Public Document Pack

Tuesday, 24 November 2015
at 6.00 pm
Town Hall, Eastbourne

Planning Committee

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MEMBERS: Councillor Murray (Chairman); Councillor Sabri (Deputy-Chairman); Councillors Jenkins, Miah, Murdoch, Salsbury, Taylor and Ungar

Agenda

1. Minutes of the meeting held on 27 October 2015. (Pages 1 - 14)

2. Apologies for absence.

3. Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.
4 Urgent items of business.
   The Chairman to notify the Committee of any items of urgent business to be added to the agenda.

5 Right to address the meeting/order of business.
   The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of planning applications/items listed and that these applications/items are taken at the commencement of the meeting.

6 6 Holywell Close.  Application ID: 150951.  (Pages 15 - 20)

7 42-44 Meads Street.  Application ID: 150975.  (Pages 21 - 26)

8 Devonshire Park.  Application ID: 150903 (PP) and 150904 (LBC).  (Pages 27 - 64)

9 East Beach Hotel.  Application ID: 150965.  (Pages 65 - 72)

10 Langney Shopping Centre.  Application ID: 150882 (PPP).  (Pages 73 - 80)

11 Shinewater Playing Field.  Application ID: 150660 (PPP).  (Pages 81 - 86)

12 Upperton United Reform Church.  Application ID: 150824 (PPP).  (Pages 87 - 106)

13 Summary of Planning Performance of the Planning Service for 3rd Quarter (July - September) 2015 and Planning Customer Satisfaction Survey (June - October).  (Pages 107 - 128)

14 South Downs National Park Authority Planning Applications.

15 Employment Land Local Plan  (Pages 129 - 146)
   Report of Senior Head of Regeneration, Planning and Assets.

Inspection of Background Papers – Please see contact details listed in each report.

Councillor Right of Address - Councillors wishing to address the meeting who are not members of the Committee must notify the Chairman in advance.

Disclosure of interests - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.
In the case of a DPI, if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

**Public Right of Address** – Requests by members of the public to speak on a matter which is listed in this agenda must be received in writing by no later than 12 Noon, 2 working days before the meeting e.g. if the meeting is on a Tuesday, received by 12 Noon on the preceding Friday). The request should be made to Local Democracy at the address listed below. The request may be made by letter, fax or electronic mail. For further details on the rules about speaking at meetings please contact Local Democracy.

**Registering to speak – Planning Applications** - If you wish to address the committee regarding a planning application you need to register your interest with the Development Control Section of the Planning Division or Local Democracy within **21 days** of the date of the site notice or neighbour notification letters (detail of dates available on the Council's website at [www.eastbourne.gov.uk/planningapplications](http://www.eastbourne.gov.uk/planningapplications)).

Requests made beyond this date cannot normally be accepted. This can be done by telephone, letter, fax, e-mail or by completing the local democracy or planning contact forms on the Council’s website.

**Please note:** Objectors will only be allowed to speak where they have already submitted objections in writing, new objections must not be introduced when speaking.

**Further Information**

Councillor contact details, committee membership lists and other related information is also available from Local Democracy.

**Local Democracy**, 1 Grove Road, Eastbourne, BN21 4TW  
Tel: (01323) 415023/415021  Text Relay: 18001 01323 410000,  Fax: (01323) 410322  
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For general Council enquiries, please telephone (01323) 410000 or E-mail: [enquiries@eastbourne.gov.uk](mailto:enquiries@eastbourne.gov.uk)
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Tuesday, 27 October 2015
at 6.00 pm

Planning Committee

Present:-

Members: Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)
Councillors Jenkins, Murdoch, Taylor, Ungar and Hearn (as substitute for Miah)

82 Minutes of the meeting held on 29 September 2015.

The minutes of the meeting held on 29 September 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

83 Apologies for absence.

Councillor Salsbury.

84 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

None reported.

85 3 Selwyn Road. Application ID: 150800.

Demolition of lean to extension, conservatory and garage and erection of new bungalow together with associated off-street parking – UPPERTON. Nine objections had been received.

The relevant planning history for the site was detailed within the report. The observations of East Sussex County Council Highways department were also summarised.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time limit 2) Approved Drawings 3) Boundary treatments 4) Carpark to be laid in accordance prior to occupation 5) All Permitted development rights removed 6) Demolition and Construction times 08:00 to 18:00 Mon – Fri, 08:00 – 13:00 Sat and not at all on Sundays Bank and public holidays 7) Prior to commencing the construction of the new dwelling hereby approved details of the making good the newly exposed flank wall of the retained property shall be submitted and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site prior to the practical completion of the dwelling hereby approved.
**Planning**
**Tuesday, 27 October 2015**

**86 29 Bedfordwell Road. Application ID: 150443.**

Outline application (with appearance, landscaping and scale reserved) for demolition of existing hostel and erection of 6 x 3 bedroomed flats - consideration of access and layout only – **UPPERTON**. Three objections had been received.

The relevant planning history for the site was detailed within the report. The observations of the East Sussex County Council Highways department were also summarised.

Members discussed the application and raised concerns regarding the parking in and around the site.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that
1) It is considered that the proposed number and size of units cannot be accommodated on the site without constituting over development by virtue of the size and layout of the building and therefore resulting in a visually intrusive development contrary to policy D10A of the Core Strategy Local Plan and Saved Policies UHT1 and UHT4 of the Borough Plan 2007
2) As submitted, 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 and would therefore be contrary ESCC parking guidance.

