

App.No: 161092	Decision Due Date: 9 th January 2017	Ward: Sovereign
Officer: Thea Petts	Site visit date: 21 st November 2016	Type: Planning Permission
Site Notice(s) Expiry date: 18 th November 2016		
Neighbour Con Expiry: 9 th December 2016		
Press Notice(s): 5 th December 2016		
Over 8/13 week reason: Cycle of Planning Committee and Reconsultation		
Location: Site 3, Atlantic Drive, Eastbourne		
Proposal: Fishing quay comprising buildings with fisherman's working areas, storage and chiller space, and office accommodation on upper floors, with separate visitor centre and associated development. (Previous Application 130442)		
Applicant: Eastbourne U10 Fishermen CIC		
Recommendation: Subject to S106 covering local labour issues then this scheme is recommended for conditional approval.		

Executive Summary:

A scheme almost identical to the current application was approved in 2013. That permission has now expired and the applicants wish to gain a new permission.

The proposal is for a mixed use redevelopment of the site primarily for the use of landing and preparing fish and shellfish, along with safe and secure storage for fishing equipment. The proposal includes provision of a Visitor Centre in order to promote fishing as a sustainable local industry and educate visitors about the history of the fleet, the harbour and the significance of fishing in general.

The site is currently used for the storage of fishing equipment and the landing of their catch. The site is open and there are currently no buildings; just an open yard with no services or hardstandings. Having regard to the existing use of the site, the principle of the proposed development is considered to be acceptable.

Planning Status:

Open yard used for operations associated with commercial fishing

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change

Core Strategy Local Plan 2013 Policies

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C14: Sovereign Harbour Neighbourhood Policy
- D2: Economy
- D8: Sustainable Travel
- D10a: Design

Eastbourne Borough Plan Saved Policies 2007

- NE15: Protection of Water Quality
- NE16: Development Within 250 Metres of a Former Landfill Site
- NE28: Environmental Amenity
- UHT1: Design of New Development
- UHT2: Height of Buildings
- UHT4: Visual Amenity
- UHT7: Landscaping
- HO2: Predominantly Residential Area
- HO20: Residential Amenity
- TR2: Travel Demands
- TR6: Facilities for Cyclists
- TR7: Provision for Pedestrians
- TR11: Car Parking
- US3: Infrastructure Services for Foul Sewage and Surface Water Disposal
- US5: Tidal Flood Risk

Sovereign Harbour Supplementary Planning Document (SPD) (2013)

The Sovereign Harbour SPD provides detail to the Eastbourne Core Strategy Local Plan Policy C14 in order to guide development and ensure that new and improved community facilities are at the heart of future building plans.

Sovereign Harbour is identified in the Core Strategy Local Plan as a Sustainable Centre and sets a vision and policy for the Sovereign Harbour Neighbourhood (Policy C14), which is a priority location for balanced housing growth alongside delivering significant improvements to the provision of community facilities and services and improving linkages.

The SPD provides a detailed strategy for the implementation of the policy by providing guidance on the uses considered to be appropriate for each of the remaining development sites at Sovereign Harbour, including details of the size, scale and form of development and the specific community benefits to be delivered.

The SPD identifies the application site as Site 3 – rear of The Harvester pub/restaurant. The Vision for this site is as follows:

'There is an opportunity to provide enhanced, permanent facilities for the fishermen on this site with appropriate storage. In addition, the provision of a new pedestrian link between The Waterfront and Atlantic Drive, via a new harbour walkway is likely to result in the site becoming more of a destination. It is therefore envisaged that alongside the fishermen, other ancillary and associated uses, such as a fresh fish shop could be provided, to the benefit of residents, visitors and Eastbourne's fishing community.'

The SPD acknowledges that one option for Site 3 is for the fishermen to continue using it to store their equipment, park their vehicles and land their catch. The site is screened from The Waterfront so the current use has no detrimental impact on visual amenity. In addition, the West Channel is one of only two places in the Harbour (the other being adjacent to Site 4) that has deep water and can allow large fishing vessels to pull up against the Harbour walls.

