposed development:**

The applicant seeks outline permission (access only) to remove the bowling facility and construct a new Community Medical Centre on the site.

The principal purpose of the Community Medical Centre is to provide accommodation for up to two GP surgeries. Whilst in no way a certainty and

cannot bind this application but the scheme has been scoped with the potential relocation of The Green Street and Grove Road GP surgeries (combined current patient list size stated to be 17,500 people). The new facility could provide accommodation for improved accommodation and better access, for all those needing/wanting to access the facility.

In addition to potentially housing two surgeries, another intention is to allow space for some specialised outpatient clinics, rooms for third party medical-related practitioners and potentially a fully functioning pharmacy. Some car parking will also be provided as part of the scheme.

The proposed vehicular access into the site is to remain in the same position as the existing access – on the north side of Victoria Gardens. A delineated pedestrian path is then to run alongside it.

Initially, the applicant proposed a pedestrian access from Victoria Drive. However, this has been removed from the scheme due to the negative impact this would have on the cluster of trees along the Victoria Drive boundary, so this access point was removed.

**OTHER MATERS:-**

The applicant has confirmed full ownership of the site, not the bowls club' and that they have granted the club use of the green until the end of this season (by extending their S25 notice to quit). Furthermore, the applicants have confirmed that if the application for outline planning permission is successful, the club will be granted a licence to use the green throughout the 2017 season whilst Reserved Matters are dealt with and settled.

### **Consultations:**

Internal:

**Estates** – no comments received

**Specialist Advisor (Arboriculture)** –The group of mixed species trees on the east boundary of the site running parallel with Victoria Drive are an important part of the street scene, and improve the visual amenity of the area significantly. This group must be considered a constraint to the proposed development when dealing with future reserved matters including footprint, building design, service locations, parking and footpaths, with consideration given at the time of submitting future applications to the root protection area of these trees.

This group of trees meet the criteria for a Tree Preservation Order.,

**Specialist Advisor (Economic Development)** –Supports the proposal for the reasons summarised below:

- Proposal outlines the extension and development of patient services. Development of these services will improve employment prospects in general practice, particularly in hard to recruit medical specialist areas

- Construction and additional operational employment would be of economic benefit
- Requests the inclusion of a Local Labour Agreement in the event of planning permission being granted

**Specialist Advisor (Planning Policy)** – Supports the proposal for the reasons summarised below:

- The vision for Old Town neighbourhood includes enhancing its important local services and facilities. The provision of an enhanced medical facility would service the local community.
- The objectives for Policy B2 (Sustainable Neighbourhoods) and Policy D7 (Community, Sport and Health) states that the Council will work with other relevant organisations to ensure that appropriate health care facilities, including new provision and enhancements to existing facilities, are provided in the most appropriate locations to meet existing and anticipated local needs. The proposed development would be in accordance with these policies
- The proposed development would result in the loss of green space. However it would provide an enhancement to an existing facility, a new larger medical centre
- A detailed local assessment regarding loss of green space was undertaken, which is in accordance with policy. The assessment demonstrates that Eastbourne offers good bowling green provision. Furthermore, out of the eight comparable Local Authorities, Eastbourne offers the second highest provision for every 1,000 of the population. Eastbourne would remain the second highest provision post development.
- The assessment indicated that as the club at the Victoria Drive bowling green is private, that the proposal would not have an impact on the general public
- The local provision of bowling greens would not cause an adverse impact on the overall supply in Eastbourne Borough. This satisfies the requirements of Borough Plan Policy LCF2

External:

**Environment Agency** – no comments received

**County Archaeologist** – Response received 11<sup>th</sup> November 2016

Recommends a condition is attached to any consent granted:

- Site is situated within an Archaeological Notification Area, defining an area of prehistoric, Roman and medieval activity, including settlement and human burials
- The applicant acknowledges the archaeological interest of the area, but suggests that any archaeology has been destroyed by the construction of the bowls club. However no geotechnical or details of the depth of disturbance is provided by the applicant, so the destruction of the archaeological horizon is unsubstantiated