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.

**87 51 Woodgate Road. Application ID: 150192 (HHH).**

Proposed part single and part two storey extension at rear together with associated patio and steps – **ST ANTHONYS**. Two objections had been received. One further letter of support was reported stating that there were no issues with the planning build and that the plans were fully supported.

The relevant planning history for the site was detailed within the report.

Mrs Knight addressed the committee in objection stating that the second storey of the extension would result in a loss of light and overlooking to her property.

Mr Thompson, the applicant addressed the committee in response stating that the extension was similar to neighbouring properties and had been designed to be more in keeping with the surrounding area. He also stated that any impact on daylight would only be felt at the end of the day during the winter months.

**RESOLVED: (By 6 votes with 1 abstention)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall begin before the expiration of three years from the date of this
permission 2) The development hereby permitted shall be carried out in accordance with the following drawings.

- 202000.02 Revision D – Proposed plans (Received by EBC on 25 August 2015)

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, roof light or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority to any elevation or roof slope of the approved extension.


Application to vary condition 6 (Hours of Delivery) of planning permission granted 31 March 2015 for the erection of a foodstore together with associated car parking and landscaping (Ref: 140958) to allow deliveries between the hours of 0500 and 2300 Monday to Sunday – HAMPDEN PARK. Six objections had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor Environmental Health were also summarised.

Members were advised that additional information had been submitted by Aldi as follows;

Firstly, for completeness and avoidance of doubt, ALDI never proposed delivery hours of 07.00 – 21.00 Monday to Saturday or 10.00 – 18.00 on Sundays. The noise report submitted with the original application confirmed that deliveries to the store – even on a 24hr basis – would not result in a negative impact on local amenity and the original application was made on this. The condition relating to delivery hours was attached to the original consent by the Environmental Health Officer. There was no discussion / negotiation with ALDI and the findings of the original noise report did not appear to have been considered at that time, when recommending that the store be subject of a delivery restriction of 07.00 – 21.00 Monday to Saturday and 10.00 – 18.00 on Sundays. Nevertheless, ALDI had not taken the decision to amend those hours lightly. Every effort was taken to try and design a logistics plan around the consented hours, but this was simply not possible. The application was accompanied by a fully accredited noise survey, prepared in accordance with relevant British Standards and with clear empirical evidence, which confirmed that deliveries, even on a 24hr basis, would not result in a negative impact on residential amenity. However, notwithstanding and without prejudice, ALDI had worked proactively with officers throughout the statutory process and had agreed a position of a new delivery window of 05.00 – 23.00.

Members discussed the proposed changes and felt that amended hours of 6am to 11pm - Monday to Saturday and 8am to 11pm on Sundays would be more appropriate and suitable in a residential area. Following a brief adjournment and discussion with the applicant this was confirmed as acceptable.
RESOLVED: (Unanimous) That permission be granted to 1) Approve variation to condition to allow deliveries between the hours of 0600 and 2300 Monday to Saturday and 0800am to 2300 on Sunday 2) Issue a new notice with the inclusion of an additional condition stating that the if the applicant chooses to implement their extended delivery times that this shall only be done in accordance with the applicants noise report 3) That the applicant be advised that the notice will not be issued until a modification to the S106 connected to 140958 has been completed to the satisfaction of all parties.

89 Morrisons, 1 Hargreaves Road. Application ID: 150790.

Application for variation of condition 8 (Time restriction on loading and unloading) following planning permission dated 17 August 2011 for the development of a Morrisons foodstore and petrol station (Ref: EB/2011/0050) to allow the loading or unloading of goods or materials between the hours of 05:00 and 23:00 - HAMPDEN PARK.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor Environmental Health were also summarised.

RESOLVED: (Unanimous) That the variation of the condition be granted.

90 7 Upperton Road, Churchill Retirement Living. Application ID: 150803 (PPP).

Demolition of existing buildings and redevelopment to form circa 61 one and two bed sheltered apartments for the elderly including communal facilities, access, car parking and landscaping – UPPERTON. 10 objections had been received.

The relevant planning history for the site was detailed within the report. The observations of the Housing Services Manager, the Specialist Advisors for Planning Policy and Strategy and Commissioning - Regeneration, the East Sussex County Council Lead Local Flood Authority (ESCC SUDS) and Adult Social Care were also summarised.

Members were advised that additional information supplied by the applicant outlined that the scheme would be constructed from Upperton Road via a new layby and crane.

The committee was advised that East Sussex County Highways department had responded as follows:

This application was for the redevelopment of a site that was previously a car showroom and workshop into a 61 room sheltered accommodation apartment block. A Transport Assessment (TA) had been submitted as part of the application and its contents and conclusions were acceptable. The sites central location puts it well within acceptable walking distance of public transport facilities (bus & rail) as well as the shops and services associated with the town centre location. This would limit the need of
residents and visitors to travel by car. A total of 21 parking spaces were proposed. The ESCC Parking guidelines suggested that one space should be provided per two – four units. 21 spaces was approximately one space per three units and therefore acceptable. There was also sufficient space to turn within the site. The TA included a comparison of the number of vehicle trips the previous use and proposed use would create. The proposed use was shown to produce fewer trips than the previous use. A comparison had been carried out using the TRICS database and obtained almost the same result. As there was a reduction in trips the proposal would have a lesser impact on the highway network than previously existed. Currently the site had vehicle accesses in both Upperton Road and Southfields Road. The proposal would remove the access from Upperton Road, apart from for pedestrians and retain the current access in Southfields Road. The continued use of the Southfields Road access was acceptable. The removal of a vehicle access from Upperton Road A2270 was considered a positive step as potential disruption to traffic flow would be removed. Utilising Upperton Road for the pedestrian access was also a positive step as the footways and crossings facilities between the site and the town centre were better than via Southfield Road. It was noted that there was concern regarding the construction phase and the resultant large vehicle using Southfields Road. A proposal had been submitted showing a layby arrangement which could be implemented in Upperton Road which would limit the level of site traffic which would need to use Southfields Road. This proposal was acceptable in principle but details would need to be agreed. This could be controlled through the site traffic management plan which would also control site vehicle routing, etc. The suggested layout would make use of part of the footway for a loading bay. This would need to be strengthened to accommodate the vehicle loading. The footway would need to be reinstated at the end of the construction of the building. The vehicle movements would need to be controlled by a qualified banksman and the details of the pedestrian footway would need to be finalised and agreed. Concern was raised with the proposal for just a white line to demarcate the loading bay/footway. A barrier/hoarding line would seem more appropriate to segregate pedestrians from the site. The impact of this development on the highway network would be minimal and therefore the Highways department did not wish to restrict grant of consent subject to the inclusion of a number of additional conditions.

Mr Robertson addressed the committee, stating that he was in favour of the development, however he did have some concerns regarding the building stage and the delivery of plant and the parking availability for site staff.

Mr King, agent for the applicant, addressed the committee in response stating that a Site Manager would be available at all times. The Southfields Road access would only be required initially for the delivery of plant for no more than two days and workers would be required to use pay and display parking within the town.

RESOLVED: (By 5 votes to 2) That subject to a S106 agreement covering ‘Local Labour Initiatives’ and ‘age of resident restriction’ permission be granted subject to the following conditions: 1) Time Limit 2) Accordance with approved drawings 3) Prior to their installation all external materials submitted and approved 4) Prior to their installation all boundary treatments submitted and approved 5) Prior to first occupation
refuse/recycling shall be made available to residents along with a statement for the presentation of bins on collection day 6) Prior to the first occupation buggy store shall be made available to residents 7) Prior to the first occupation the car park shall be laid out in accordance with the details 8) Demolition/construction method statement 9) No plant machinery to be used outside of the following times 08:00 – 18:00 Monday to Friday and 08:00 13:00 Saturdays and not at all on Bank or public holidays 10) Prior to commencement other than demolition hard and soft landscaping submitted and approved 11) Prior to construction of the proposed development, a drainage survey is undertaken to determine the existing surface water discharge location(s). Details of the drainage survey should be submitted to and agreed by the Local Planning Authority 12) The surface water management proposals formulated for the detailed design stage should be supported by detailed hydraulic calculations. These calculations should take into account the connectivity of the different drainage features. They should show a ‘like for like’ discharge rate between the existing and proposed scenarios during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. If it is not practical to limit the runoff volume to the existing, the excess volume during a 6 hours 1 in 100 years storm should be discharged at a rate of 2 l/s/ha 13) A maintenance and management plan for the entire drainage system should be submitted to and agreed by the local planning authority before any construction commences on the site. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system. The appropriate authority for the maintenance needs to be satisfied with the submitted details 14) Prior to the construction on site, other than demolition a contaminated land assessment and associated remedial strategy is to be submitted and agreed 15) The building shall not be occupied until details of all exterior lighting have (including security lighting) have been submitted and approved 16) Before the development hereby permitted is commenced full details of all proposed extract flues, ventilation systems and meter boxes shall be submitted to and approved 17) The development shall not be occupied until a means of access for pedestrians from Upperton Road has been constructed in accordance with the approved plans 18) The development shall not be occupied until the existing accesses from Upperton Road shown on the approved plan has been stopped up and the kerb and footway reinstated in accordance with details submitted to and approved in writing by the Director of Communities, Economy and Transport. These works will need to be licenced by ESCC prior to commencement 19) Prior to demolition works commencing on site a Traffic Management Scheme, including details of the loading lay by in Upperton Road 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 busy nature of the approach roads the hours of delivery/ collection should avoid peak traffic flow times) 20) During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads 21) The development shall not be occupied until parking areas have been provided in accordance with the approved plans
and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

91 **The Hawthorns, 4 Carew Road. Application ID: 150742 (PPP).**

Alterations to create enclosed vestibule/wind break to front entrance below existing canopy roof, erect external lift shaft and alterations to rear entrance to create draught lobby – **UPPERTON**. Five objections and one letter of observation had been received.

The relevant planning history for the site was detailed within the report. The committee was advised that the Specialist Advisor for Environmental Health was satisfied that there would be no noise issues for surrounding properties and therefore had no objections to the application.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission 2) The development hereby permitted shall be carried out in accordance with the following approved drawings submitted on 16 July 2015:

- DWG. NO.: AL(0)PL01 Rev A - Proposed Site Plan
- DWG. NO.: AL(0)PL02 Rev A - Proposed Ground Floor Plan
- DWG. NO.: AL(0)PL03 Rev A - Proposed First Floor Plan
- DWG. NO.: AL(0)PL04 Rev A - Proposed Second Floor Plan
- DWG. NO.: AL(0)PL05 Rev A - Proposed Third Floor Plan
- DWG. NO.: AL(0)PL06 Rev A - Proposed Elevations
- Lift Requirement Statement July 2015

3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those detailed within the drawings hereby approved 4) 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 5) The operational requirements of the lift hereby approved shall be implemented and operated in accordance with the Lift Requirement Statement July 2015 submitted with the application.