It is understood that it was originally intended for the fishermen to be located in the inner basin of the Outer Harbour, however this would require substantial works to be undertaken which would involve dredging the Outer Harbour, providing pontoons and access to the higher level spit. Bearing in mind the costs likely to be associated with these engineering works, it is considered unlikely that the fishermen would be able to relocate to the Outer Harbour.

The SPD confirms that the preferred option for Site 3 is to provide a permanent home for the fishermen to enable them to land their catch and to store their equipment. In addition, it is considered the site would also be suitable for associated and ancillary uses such as net shops.

Site Description:

The application site has an area of approximately 0.32 hectares and is located at the rear of the Harvester pub/restaurant at The Waterfront.

The site which is essentially rectangular in shape, extends to a maximum width of 110 metres and a maximum depth of 41 metres.

The site is currently used by fishermen for the storage of equipment and parking of their vehicles and a number of their boats are moored immediately adjacent to the site.

The southern boundary of the site adjoins the West Channel of the Harbour with three storey terraced residential properties on the opposite side of the channel.

The northern boundary of the site adjoins the service road at the end of Atlantic Drive which provides vehicular access to the site and delivery access for The Waterfront premises.

Whilst Site 3 is centrally located within Sovereign Harbour and is accessible by many residents, it does not occupy a prominent position, being sited at the rear of The Waterfront and backing on to the service areas of the adjacent bars and restaurants. Pedestrian linkage from The Waterfront is currently constrained by the existing layout around the West Harbour Bridge with a reduced width, changes in level and a lack of clear line of sight.

Relevant Planning History:

The original outline planning permission for the harbour development, comprising a comprehensive mixed use development for residential, commercial business, hotel, leisure and retail, including the construction of harbours and associated works was granted in 1988, following the completion of legal agreements (EB/1986/0431). The current application site was included in this original outline approval.

An almost identical planning application to the current scheme was submitted in 2013 for Site 3. Details appear below:

130442

Proposed Fishing Quay comprising of buildings with storage & chiller space, and office accommodation to upper floors and Separate Visitor Centre

Planning Permission

Approved conditionally

17/10/2013

Proposed development:

Planning permission is sought for the complete redevelopment of the site, transforming it from a makeshift storage and shipping area to a fully functioning fishing quay.

The main driver for the scheme is to provide a suitable and sustainable place for the fishing fleet to land their catch and store fish and shellfish prior to sale.

The development will involve the erection of three buildings on the site. Two buildings will be used for storing equipment, storage and preparation of fish as well as other associated uses on the ground floor and office space on the upper floors. The third building is proposed to be a Visitor Centre which will be used to promote fishing as a sustainable local industry and educate visitors about the history of the fleet, the harbour and the significance of fishing in general.

Building 1 will be the most important for the scheme. This building will house the majority of the chiller equipment, cold room, fish preparation areas and storage.

Building 2 will be the largest building on site and will contain storage on the ground and first floors with office space provided on the second floor.

The Visitor Centre will be connected to Building 1 in order to provide a view into the storage and preparation area. There will be open display space and other spaces for the use of training and education.

The proposal has been designed to meet the particular needs of the fleet as well as producing buildings that are well designed, with their own architectural merit.

The buildings take design inspiration from the traditional coastal fishing buildings with the use of 'boarded' elevations, as well as more contemporary architecture. The use of modern composite cladding is to reflect the timber cladding used in traditional quay side buildings and net shops.

The Visitors Centre will have a contemporary design with a flowing 'wave' roof which creates shaded glazed elevations, coupled with elevations constructed and clad like the other buildings. The design of the buildings allows them to be adaptable in order to be altered as the needs of the fishing fleet change.

The proposal includes the creation of formal on site parking for use by the fishing fleet as well as the creation of additional disabled parking spaces and cycle storage. To the rear of the site adjacent to Atlantic Drive it is proposed to provide 11 parking spaces and 3 disabled bays. There will also be adequate space to park the crew's trucks on the quay side in a similar fashion to the way they currently do.

The proposal will also include improved pedestrian access between The Waterfront and Atlantic Drive by way of a raised path way running in front of the proposed buildings. This will offer improved views of the waterside and enable visitors to observe the fishermen at work.

The application site is essentially an unmade yard at present with no landscaping.