- The proposed development will almost certainly destroy any archaeological remains that do survive.
- In the light of the potential for loss of heritage assets, the proposals should be the subject of a 'programme of archaeological works' in accordance with a 'written scheme of investigation'

**Sport England** – no comments received

**Southern Water** –

Recommends a condition and an informative are attached to any consent granted:

- Initial investigations suggest that Southern Water can provide foul sewerage disposal to service the proposed development, but will require a formal application in order to do so (associated informative recommended)
- The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised
- No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of construction works
- No new soakaways should be located within 5 metres of a public sewer
- No groundwater or land drainage is to enter public sewers
- Further details of SuDS should be submitted specifying which parties are responsible for SuDs on site, an associated implementation timetable and a management and maintenance plan for the lifetime of the development
- Condition should be attached to any consent requiring details of proposed foul and surface water disposal to be submitted to the Council (who will consult Southern Water)

**Highways ESCC** –

Recommendation to refuse planning permission, but have suggested 10 conditions (plus two Informatives) and S106 agreement (covering a number of points) if the scheme is supported:

- As submitted the application attracts a recommendation for refusal for the following reasons:-
  - *The proposal does not provide for adequate parking facilities within the site which would result in additional congestion on the public highway causing further interference with the free flow and safety of traffic on Victoria Drive (C695) and would therefore be contrary ESCC parking guidance.*
  - *There is an existing accident record associated with the pedestrian crossing points located along Victoria Drive. No mitigation measures have been put forward to improve*

*pedestrian safety and as such this proposal is likely to have an adverse effect upon highway safety.*

- The additional information details the relocation of Grove Park Surgery clarifies number of staff and patients likely to be transferring; however, there is nothing to substantiate the claim that a significant number of patients live in the vicinity of the new surgery site
- The proposed access width is inconsistent across submitted documents. Clarification on this point would be required.
- It has not been demonstrated how service and emergency vehicles will enter the site.
- The relocation of the Green Street Surgery would make the doctors parking bay fronting this site redundant. In order to remove this parking designation, removal of the existing Traffic Regulation Order (TRO) would be required.
- The trip rates put forward are lower than the results obtained by ESCC's own interrogation of the TRICS database
- Green Street Surgery is located within 250m of this facility and therefore it is acceptable to assume that roughly half the trips to and from this site will already exist within the highway network. It is also fair to assume that given the proximity to local shops and amenities that some trips will be linked further reducing this number of trips
- Submitted information demonstrates that the site access and surrounding junctions will operate within capacity during the AM and PM peak periods with little or no delay experienced by vehicles leaving the site and with very minor queues experienced by vehicles at the junction of Victoria Drive and Green Street. Using TEMPRO traffic growth data has been applied to the base year traffic counts 2016 to 2021. ESCC are therefore satisfied that the methodology provides a robust case
- Clusters of accidents surrounding the pedestrian crossing facilities located along Victoria Drive indicates that there is a highway safety issue. Considering the increased footfall likely as a result of the development a contribution would be required in order to develop a scheme to address such issues a stage 1 Road Safety Audit should also be carried out to determine if the proposal will have an adverse effect on the surrounding network.
- Pedestrian facilities connecting the site to public transport and the surrounding area are generally good; some improvements are required to the pedestrian crossing facilities given accident data and the increase in pedestrians having to cross Victoria Drive. An improvement to move/upgrade the crossing and close/realign the Green Street junction is the only realistic improvement that might affect driver/pedestrian behaviour. A contribution toward this scheme would be required A Travel Plan would need to be secured by legal agreement including a £6000 Audit fee.