92 **1 Stuart Avenue. Application ID: 150738.**

Erection of a three-bedroom, detached, two storey dwelling house with vehicular access from Baldwin Avenue – **OLD TOWN**. Two objections had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor for Arboriculture, the County Archaeologist and East Sussex County Highways department were also summarised.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time for commencement 2) Reserved matters 3)
Approved Drawings 4) Removal of permitted development rights for windows, doors, dormers and rooflights 5) The two rear facing first floor windows serving the bathroom and en-suite bathroom shall not be glazed otherwise than with obscured glass 6) No development shall take place until the developer has secured the implementation of a programme of archaeological work 7) The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed.

**Informative:**
1) The proximity of the proposed development to the neighbouring group of Ash trees in the adjacent playing field may lead to blocked gutters to the new dwelling unless suitable gutter guards are installed. Once the proposed development has been completed the owner of the trees will have a legal requirement to negate any legal nuisance caused by the trees such as direct damage to the roof tiles etc. This requirement may have an impact on the owner regarding ongoing maintenance where at present they have no obligation to prune them.

2) Please apply to ESCC for a licence to install a vehicle crossover.

93 51 Upperton Lane. Application ID: 150694

Demolition of existing building and flint boundary wall. Rebuilding of flint wall and erection of a two storey dwellinghouse with parking space – UPPERTON.

The relevant planning history for the site was detailed within the report. The observations of East Sussex County Council Highways department and the Specialist Advisors for Planning Policy and Conservation were also summarised. 14 objections had been received.

At its meetings on 25 August 2015 and 6 October 2015 the Conservation Area Advisory Group raised objections to the principle of a residential property in what was historically a service lane and considered it unacceptable and out of character with the surrounding conservation area. It was felt that approval could set a precedent for further residential development and the resulting cumulative impact would negatively affect the existing character of the area. Specifically, objections were raised to the mass, scale and design which had little reference to the historic architectural character and appearance of the immediate and surrounding area.

RESOLVED: (Unanimous) That permission be refused on the grounds that the proposed development would result in an undesirable form of backland development in an unsuitable location, which would by reason of its scale, siting and design, result in a cramped, visually dominant and intrusive form of development that would fail to preserve or enhance the character and appearance of the conservation area and would be detrimental to the amenities of adjoining residential occupiers through loss of privacy and outlook. As such, it would conflict with policies UHT1, UHT4, UHT15 and HO20 of the Eastbourne Borough Plan 2001-2011, policies B2, C2, D1, D10.
and D10A of the Eastbourne Core Strategy Local Plan, and paragraph 64 of the National Planning Policy Framework.

Informative:
For the avoidance of doubt, the following plans are refused:
AMENDMENT TO PLANNING APPLICATION 150694 Page 2 of 4 dated 30/9/15
AMENDMENT TO PLANNING APPLICATION 150694 Page 3 of 4 dated 30/9/15
AMENDMENT TO PLANNING APPLICATION 150694 Page 4 of 4 dated 30/9/15

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.

94 Moira House (Menage). Application ID: 150594.
Installation of ménage on existing playing field – MEADS. 13 objections and 11 emails of support had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisors for Arboriculture, Open Spaces, Planning Policy and Conservation and East Sussex County Council Highways department were also summarised.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Commencement within three years 2) Compliance with approved plans 3) Submission of details of drainage/services 4) Submission of details of site office, storage area for materials, and access route 5) Provision of traffic signs 6) Restriction of route for horses in and out of the site 7) Restriction on times the manege is used 8) Hours of construction 9) Provision of beech hedge 10) No external illumination.

95 Moira House (Stable block). Application ID: 150585 (PPP).
Erection of a stable block adjacent to rear boundary to facilitate equine activities for students – MEADS. Nine objections and nine emails and letters of support had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisors for Arboriculture, Downland, Planning Policy, Conservation, and East Sussex County Council Highways department were summarised within the report.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Commencement within three years 2) Compliance with approved plans 3) Tree protection measures 4) Submission of details of site office, storage area for materials, and access route 5) Submission of details of routes for services and external lighting 6) No burning on site 7) Submission of details of excavations/foundations/drains 8) Submission of samples of materials 9) Provision of rubberised surface to route adjacent to Castle Mount 10) Restriction of size of vehicles accessing the site 11)
Provision of traffic signs 12) Restriction of route for horses in and out of the site 13) Replacement of trees to those that are to be lost (4 in total) Soft Landscaping 14) No development shall take place until revised details have been submitted showing an access and turning area from the existing tarmac driveway to the stable building which excludes the root protection area of G14 and provides a no-dig solution in the root protection areas of T19, T20, T21 and T22. The development shall be carried out in accordance with the approved details and permanently retained as such thereafter.

Informative
The applicant should contact Natural England regarding consent to access the bridleways from the school.