Applicant's Points:

- The Eastbourne fishing fleet currently run 32 boats and employ up to 65 people, some of these are seasonal workers due to migratory patterns of the catch and Fishing Quotas set by the government. Annually the fleet land fish and shellfish worth between £1.8-2million
- The proposed development will offer additional employment opportunities on shore. The jobs available on the quayside directly

linked to the fleet, will range from fish preparation to the management and maintenance of the quay

- The fishing fleet cannot store their catch onsite or make ice to ensure its quality, because of this, they have to accept a mark down in the prices they can sell their catch for. Being able to ice their catch will ensure that the fleet can get best value for their catch, which will improve their profitability on the whole
- The new facilities will allow the fleet to begin catching Sprat and Herring and most significantly Spider Crabs and Velvet Crabs. The prominence of shellfish and its added value offers greater potential to create more jobs and more money. These species aren't hugely popular in the UK and will for the most part be exported to Europe or further afield. Rough projections suggest that around 100 tonnes of Spider crab could be landed in Eastbourne at a value of around £170,000
- The proposals include the construction of safe, flat hardstanding for stacking and carrying materials safely around
- The proposals will remove the sloping unfinished ground from the site
- Adequate drainage will be provided as the site is currently prone to puddling and in winter the site ices over
- Currently there isn't any suitable lighting on site, and the fishermen have to provide their own lights due to the hours they have to work
- Many of the fishermen work with the seasons and use different equipment at different times of the year. The proposed development will provide enclosed storage sheds for storing a variety of different kit and equipment.
- Being able to stow this equipment away when not in use will significantly reduce the visual clutter that is currently seen on the site
- There are currently no cold storage facilities on the site and this is one of the most important aspects of the proposals
- There is currently no facility to make or keep ice on the site
- There are no welfare facilities on site. The fleet has a great desire to improve their working conditions and the proposed development will provide toilets and showers
- Working hours are obviously a concern to local residents when proposing a scheme of this type. The use is established; the majority of boats start at 5am and return around 2-3 pm. Work then continues on shore. Most are finished by 5pm. There are exceptions notably quick shooting for soles, which start at midnight and most boats are finished by 8 am. Bass drifting takes place at night starting at 4-5 pm and continuing till 8 am. On windy days most crew and skippers will work on the quay performing maintenance and repairs to both boats and gear, this is from 8 am to 5 pm
- Deliveries and collection times are normally kept between 8am and 8pm
- The fleet causes minimal disturbance and the residents are used to the noise levels the fleet generate.

Consultations:

Internal:

Specialist Advisor (Economic Development) – support proposal and recommend a Local Labour Agreement

Specialist Advisor (Environmental Health) – no comments received

Specialist Advisor (Planning Policy) – support scheme in principle

- The vision for Sovereign Harbour Neighbourhood as described in Policy C14 is that it becomes more sustainable through the delivery of community infrastructure and employment development. This site has yet to be completed and is what is required to make this a sustainable area
- Sovereign Harbour has been identified as one of the least sustainable neighbourhoods in the town. This development will contribute to levels of sustainability across the neighbourhood
- Development will provide more facilities and access to jobs locally
- The Core Strategy aims to increase the importance of the Waterfront as a leisure and tourist destination. This development will work towards these aims.
- The Sovereign Harbour SPD identifies this site as the preferred option for a permanent home for the fishermen to enable them to land their catch and store equipment. Therefore, this development would comply with the SPD.
- There are only two sites in Sovereign Harbour that have water deep enough to allow fishing vessels to pull up against the harbour walls
- The previous application was supported (ref: 130442)

External:

Southern Water – comments summarised below

- Recommends an informative is added to any consent granted (connection to sewer)
- The applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.
- The Local Authority should seek details from the applicant with regards to the implementation and maintenance of any SuDS schemes
- Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.
- The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove, House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

Highways ESCC – no major concerns

- It is proposed that a New Public Right of Way is to be formed; clarification on this point is required as the land is private
- Site is access via a private road and has facilitated use of the site for fishermen for many years in addition to serving other commercial operations
- Parking provision (14 spaces, including 3 disabled bays) is considered sufficient and in accordance with ESCC guidelines for the B1 and B8 uses only
- A1 and D2 uses (retail and community) will not have any parking, but it is considered that trips will be linked with those already visiting the Waterfront/Sovereign retail complex and would use the existing car parks
- The level of cycle parking is acceptable, but for sustainable and secure use, this cycle parking should be covered
- Inclusion of footway through to Atlantic Drive works is a benefit
- As the road is private, there is no requirement for a separate consent to build vehicle accesses from Highways if planning consent is obtained
- Recommends an informative regarding height of vegetation