#### **SUDS –**

Recommend 5 conditions are attached to any consent granted:

- Scheme is considered acceptable, subject to recommended conditions (detailed drainage design, infiltration testing, winter groundwater assessment, maintenance and management plan for drainage plan and evidence of drainage scheme implementation to be submitted following development) \*first response

### **Bowls England –**

Objects to the proposal for the reasons summarised below:

- This National Governing body for the sport objects in the strongest possible manner to the application
- Bowls has a positive impact for both individuals, groups and the wider community
- Bowls has historically been at the centre of communities
- The Victoria Drive and Eastbourne Ladies Bowling Club is a focal point of the community and valued member of Bowls England
- The club boasts one of the best six rink bowling greens in Sussex, and regularly hosts county-based events
- The enforced closure would have a negative impact on the local economy, as the club regularly welcomes touring teams from across England who stay within Eastbourne

### **Neighbour Representations:**

There have been two rounds of consultation for this scheme; one was before all documents had been submitted to the Council for assessment and the second followed some revisions made to the scheme. The responses received by neighbours are detailed below:

#### Round 1 Consultation responses:

- A petition of objection signed by 485 signatures
- 15 letters of support have been received commenting in the main on the following issues:
  - New centre would be beneficial to local community
  - Existing surgery is not fit for purpose with parking and accessibility issues
  - Needs a safe place to cross
  - Having to park distant from the site and often there is inclement weather.
- 48 letters of objection have been received and cover in the main the following points:
  - Located on a narrow busy road
  - Traffic implications
  - Highways safety issues, would be made worse by the proposal
  - Loss of mature trees
  - Loss of the trees would impact on essential habitat for wildlife
  - Scheme out of character
  - Sad to lose the bowls club



- Should be in keeping with the area, not a modern looking building
- If bowls club were to be lost then there would be impact upon local economy by home and visiting players.
- The bowls club provide health and wellbeing to members
- Would look an eyesore
- Bowls club has existed since 1932, nowhere else in Old Town to play
- Site also accommodates the local Stroke centre
- Concerns over what will become of the existing surgery
- Loss of open space is contrary to National Advice
- Is the access in the most suitable position
- Loss of one of the best greens in East Sussex
- A more preferable site should be found
- The nearest bowls club is at Motcombe but without parking Bowls is a sport that anyone can enjoy regardless of age, gender or disability and can compete on equal terms. Its loss therefore would be widely felt.
- Local vernacular not being followed
- Local public transport links not that frequent or reliable
- The transport report makes unsupported judgments and comments
- The scheme requires some patrons to use public transport, how realistic is this if you are infirm, generally ill and or mother/baby.
- County highway safety audit is an indication over the highways issues that have been made worse with the opening of Sainsbury's, it will get worse with this development
- The bowls club car park has been used by local people accessing the shops and schools for a great number of years and its removal will displace on parking to indiscriminate on street parking
- Scheme does not provide enough parking to meet the likely demand
- Where are the deliveries/servicing going to be sited.
- Scheme needs to down size to meet the needs of the existing -- Green Street surgery
- Located on a source protection zone and as such this needs to be included into the design
- Contrary to Core strategy policy in relation to open spaces

#### Round 2 Consultation responses:

- 2 letters of support have been received commenting in the main on the following issues:
  - General support for the scheme
  - Doctors at existing surgery do a good job in cramped premises with no parking facility
  - Existing building has steep staircases

- Doctors deserve better facilities
- Area needs a purpose-built medical centre comparable with other nearby surgeries
- No letters of objection have been received following the second consultation

**Appraisal:**

Principle of development:

Application seeks approval for the principle of the redevelopment of the site to provide a new community medical centre. In this regard the development is only acceptable where the loss of green space is assessed in particular, against the remaining supply locally and across the Borough as a whole and a more significant need is identified in the proposed use. The assessment provided in support of the application confirms that this is the case and the proposed use will provide a wider range of benefits to the community than currently exists with a private bowling club.

In NPPF terms the development is considered to be 'sustainable development' and as this application has been submitted in outline form for the means of access only, an in-principle objection based solely on the loss of the Bowls Club could not be substantiated and or sustained through to an appeal.

In principle, the existing access from Victoria Gardens into the site is believed to serve the bowling green and ancillary car park without issue. Therefore, the principle of a vehicle access in this location is considered acceptable. However, it is accepted that the Medical Centre use may intensify the use of the access due to an increase in the numbers of visitors and staff.