96 Site 7b, Pacific Drive. Application ID: 150796.

Application for approval of reserved matters (Access, Appearance, Landscaping, Layout and Scale) and related discharge of conditions 2 (part), 3(part), 4(part), 9(part), 134, 136, 139, 140, 141, 149, 150, 154, 159, 160, 161, 162 and 168 of outline planning permission dated 2 December 2014 (Ref:131002) for the development of 70 residential units (Use Class C3), Public Open Space and Access at Sites 7b and 7c, Pacific Drive, Sovereign Harbour, Eastbourne – SOVEREIGN. 11 objections had been received.

The relevant planning history for the site was detailed within the report. The observations of Specialist Advisors for Arboriculture and Planning Policy, the Health and Safety Executive and East Sussex County Council Highways department were also summarised.

The committee were advised that Wealden District Council raised no objections to the application.

One further objection was reported covering the following:
- Increase in traffic
- Increase in number of people, overcrowding the area.
- Visually intrusive development
- Health and safety in case of emergency the only main road could become blocked

Comments had also been received from Sovereign Harbour Residents Association covering the following:
- Comments in relation to the original SPD and the requirement for the provision of a community centre and requesting a condition that works could not commence until the community centre was above ground.
- They welcomed the ‘home zone’ concept which would create a pedestrian and child friendly environment.
- Queried the impact if the emergency access was to be used by cyclists/motorcyclists, and requested that the access was pedestrian only.
- The public open space should be dog-free and cycling through this space should not be permitted.
The concept of the design, landscaping and traffic movement on this site was to be applauded.

Officers comments to representations were summarised:

Emergency Access and Cyclists - If a barrier was installed to prevent cyclists/motorcyclists using the access this would also prevent any pedestrian access. A condition was suggested regarding the construction detail of the access, providing details of the means of restriction. Details should also be requested in relation to the construction of the car parking area and the bin/bicycle storage.

As with other areas of Public Open Space within the Borough it was not normal practice to restrict use of public open spaces for cyclists or dog owners. Barriers at the entrances to the open space were proposed to slow cyclists and/or make them dismount.

The delivery of the community centre was controlled by the requirements of the S106 and was not linked to the occupation or commencement of building of the residential units.

The contents of the SPD were guidance only to inform any applications coming forward, the development was driven by the outline permission and the S106. Works were ongoing to seek delivery of the community centre, as there was no link between the commencement of development in relation to site 7 and the community centre it would be considered unreasonable in planning terms to impose and conditions as requested by the Sovereign Harbour Residents Association.

Mr Newman addressed the committee in objection stating that he had concerns regarding the access path near the rear of his property and that any levelling on the site may undermine the gardens that back onto the site.

Mr and Mrs Weeks, Sovereign Harbour Residents Association, addressed the committee reiterating the comments reported to Members earlier in the meeting.

Councillor Blakebrough, Ward Councillor, addressed the committee regarding the safety issues relating to cycling / pedestrian access through the site.

County Councillor Elkin, Sovereign Division, addressed the committee stating that the development would enhance the harbour, however, Councillor Elkin did raise concerns regarding agreement to develop the Community Centre prior to any further housing development as agreed in the Sovereign Harbour SPD (Supplementary Planning Document).

Marie Nagy, Agent for the applicant, addressed the committee in response stating that the design followed agreed parameters. The Community Centre was not linked to this development and should therefore not impact on any permission. Ms Nagy also stated that should the committee refuse the application there would be a delay in the delivery of public open space. With regard to the emergency access route, access needed to be provided
for all users and consideration had been given as to how they would be directed through the site.

**RESOLVED: (Unanimous)** That permission be granted for the reserved matters application and discharge of the following appropriate conditions:

1) Prior to the commencement of development the design of the emergency access shown on the approved drawing from Pevensey Bay Road, along with a method statement for its construction shall be submitted to and approved by Southern Gas Network details of the agreement shall be submitted to the Local Planning Authority
2) Requirement for the emergency access route to be constructed and operational prior to first occupation of the site
3) SUDs condition in relation to hydraulic calculations, taking into account the connectivity of the different drainage features
4) Submission of a maintenance and management plan for the drainage system.

**Informative:**
Seek HSE approval prior to commencement of work.

Southern Gas Network Informative
Should any work be contemplated it is essential that you comply with the restrictions detailed below and in the document SGN/SP/SSW22 (available from SGN) in order to protect our plant and equipment and for the safety of your own operatives.