Neighbour Representations:

13 representations have been made. 6 of these are objections to the scheme, 4 are in support of the scheme and 3 make general observations. Within this number, the Sovereign Harbour Resident's Association made a representation of support for the scheme and the residents of Daytona Quay have written in objection to the scheme (some residents of Daytona Quay have made individual representations also).

The points of all representations have been summarised as follows:

Objections have been received and cover the following points:

- Insufficient assessment has been carried out as part of the application with regards to traffic and parking
- Traffic and parking restrictions should be required to make the application acceptable such as double yellow lines, road signs and residents only parking in Daytona Quay
- Noise and traffic resulting from the operational use make the scheme unacceptable
- Concerns over access for large vehicles
- Big lorries already make a lot of noise (engines running) and this will worsen should the scheme go ahead
- Potential for night work and associated noise
- Boats positioned below apartment windows create disturbance due as they attract seagulls and flies
- Site located in a residential area
- Waste on the site associated with the fishermen has been dealt with poorly in the past, e.g. full/overflowing waste bins and boats disposing of fish guts into the water in the harbour

- Concerns over how the proposed development will be maintained in terms of funding
- The existing site is very unattractive
- All of the existing fishing equipment on the site will not fit inside the proposed building
- Concerns over waste water not draining adequately and polluting the harbour
- Existing road signs are misleading
- Overdevelopment of the site – three floors is unacceptable
- Smell from the fish shop in summer will be abhorrent
- Concerns over build quality
- Concerns over access for emergency vehicles if area is heavily parked up
- An increase in visitor numbers means an increase in refuse and the subsequent deterioration of the environment. Residents concerned they would have to pay for additional refuse services for the area

Notes of support have been received and cover the following points:

- Beneficial to Sovereign Harbour
- Will offer benefits for the local economy
- Helpful for the area
- Design and landscaping are entirely appropriate
- Development on the site will vastly improve its appearance
- Will create jobs
- The benefits of the scheme heavily outweigh any potential disadvantages
- Ideal use for this piece of land

Appraisal:

Principle of development:

Having regard to the existing use of the site and support of the previous scheme (conditional approval of planning case ref: 130442), the principle of the proposed development is considered to be acceptable and works towards the aims of the Policy C14 of the Core Strategy and the associated SPD.

Further to this, the site is currently occupied by the Eastbourne U10 Fishermen CIC. The fleet consists of some 32 boats and employs up to 65 fishermen; 40 full time and 25 seasonal workers. This is for the purpose of the storage of fishing equipment and the landing of the catch. The site is open and there are currently no buildings; just an open yard with no services or hardstandings.

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

It is noted that as a result of the consultation on this planning application, a number of nearby residents have made comments about noise disturbance resulting from the current fisherman's operational use. However, it is considered that the noise associated with the boats is unavoidable and the

fishermen already operate from the site. Therefore, the level of noise, despite the changes in operation if the development goes ahead, is unlikely to change. It should be noted also that the documents that have been submitted with the application confirm that there is no intention to increase the size of the fleet, and as such there will be no increase in the noise associated with the number of boats operating from the site.

It is acknowledged that large refrigerated lorries currently visit the site and often leave their engines running. However the proposed development will have its own refrigeration facilities which will mean the visits from refrigerated lorries are likely to be less frequent and are unlikely to need to dwell for extended periods in the way that they do now.

In addition, the purpose built facilities will enable the fishermen to clean and repair their equipment inside rather than outside on the quayside, further reducing noise associated with operational use. The buildings will also allow the fish to be prepared inside. This should result in a significant reduction in the noise, disturbance and odours that are currently experienced by local residents.

Furthermore, it is recommended that a condition is attached to any grant of consent to control any noise associated with any plant or equipment on site so there will be far more control over noise than there is now.