The documentation in support of this application highlights that the Medical Centre would need to provide services for at least the existing patient lists with the ambition to build in capacity for an additional 8,000 patients, the applicant's scope therefore is that the building could/should accommodate between 20-25,000 patients. Members should note that matters of scale, mass, landscaping and design have been reserved, so whilst the supporting information has been supplied it is only for indicative and illustrative purposes. Members should not therefore conflate in their judgement, the principle of development on this sustainable site within the development boundary of Eastbourne with perceived likely impacts of the scale of the building and the intensity of the use. This area of concern, if it exists, should be attributed/applied at the reserved mater stage. The issue at hand therefore is the access to the site and this is the principle determinative consideration in this application.

It is accepted considered, therefore, that the demand on the access would increase beyond the existing demand and as a result the development would only be acceptable if relevant agreements are made between the applicant

and the County Highway authority relating to the wider highway network, and to reaffirm this should be done at the reserved matter stage and also controlled via the S106 Legal Agreement.

Officers have scoped the capacity of the site and are satisfied that a new Community Medical Centre could be satisfactorily accommodated. The ultimate size, scale and mass of the building will be determined at the reserved matter stage and officers will report all 'reserved matter' applications to future Planning Committee for debate and determination.

For the reasons outlined above there is no objection in principle to the site being redeveloped.

Impacts on highway network or access:

It is accepted that the comments from ESCC Highways have focused on the potential full impact if the proposal is developed out in the manner suggested in the supporting statements. Whilst acknowledging this concern, in planning terms and as outlined above, we are only considering the principle of redevelopment of the site using the access proposed and all other matters are reserved.

It is acknowledged that the vehicle movements and activity resulting from the proposal are likely to be significantly greater than that associated with the existing formal use as a Bowls Club and the informal use of the space as additional informal/incidental car parking for the wider community. For ESCC Highways and without evidence to the contrary the perceived level of activity with the end use has attracted a recommendation for refusal from ESCC Highways. However they go onto comment that if the Council are minded to support the scheme given the wider community benefits that may ensue from the proposal then, a Legal Agreement would be required as well as a number of Highway related conditions.

It is considered that the transport connections to the application site are sustainable and could potentially serve a wider demographic with the facilities contained in the proposal. The application site can be accessed on foot by a great number of residents and is located on frequent and well-used bus routes. It is noted that the Grove Road surgery would move out of the Town Centre (a sustainable location), however the adjacent District Shopping Centre forms a local centre within itself. As such, it is considered appropriate that the Medical Centre could contribute towards the further sustainability of the immediate area with the potential for linked trips. As such, the scheme would in principle be compliant with Policy D8 of the Core Strategy.

Impacts on trees:

The originally submitted scheme proposed the removal of some of the trees along the Victoria Drive frontage to allow for a new pedestrian access into the site. As the contribution of these trees to the character of the street scene is considered to be significant, the applicant has withdrawn this

pedestrian access. As a result, the trees will be unaffected by this part of the application, which attends to access only.

It is noted that the provision for a new building on the site may have an impact on the trees on the site going forward, but this issue can be attended to as and when applications for reserved matters are received.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

Access into the site is not to change significantly, however it is acknowledged that the access point is likely to be used with greater frequency and by many more individuals as a result of this proposed scheme.

This being the case, there is likely to be an effect on nearby residents in terms of noise generated by vehicles and people visiting and leaving the site. Nevertheless, in discussions with the applicant these visits are stated to be carried out during regular "office hours", so there will be a minimal impact on nearby residents during evenings and weekends. However, it must be noted that specific details such as operational hours will be dealt with formally at reserved matters stage should the scheme receive approval and issues pertaining to disturbances associated with the use can be mitigated at that point.

Loss of Bowling Green Facility

As part of the documentation submitted with the application, an assessment was included which concluded that the overall bowls facility in Eastbourne is greater than elsewhere in the area. Paragraph 74 of the NPPF states:

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements*

The alternative bowls facilities around the town and in Old Town specifically) have been identified as part of the applicant's assessment as many and varied. Effectively, if the bowls provision were to be lost on the site, it would not negatively impact the wider availability in Eastbourne as a whole and there would still be provision for bowls playing within Old Town.