1) No mechanical excavation is allowed within 3 metres either side of pipeline
2) No plant or storage of equipment shall be made within any easement strip
3) If any metallic pipes or cables are being laid in proximity to gas pipelines then interference testing will be required, the cost of which to be borne by the promoter of the works. A minimum clearance of 600mm is required
4) All precautions stated in publication SGN/SP/SSW22 (Safe Working in the Vicinity of High Pressure Gas Pipelines) shall be fully complied with in all respects. Acceptance of SSW22 shall be acknowledged by the responsible site person signing and returning the form Appendix A (back page) to the SGN representative contacted in (7)
5) No thrust boring shall take place within three metres of the pipeline
6) All planting within the easement strip should comply with “Notes for Guidance on Tree Proximity”
7) Before commencing work on site you must contact our Pipeline Maintenance Section on 0141 4184093 at least three days before work commences. A Southern Gas Networks representative will then contact you to arrange to visit site. Details of working near to high-pressure gas pipelines can then be discussed
8) Pipeline sections that are planned and agreed by SGN to be permanently covered (i.e. by road surface) will require a coating survey. SGN will repair any indicated coating defects free of charge. The survey costs will be borne by the promoter of the works. Prior to any surface cover cathodic protection coupons and reference cells will require installation at no cost to SGN
9) This pipeline is cathodically protected and as such has test cables located in surface boxes, were these to be lost through this work we would look to you for remedial action at no cost to SGN
10) Intrusive construction methods will require an agreed method statement prior to work starting
11) The minimum proximity between the high pressure gas pipeline and any wind turbine should be 1.5 times the fixed mast height excluding the turbine of the wind turbine. If you are planning to construct a wind turbine closer than this, then you must
contact SGN immediately 12) Any extended period of SGN site supervision may incur charges to you. These will be charged based on visiting times, materials and occurrences. You will be informed when these come into effect and be invoiced direct 13) Any piling or boreholes within 15 metres of the pipeline may require vibration monitoring. No piling or bore holing must take place within 3 metres of the pipeline 14) Please ensure these conditions, together with any relevant drawings are forwarded for use by the construction personnel of your works.


This application was withdrawn.

98 44-48 East Dean Road. Application ID: 150499 (PPP).

Demolition of existing buildings and erection of a three-storey 58 bed care home (use class C2) – OLD TOWN. 16 objections had been received.

The relevant planning history for the site was detailed within the report. The observations of the Environment Agency, the Specialist Advisors for Arboriculture, Economic Development, Environmental Health, Planning Policy, East Sussex County Council Highways department and Southern Water were also summarised.

RESOLVED: (By 6 votes with 1 abstention) That permission be refused on the grounds that the proposed building, by reason of its size, height, bulk and orientation, when assessed against the approved scheme would have an overbearing impact on adjoining residential occupiers as a result of its elevated position in close proximity to the boundaries. It would therefore fail to comply with policies B2 and C4 of the Eastbourne Core Strategy Local Plan 2013, policies UHT1, UHT2, HO9 and HO20 of the Eastbourne Borough Plan (Saved Policies) 2007 and policies 56 to 58 of the National Planning Policy Framework.

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.

99 South Downs National Park Authority Planning Applications.

Members were advised that an application had been received to install an ANPR and wind turbine on Black Robin Farm. The committee agreed with the Officer's view that the application would be visually intrusive and inappropriate in the suggested location. The committee did appreciate the requirement for the cameras and requested that an alternative location be sought.

NOTED.

The meeting closed at 9.56 pm

Councillor Murray (Chairman)
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Executive Summary:
The application proposes side extensions; one at first floor level above the garage, in addition to a single storey ground floor extension (in the form of a conservatory) to the same side of the property. 6 Holywell Close is located in the Meads Conservation Area.

This application has been referred to the Planning Committee from delegated by given the level of representations received.

Planning Status:
Detached residential property in a predominantly residential area and a Conservation Area

Relevant Planning Policies:
National Planning Policy Framework 2012
6. Delivering a wide choice of high quality homes
7. Requiring good design
12. Conserving and enhancing the historic environment

Core Strategy Local Plan 2013 Policies
B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C11: Meads Neighbourhood Policy
D1: Sustainable Development
Site Description:
Holywell Close is a cul-de-sac located to the north of Dukes Drive on the south east edge of Meads Ward and adjoins Holywell Road to the east; the Close is sited in the Meads Conservation Area. The properties in the Close were all built as part of the same development in the 1950s and have a very distinctive character, which is unique in Eastbourne. All of the properties are two storey dwellinghouses, rendered and painted in white. The close ascends from the ground level at Holywell Road as it runs west to a much higher point at its end.

The built environment of the close could be said to be made up of a number of sets. To the south flank, a row of detached dwellinghouses stand, linked by attached garages and a standalone detached dwellinghouse located at each end. To the west at the highest point of the close stand an enclave of detached dwellinghouses with integral garages. The north flank of the close is typified by a row of small terraced houses (without garages). Again, this short row of houses is accented on either end by a detached dwellinghouse.

Relevant Planning History:
EB/1956/0307
REVISED PLAN & ELEV OF PROPOSED HOUSE
Approved Unconditionally, 1956-09-20

EB/1955/0247
8 DET HOUSES WITH GARAGES & 4 PAIRS OF S/D, 2 PAIRS WITH GARAGES & CONSTRUCTION OF CUL-DE-SAC ROAD
Approved Unconditionally, 1955-07-07

EB/1955/0163
8 DET HOUSES WITH GARAGES & 4 PAIRS S/D HOUSES, 2 PAIRS WITH GARAGES
Approved Conditionally, 1955-04-28

EB/1955/0064
DEM ‘HOLYWELL PRIORY’ & ERECT 16 HOUSES
Approved Conditionally, 1955-02-24
Proposed development:
The applicant seeks permission to extend the dwellinghouse at first floor level over the attached garage in addition to extending it at ground floor level to the side by way of a single storey addition (conservatory). The scheme had previously been approved in 2002, but as the development had not begun, the permission expired.