Therefore to conclude, it is acknowledged that a few residents have expressed concerns that they could be subjected to increased levels of noise. However it is considered that having purpose built facilities and carefully controlled access to the site will be likely to result in a reduced impact on residents. The proposed development is therefore considered to be acceptable in terms of its effect on the amenities of occupiers of surrounding residential properties.

Waste and Refuse

Within objections to the proposed development, refuse and waste were mentioned. It is proposed to have an enclosed refuse/waste store within a secure compound and the Waste Minimisation Statement that accompanied the application confirms that the waste will be dealt with as follows:

Cardboard - allocated bins specifically for cardboard will be sited within the waste compound.

Nylon – off-cuts of nylon nets can be quite springy and take up a lot of space, so the fleet plan to invest in a baler in order to reduce the space taken up by these off-cuts. The bales can then be easily stacked then taken off to be recycled.

Fish offal - the fishing quay will have a certain amount of fish processing on site; the fear of this can be an unpleasant odour permeating from the waste

compound. This waste is actually a valuable commodity; the strategy for all of this material is to recycle it into bait. This will be kept to one side in the on-site refrigeration facility, then taken to sea each morning. Little or no organic waste from fish processing will be sent to landfill.

General waste - it is inevitable that general waste will be produced. Where possible plastic and glass will be separated, but the remaining waste will have to be collected in bins by contractors who will have a duty of care to dispose of the waste responsibly.

It is likely, therefore, that if the proposed development goes ahead, the significantly enhanced facilities will ensure that waste can be dealt with more effectively than it is presently possible to do on the site.

Design issues:

There are currently no buildings on site. The sloping site is currently used as an open yard with outside storage of the fishermen's equipment.

The application site is currently one of the harbour's least attractive sites and it is considered that the proposed development will transform the appearance of the site with the provision of attractive modern buildings. Furthermore, it will enhance The Waterfront offer and attract tourists and visitors to the area. The level changes, proposed landscaping and street furniture will improve the character and appearance of the site.

The design of the new buildings is considered to be wholly appropriate for the location as they reflect the appearance of traditional quayside buildings and the provision of the proposed Visitor Centre with its contemporary design will reflect the character and appearance of other modern buildings in the Harbour.

For these reasons it is considered that the proposals will have a significant positive effect on the visual amenities of the locality.

Impacts on highway network or access:

The site is in close proximity to the Sovereign Harbour Retail Park and the car park serving The Waterfront and these areas have good pedestrian linkages to the application site. In addition, a new pedestrian walkway is to be provided alongside the Harvester to provide visitors and residents the opportunity of viewing the fishermen at work.

The site is currently used by the fishermen each day. Eight or nine pick-up trucks park on the site while the crews are at sea. Most crews operate an informal truck sharing scheme in order to reduce the number of vehicles that need to park on the site. The majority of the crew members are picked up and dropped off at home.

The site is currently served by trucks and lorries at intervals throughout the week. 2/3 vehicles up to a maximum of 7.5 tonnes visit the site each day to make collections. Around once a week an articulated lorry will visit to collect other catch.

The remaining catch is transported away in the crew's trucks. The times when the collection vans and lorries can visit the site is limited to 8am-8pm each day.

The largest vehicle to visit the site is a 44 tonne articulated lorry, which currently has to reverse across the unmade ground of the site. The proposal includes the creation of formal on-site parking for the use of the fishing fleet as well as the creation of additional disabled parking spaces and cycle storage. To the rear of the site adjacent to Atlantic Drive the formation of 10 parking spaces and 3 disabled bays will be provided. There will also be adequate space to park the crew's trucks on the quayside in a similar fashion to the way they do now.

The scheme will also benefit from the proposed bus link between the North and South Harbour areas. It is considered that the proposal will not lead to a significant increase in traffic movements using Atlantic Drive. The development of the quay will make the fishing operations more efficient, and the aim isn't to drastically increase the size of the catch as there is a limit to what can be caught by the 32 boats that operate from the quay. The fleet will not increase in size, so the number of fishermen will stay the same.