It is noted, however, that the bowling green at Victoria Drive does provide a facility for private members and for county based events. As such - and as is reflected in the public response to the scheme from local residents and further afield - the bowling green does undoubtedly play a significant role for some members of the community and in this regard is a material consideration in this application. However, the potential improvements to a frontline healthcare provision in this part of the town are considered to be an overriding material consideration sufficient to outweigh the benefits of retaining the bowling green and car park.

Notwithstanding this, the applicant, who has confirmed full ownership of the site, has granted the club use of the green until the end of this season (by extending their S25 Notice). Furthermore, if the application for planning permission is successful, the club will be granted a licence to use the green throughout the 2017 season whilst Reserved Matters are dealt with and settled.

The Medical Centre is to provide an extension and improvement to the existing healthcare provision offered by the two surgeries involved. Core Strategy Policy D7 states:

*The Council will work with other relevant organisations to ensure that appropriate health care facilities, including new provision and enhancements to existing facilities, are provided in the most appropriate locations to meet existing and anticipated local needs...Development for new community, sports and health provision should be located close to neighbourhood or local centres or where this is not practicable in locations that are easily accessible by walking, cycling or the use public transport. New facilities should be designed for flexible use to encourage the sharing of facilities by different organisations and services and be capable of being extended to meet future needs.*

In this regard, it is considered that the scheme complies in terms of its location and in providing an extended healthcare provision for now and the future.

Design issues:

As the proposal is for access only, assessment of design at this point is limited. However, the applicant has made some alterations to the illustrative elements of the application following early feedback given with regards to the trees on the site.

The trees along the Victoria Drive boundary significantly contribute to the character and appearance of the site and the wider area. Part of the original submission was the inclusion of a pedestrian access from Victoria Drive. This would have interrupted the line of trees as well as the characteristic brick wall which runs along the Victoria Drive and Victoria Gardens fronting sides of the site.

Although full design impacts cannot be assessed as part of this application, it is acknowledged that the site currently provides an open space as it currently has very low level development. As such, any building constructed to meet the needs of in excess of 20,000 patients is likely to have an impact on the character and appearance of the area. Further to this, the trees on the site provide a highly valuable 'punctuation' in the built environment and a natural separation between the Victorian buildings to the south of the site and the later 1930s development further north along Victoria Drive. This being the case, the site is an important townscape feature/location in the wider street

scene and as such, details regarding design and scale will need to be handled carefully to ensure that an appropriate development results from any permission granted.

As stated earlier in this report Officers have committed to bring all reserved matter application back to planning committee for consideration and determination. It is clear therefore that Members will retain control over the size, scale and appearance of the proposed building as its design is developed at the reserved matter stage.

#### Planning obligations:

If the scheme receives approval, a legal agreement would be required between the applicant and East Sussex County Council in order to attend to the highway network impacts that would result from implementation of the scheme.

Due to the nature and scale of the development, a local labour agreement would be required if the development receives approval.

As a point of note, the applicants have engaged in pre-submission discussions with the Bowling Club and suggested means of making the facility function elsewhere in the town. However, no formal scheme is on the table before Members and notwithstanding this it is not considered that this should be controlled by a legal agreement given the prevalence of other existing bowls facilities throughout the town.

If a retail pharmacy is sustained through the design process and is submitted at the reserved matter stage then this will be considered to be new retail floorspace and as such will be CIL liable; the applicants are aware of this potential issue and have committed to pay the required amounts.

#### Sustainable development implications:

The applicants have confirmed that at the reserved matters it is their intention to building a highly energy efficient building that will deliver sustainable benefits in terms of thermal efficiency and thus reduce the burden on fossil fuels.

The intention is to also "future proof" the facility in-line with NHS future demand and in this way, the reserved matters application(s) are stated by the applicant to have capacity for growth, change and adaptation within the healthcare provision.

#### Other matters summarised below:-

##### Archaeology:

The southern end of the application site – mostly the car park - stands within an Archaeological Notification Area. In addition, archaeological implications should be assessed to comply with requirements of the NPPF.