The first floor addition is to have a pitched roof (apex to match existing) and will extend approximately 4.1m beyond the side wall with a lower ridge height than that of the existing dwellinghouse by approximately 0.3m. Most of the addition will be built on top of the existing garage, however a small portion will be two storey which will extend approx. 1.2m beyond the side wall of the garage. There is to be a parapet wall between the addition and the exiting dwellinghouse as well as a similar, but slightly smaller parapet wall on the outer side wall. The front elevation of the development is to be stepped, with a portion of the extension set back from the principal elevation of the dwellinghouse. This is due to the restriction on the site caused by the small amount of space between the dwellinghouse and the side boundary of the property. There is a small casement window proposed for the front elevation and a wider casement window proposed for the rear with none proposed for the side elevation.

Approximately, the single storey ground floor extension is to extend 3.15m beyond the side wall of the dwellinghouse and with a mono-pitched roof (full height of 3.9m and an eaves height of 2.4m). The conservatory will be partially obscured from view from the public realm by a wall (in keeping with the parapet walls of the dwellinghouse) which runs diagonally from the front elevation backwards at an angle of approximately 45 degrees.

The proposed development is to allow for additional habitable space, including: a conservatory to the ground floor and an additional bedroom and bathroom to the first floor.

Consultations:
Internal:
Specialist Advisor (Conservation) – response dated 4th November 2015:

As a renewal of an existing permission, there has been little change in heritage legislation since the previous approval, to warrant a refusal of the current application based on conservation grounds. Recommend Approval

Neighbour Representations:

Five objections have been received and cover the following points:

- Proposed scheme would be disharmonious with the other buildings in Holywell Close and out of keeping and unsympathetic in terms of design
- Scheme would negatively impact the Conservation Area
- Proposal would be detrimental to the established character and appearance of the area
- This type of development would set a precedent for Holywell Close that could result in erosion of character
- Concern that planning rules are more laxly applied to this property than others in Holywell Close
- Rhythm of the built environment would be interrupted
- Integrity of Conservation Area protection potentially threatened
- Will give a ‘closed-in’ appearance
- Inaccuracy of content of Heritage Statement

Appraisal:

Principle of development:
There is no objection in principle to the proposed development provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity, the character of a listed building or conservation area in accordance with policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007.

Design issues:
Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Local Plan state 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. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused. Policy B1 of the Eastbourne Core Strategy provides the spatial vision and strategic objectives which seek to ensure that future growth in Eastbourne is delivered at an appropriate level and in a sustainable manner and Policy B2 seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. Proposals within Conservation Areas will be required to preserve the character and appearance of the area as specified in Policy UHT15 of the Eastbourne Local Plan.
Overall, the scheme is considered to be suitably sympathetic to the host building and immediate area. There are a number of design features contained within the proposal which mimic those found in Holywell Close, such as the parapet walls, the matching materials and the addition of a wall to obscure the conservatory from view of the road.

The position of no. 6 is set back from the other houses along the southern flank of the road. As such, alterations to this property will be less visible from the wider street scene. In addition, the property is not linked to the other houses by the outer wall of the garage, nor does it follow the building line. Therefore alterations to this detached property, which punctuates the end of the row, are less impactful to the rhythm created by these buildings. As the alterations are to the west side of the property, interruption to the established character and appearance of the area is mitigated.

Legislation protecting Conservation Areas has not been changed to a great extent since the scheme received planning permission in 2002. As such, it is not considered that the proposed scheme is discordant with current policies informing planning decisions.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:
Policy HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy B2 of the Core Strategy seeks to protect the residential and environmental amenity of existing and future residents. As an extension to this, Policy D10 states that all significant heritage assets will be protected and where practicable there is a presumption in favour of protection of all heritage assets from inappropriate change, including both designated and non-designated assets. Proposals within Conservation Areas will be required to demonstrate the direct and indirect effects of development proposals in Conservation Areas and their settings as specified in Policy UHT15 of the Eastbourne Local Plan.

The proposed alterations are to affect the side of the property which is adjacent to the road. Therefore, the development will not have an impact on any adjacent properties with regards to overlooking or overshadowing.

It is not considered that the proposal will have a detrimental impact on the wider Conservation Area, and as such there is not anticipated to be any associated threat to amenity.

**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 terms of design and the development will not have a detrimental impact on the residential amenity of the occupiers of the surrounding properties. The scheme is considered to be in keeping with the area and will not compromise the integrity of the wider Conservation Area.

In addition, there have been no dramatic legislative changes which would deem this scheme to be inappropriate since it was first approved in 2002.

Therefore, the proposed scheme is considered to work in line with the aforementioned polices and as such, is recommended for approval.

**Recommendation:**
Approve conditionally

**Conditions:**
1) Time
2) Approved Drawings
3) Matching Materials

**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.
App.No: 150975
Decision Due Date: 16th November 2015
Ward: Meads

Officer: Thea Petts
Site visit date: 22nd October 2015
Type: Planning Permission

Site Notice(s) Expiry date: 15th October 2015
Neighbour Con Expiry: 15th October 2015
Press Notice(s): 18th November 2015

Over 8/13 week reason: over 8 weeks given the timetabling of Planning Committee

Location: 42-44 Meads Street, Eastbourne

Proposal: Replacement of pitched roof to the rear of no.42 with a raised flat roof to provide route for ductwork for new ventilation system to restaurant.

Applicant: Ms Hui Sheng

Recommendation: Approve conditionally

Executive Summary:
The proposed scheme comprises of alterations to the single storey ground floor extension to the property, which is located in the Meads Conservation Area. The mono-pitch roof is to become a flat roof and a louvre vent associated with an internal extraction system to service a restaurant is to be installed in the rear elevation.