The main increase in vehicle traffic is likely to be attributed to those visiting the site. The fishing quay and Visitor Centre will hopefully become a significant draw in terms of tourism. However as detailed above, the additional traffic generated should have minimal impact due to the established use by the fishing fleet as well as the established car parking at the Retail Park and The Waterfront. Therefore, the traffic impact of the proposal should be minimal as there is already an established use on site. The development provides improvements in terms of efficiency and not an increase in traffic.

The office space and Visitor Centre has the potential to increase vehicle traffic in the area, however this is likely to be minimal. A small number of staff will be able to park on site, but the majority of visitors will be expected to use the existing Waterfront car park. Therefore in light of the above, the proposed development is considered to be acceptable in highway and parking terms.

Planning obligations:

The scheme has been found to qualify for the requirement of a Local Labour Agreement under the 'Thresholds for Development' in accordance with the Local Employment Technical Guidance Note, adopted 1st April 2013. This

being the case, a legal agreement should be entered into regarding local labour requirements prior to the commencement of any development.

Sustainable development implications:

Essentially an open super-structure with clear spans and sympathetic cladding means that in years to come the buildings could be completely altered if the needs of the fleet change. This should enhance the lifetime of the development and ensure its viability for many years to come.

The scheme will contribute to improving the sustainability of Sovereign Harbour, which is a neighbourhood that has been identified as one of the least sustainable in the town. Furthermore, the ambition to have a working fisherman's quay was identified in the original masterplan for the Sovereign Harbour redevelopment. Site 3 is one of the few remaining undeveloped sites identified at that time and an established home for the fisherman's quay is something that must be provided within Sovereign Harbour to accord with the Sovereign Harbour SPD. The Vision Statement for Site 3 (Sovereign Harbour SPD [adopted February 2013]) states:

There is an opportunity to provide enhanced, permanent facilities for the fishermen on this site with appropriate storage. In addition, the provision of a new pedestrian link between The Waterfront and Atlantic Drive, via a new harbour walkway is likely to result in the site becoming more of a destination. It is therefore envisaged that alongside the fishermen, other ancillary and associated uses, such as a fresh fish shop could be provided, to the benefit of residents, visitors and Eastbourne's fishing community.

Therefore, development of this site to provide a permanent facility for the fishermen is considered wholly appropriate in terms of strategic development and sustainability within the area.

Ecology and Environmental Issues

A Habitat Survey for ecological purposes has been submitted with the application and confirms that the site is 'insignificant' in terms of ecology. As such, it is considered that there will be no associated issues/impacts resulting from development.

Site 3 is within a 250m zone for a known former landfill site. The applicant intends to carry out a site inspection which is to include a below surface investigation to assess ground conditions and a gas monitoring station prior to carrying out any works on site. In addition, conditions have been recommended to deal with any potentially contaminated land which may be disturbed/affect the site as a result of development. As a point to note, such conditions were recommended as part of the approval for the previous application.

Community Infrastructure Levy

Although an element of retail space is proposed as part of the scheme, and new retail space is usually subject to a CIL charge, the retail area proposed as part of this scheme falls below the chargeable threshold, due to its small size. The scheme is, therefore, liable for CIL but exempt. As such, no CIL fee/charge will be required as a result of the development.

Other matters:

A Flood Risk Assessment has been submitted with the application and confirms that the development is 'Water Compatible' and 'not significant' in terms of flood risk. This being the case, it is considered that the investigation carried out thus far is sufficient to not warrant further analysis or mitigation measures. However, work should be carried out in accordance with the recommendations made in the FRA submitted as part of this application.

Southern Water has recommended that an informative should be attached to any consent granted and that the applicant should engage with Southern Water to discuss the development prior to the commencement of any works. This is with regards to the disposal of foul water, surface water and the potential for dealing appropriately with oil/petrol spillages.

The site currently has no drainage facilities and is prone to puddling, and in the winter the site ices over. As part of the development it is proposed to provide a full drainage scheme.

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 proposed development is considered appropriate in this location as the previously submitted scheme was in 2013.

The proposals will have no detrimental impact on ecology or the visual amenities of the locality.

The proposals are acceptable in terms of their impact on the highway network.

The proposed development works positively towards meeting the requirements of a number of Policies from across the Development Plan and as there have been no significant changes to policy which would affect this proposal since the previously supported scheme, and further to this, there are not considered to have been any changes which have materially changed

the site or the area there is not considered any reason to now refuse the scheme.