The submitted desk-based assessment states that a find of various Roman remains were found close to the application site and that as the extent of these finds has not yet been defined, the presence of significant remains within the application site cannot be discounted. Further to this, the response from ESCC Archaeology identifies that there is a strong potential for the presence of archaeological remains within the site as works to facilitate the creation of the bowling green and car park as well as historic development may not have significantly affected below ground remains.

Nevertheless, ESCC Archaeology have advised that although development of the site would likely destroy potential remains, a programme of archaeological works and written scheme of investigation (required by planning condition) will be sufficient in investigating and recording finds on the site and thus making available important finds for the public record in perpetuity. This is also considered to be in accordance with Policy D10 of the Eastbourne Core Strategy.

### SUDS

As a development with the potential to contribute towards surface water flooding in an urban area, unless an appropriate scheme is submitted, a scheme for sustainable drainage was required with the submission.

Initially, the Lead Local Flood Authority (LLFA – East Sussex County Council) considered that the scheme submitted was not appropriate and issued a holding objection on the scheme. Since that point an amended scheme for managing surface water run-off was submitted to the authority and has been assessed as being acceptable by the LLFA, who have also recommended conditions are attached to any consent granted.

Nevertheless, details pertaining to exactly what the surface water run-off will be will only become apparent upon the submission of a reserved matters application as only then will we know the extent of elements of the scheme such as hard surfacing, size and style of the building and features such as soakaways. However, at this “in principle” stage, the LLFA appear accepting of the illustrative SuDS plan.

### Retail impact

As part of the scheme, it is likely that there may be the potential for an onsite pharmacy to support the Community Medical Centre services. Again, details specific to this facility are not under consideration as part of this planning application, nevertheless it is considered to be appropriate in principle.

It is not considered that this pharmacy element of the scheme will have a negative impact on the adjacent shops at Albert Parade and the north end of Green Street, which have been identified under Policy D4 as a District Shopping Centre (Green Street [Albert Parade]). It is considered that the

pharmacy service will complement the Medical Centre use and allow patients to receive a greater number of services onsite. In addition the potential for linked/shared trips should not be discounted as this may result in supporting the retail vitality/vibrancy of the District Centre as a whole.

**Human Rights Implications:**

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

**Conclusion:**

The site is suitable for redevelopment as there is considered adequate and suitable bowls provision and also open space both locally and across the wider borough.

The wider community benefit of a Community Medical Facility on the site is considered to be the overriding material planning consideration and as such should be given significant weight in the assessment of this proposal.

The concerns raised by ESCC Highways are noted but to some degree could be mitigated by highways works with the legal agreement and supplemented by planning condition.

The principle of redevelopment of this sustainable site is acceptable and considered to comply with National and Local Policy advice/guidance.

Scheme is currently recommended for approval.

**Recommendation:**

Subject to a Legal Agreement covering the Highway issues and Local Labour Initiatives then this scheme is recommended for conditional approval.

**Conditions:**

- 1) Time
- 2) Drawing
- 3) Reserved Matters
- 4) Materials
- 5) Access construction
- 6) Parking provision
- 7) Detailed surface water drainage
- 8) Foul Water Drainage
- 9) SuDS management and maintenance plan
- 10) No unauthorised infiltration of surface water
- 11) Infiltration testing
- 12) Winter groundwater measures



- 13) Development evidence submitted (drainage)
- 14) Construction Traffic Management Plan
- 15) Wheel washing
- 16) Turning Space
- 17) Cycle parking areas
- 18) Visibility splays (access)
- 19) Travel Plan (linked to S106)
- 20) Arboricultural Assessment
- 21) Tree Protection Plan
- 22) No materials, machinery or equipment onsite until authorised tree protection is in place
- 23) Hard and soft landscaping (incl. boundary treatments)
- 24) Design and details of foundations
- 25) Tree planting
- 26) No bonfires
- 27) Archaeological works
- 28) External plant or equipment
- 29) External lighting

**Informatives:**

- 1) S106 between applicant and ESCC (Highways)
- 2) S106 between applicant and EBC (Regeneration)
- 3) Licence (Highway access)

**Appeal:**

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**.