As the proposed development will work positively towards improving the sustainability of Sovereign Harbour, the fishermen already operate from the site and any negative impacts resulting from the scheme are considered minimal or surmountable, the scheme is recommended for conditional approval.

Recommendation:

Subject to S106 covering local labour issues then this scheme is recommended for conditional approval.

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.
Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)
2. The development hereby permitted shall be carried out in accordance with the approved drawings submitted on 22nd September 2016
B037.06A – General Site and Block Plans
B037.07 – Pedestrian, Public Transport and Cycle Routes
B037.08 - General Site Arrangement & Site Uses
B037.09 – Building One and Visitors Centre Plans
B037.10 – General Elevations Building One & Visitors Centre
B037.11 – Building Two Plans
B037.12 - General Elevations Building Two
B037.14A – Full Elevations North & South Street Scene
B037.16 – Waterfront Access Detail
Reason: For the avoidance of doubt and to ensure that development is carried out in accordance with the plans to which it relates
3. No development shall take place until samples of the materials to be used in the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.++
Reason: To secure that the development is in harmony with the surrounding area
4. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- i. the proposed methods of demolition, piling, recycling activities and dust suppression and all other construction methods associated with the development;
- ii. noise and vibration monitoring arrangements - to be self monitoring by the applicants - for the key demolition and construction phases; and
- iii. measures, methods of working and the means of screening the site that will be employed to minimise disturbance to neighbouring properties during all demolition and construction work.++

Reason: To secure a satisfactory standard of development and in the interests of residential amenity

5. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. ++

Reason: To ensure effective management of the site for the duration of the construction period and in the interests of residential amenity

6. Prior to demolition works commencing on site a Construction Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. (Given the restrictions of the access and the approach road the hours of delivery/collection should avoid peak traffic flow times). ++

Reason: In the interests of highway safety and for the benefit and convenience of the public at large

7. No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details. ++

Reason: To enable the recording of any items of historical or archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within the National Planning Policy Framework

8. No development shall commence until details of a Phase II soil investigation (as recommended in the submitted Preliminary Soil Investigation Report) is submitted to and approved in writing by the Local Planning Authority. If contamination is found to be present, then details of a remediation strategy detailing how this unsuspected contamination shall be dealt with shall be submitted to and approved

by the Local Planning Authority prior to the commencement of excavation work. ++

Reason: To minimise the risks to human health, controlled waters or buildings by ensuring that the development is suitable for the proposed use

9. No development shall commence until full details of the proposed SUDS system shown in the supporting Drainage Strategy is submitted and approved in writing by the Local Planning Authority in consultation with Southern Water and the Lead Local Flood Authority. The works shall be fully implemented in accordance with the approved details. ++
Reason: In the interest of the amenities of the site and surrounding area and to ensure satisfactory drainage
10. No development shall commence until full details of a lighting strategy is submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with the approved details. The submitted scheme shall include details of times of illumination of all lights, road lighting, floodlighting, security lighting, signage and any variations in brightness. Thereafter the lighting shall continue to be operated only in accordance with the approved details, and no additional lighting shall be installed unless first approved in writing by the Local Planning Authority. ++
Reason: In the interests of the amenity of the area and also in the interest of crime prevention and ecology
11. No development shall commence until full details of the refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the commencement of the use. ++
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling
12. a) No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:
 - i. proposed finished levels or contours;
 - ii. means of enclosure;
 - iii. car parking layouts;
 - iv. other vehicle and pedestrian access and circulation areas;
 - v. hard surfacing materials;
 - vi. minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting);
 - vii. proposed and existing functional services above and below ground (eg drainage, power, communication

- cables, pipelines, etc, indicating lines, manholes, supports etc);
- viii. retained historic landscape features and proposals for restoration, where relevant;
 - ix. planting plans;
 - x. written specifications (including cultivation and other operations associated with plant and grass establishment);
 - xi. schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
 - xii. implementation timetables.

b) All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation. ++

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs

13. Prior to occupation of the development, full details of the proposed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details. ++

Reason: In the interests of visual appearance and integrating the development into its surroundings

14. That any car parking and loading and unloading area and access thereto shown on the approved plan shall be properly constructed with a surface material to be agreed by the Local Planning Authority and marked out and shall be available for use prior to the use/development hereby approved being first occupied.

Reason: In the interest of maintaining the capacity and free flowing highway network

15. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

- Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles
16. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained approval for, an addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with.
Reason: To ensure that the site is suitable for the proposed use by ensuring that the remediated site has been reclaimed to an appropriate standard
 17. That, while the development hereby permitted is being carried out, a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud on the highway caused by such vehicles shall be removed without delay and in no circumstances left beyond the end of the working day.
Reason: In the interests of pedestrian and vehicular safety
 18. Notwithstanding the approved Noise Impact Assessment, external noise levels from items of new mechanical services and external plant equipment shall not exceed $LA_{eq,T} = 35dB$ at any time at a distance of 1 metre from the nearest residential dwelling.
Reason: To ensure that surrounding residential amenity is not adversely affected
 19. That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority.
Reason: In the interest of maintaining the amenities of nearby residents/occupiers and also in the interest of maintaining the character of the wider area
 20. There shall be no burning of any waste on site at any time.
Reason: In the interests of the amenities of the locality in general and occupiers of adjacent residential properties in particular
 21. No development shall take place until details of the arrangements for the servicing of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.++
Reason: For the avoidance of doubt and to secure a satisfactory standard of development

22. The development hereby permission shall be carried out in strict accordance with the Flood Risk Assessment dated June 2013.
Reason: To ensure suitable flood mitigation measures
23. Prior to the commencement of the approved development the details of all plant and machinery (e.g air conditioning, refrigeration units, extraction system) including predicted noise level shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. ++
Reason: To protect the amenity of surrounding residential properties and in the interests of the visual amenities of the area
24. Prior to the commencement of the development hereby permitted details of the construction access to the site and locations and size of any temporary structures shall be submitted to and approved in writing by the Local Planning Authority, thereafter the works shall be undertaken in accordance with the approved details. ++
Reason: To avoid a proliferation of access in order to prevent danger to pedestrians and other road users
25. Prior to the operational use of the development hereby permitted details of directional signage shall be submitted to and approved in writing by the Local Planning Authority prior to the display of any such advertisement, and shall be carried out as approved. ++
Reason: To avoid the over-display of advertisements on the premises to the detriment of the amenities of the locality
26. Prior to the commencement of the development hereby permitted details of the proposed foundations to all buildings/structures shall be submitted to and approved in writing by the Local Planning Authority, thereafter the works shall be undertaken in accordance with the approved details. ++
Reason: To minimise the risks by ensuring that the development is suitable for the proposed use
27. Prior to the commencement of the approved development details of temporary structures or hoardings shall be submitted to and approved in writing by the Local Planning Authority. The works/development shall be carried out in accordance with the approved details. ++
Reason: To protect the amenity of surrounding residential properties and in the interests of the visual amenities of the area
28. Prior to the commencement of the approved development details of finished floor levels and details of any changes to the site levels shall be submitted to and approved in writing by the Local Planning

Authority. The development shall be carried out in accordance with the approved details. ++

Reason: To reduce flood risk, and to ensure a satisfactory relationship with the surrounding properties

29. That, before the development hereby approved is commenced; details of measures for bird deterrent shall be submitted to and approved by the Local Planning Authority. The approved measures shall be implemented before the building is first brought into use and retained as such thereafter. ++

Reason: In the interest of maintaining the character and appearance of the site and surrounding area as well as maintaining the amenities of the occupiers of the adjacent/nearby plots/properties

30. The visitors Centre hereby approved shall not be open to customers/visitors outside the following times: 07.00am and 10.00pm Monday to Sunday including Bank Holidays

Informatives:

1. The vegetation between the footway and the secure compound to the east of the vehicle access should be a type that will not grow/kept at a height under 600mm to ensure adequate visibility.
2. A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
3. Your attention is specifically drawn to the conditions above marked ++. These conditions require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT OR USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may take appropriate enforcement action to secure compliance. You are advised that sufficient time for the Authority to consider the details needs to be given when submitting an application to discharge conditions. A period of between five and twelve weeks should be allowed. A fee of £97 is payable for each submission to discharge conditions.

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.