This application has been referred to the Planning Committee from delegated due to the level of opposition to the scheme.

Planning Status:
Mixed use three storey property

Relevant Planning Policies:
National Planning Policy Framework 2012
1. Building a strong, competitive economy
7. Requiring good design
12. Conserving and enhancing the historic environment

Core Strategy Local Plan 2013 Policies
B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C11: Meads Neighbourhood Policy
Site Description:
Meads Street runs on a north to south axis through the west side of the Ward, adjoining Meads Road and Beachy Head Road to the north and Holywell Road to the south. It is an important road for maintaining sustainability in this area of Eastbourne as it hosts a number of shops and amenities. In the main, the properties along the road are of mixed use and typically three storeys high, with the majority being retail with residential above. However, the north and south ends of the road are lined with residential properties, both dwellinghouses and flats (mainly created through sub-division of dwellinghouses). The built environment is of higher density than what is typical of Meads Ward as there are few and small voids between the buildings there, with the principal building line situated close to the road and pavement.

There are few examples of significant flue/extraction systems along Meads Street, with the exception of The Pilot, 89 Meads Street and The Ship Inn, 33-35 Meads Street. However, neither of these properties have residential units above.

42-44 Meads Street is a terraced property which is sub-divided, three self-contained flats and a shop at ground floor level. There is a small amenity space to the rear which is backed by a high brick wall which runs along the rear boundaries of nos. 36 to 42-44 Meads Street. This access path adjoins Matlock Road. The property stands on the west flank of Meads Street at the north end of the road, south of the junction shared with Matlock Road. The property shares boundaries with 40 Meads Street to the north (side), 46 Meads Street to the south (side) and The Bungalow, Matlock Road to the rear. The property stands in the Meads Conservation Area.

The established use of the ground floor unit has historically been A3, although no significant extraction/ventilation system has yet been required by occupiers to date. To the rear and north side of the property, as is common along the row, stands a single storey ground floor extension. This historic addition extends approximately 4.6m beyond the rear wall of the property, has a width of 2.1m, an eaves height of 1.7m and a full height of 2.4m. There is a distance of 0.75m between the highest point of the roof and
the lowest part of the nearest windows servicing a residential unit on the upper floor.

**Relevant Planning History:**

**EB/1988/0070**

C/U 1ST & 2ND FLS FROM BEDSIT & MAIS TO BEDSIT & 2X1 BED FLATS WITH STAFF ROOM TO RESTAURANT ON 2ND/FL (44A)
Refused - 1988-03-17

**EB/1987/0393**

C/U 1ST & 2ND/FLS FROM BEDSIT & MAIS TO 2 BEDSITS & 1X1 BED FLAT (44A)
Approved Conditionally - 1987-08-04

**EB/1987/0227**

C/U 1ST & 2ND/FLS FROM BEDSIT & MAIS TO 4 BEDSITS (44A)
Refused - 1987-06-18

**EB/1984/0439**

REMOVAL OF CLAY TILES FROM FRONT ROOF SLOPE & REPLACEMENT WITH CONCRETE TILES (42)
Approved Conditionally - 1984-10-09

**EB/1974/0482**

CONV 1ST & 2ND/FL MAIS TO BEDSIT & 2 BED MAIS (44A)
Approved Conditionally - 1974-09-24

**EB/1969/0495**

ALTS & INSTLN SAN/FITS TO INCOPORATE GRD/FL NO.42 WITH NO 44 INC NEW SHOP FRONT & S/ST REAR EXTN
Approved Conditionally - 1969-10-09

**EB/1959/0201**

PROV EXTNL STAIRCASE AT REAR (NO 42)
Approved Unconditionally - 1959-05-12

000117
Application for Certificate of Lawfulness for use as self-contained flat.
LD Certificate (proposed)
Issued - 20/03/2000

000118
Application for Certificate of Lawfulness for use as self-contained flat.
LD Certificate (proposed)
Issued - 20/03/2000

000119
Application for Certificate of Lawfulness for use as self-contained flat.
LD Certificate (proposed)
Issued - 20/03/2000

**Proposed development:**
The applicant seeks permission to make alterations to the existing single
storey ground floor rear extension. It is proposed that the mono-pitched roof
is replaced with a flat roof. Subsequently, the overall roof level will be 2.3m
(current eaves height of 1.7m and a full height of 2.4m) and a felt roof will
be constructed.

In addition, a louvered extract vent is to be situated on the rear elevation,
just below the roof’s edge.

The alterations are to accommodate a storage area and will house an internal
extraction and filtration system.

**Consultations:**
Internal:
Specialist Advisor (Environmental Health) – condition recommended
Specialist Advisor (Conservation) – no objection

**Neighbour Representations:**
Five objections have been received and cover the following points:
- Potential noise and cooking odour implications of extraction system on
  nearby residential units
- Request for a noise assessment
- Noisy extraction system could negatively impact quality of life
- Negative impact overall as changes suggest an intensification of the
  use
- Design of roof not in keeping with Conservation Area
- Takeaway facility is strongly objected to

**Appraisal:**

**Principle of development:**
There is no objection in principle to the proposed development provided it
would be designed to a high standard, respect the established character of
the area and would not have an adverse effect on the amenity, the character
of a listed building or conservation area in accordance with policies of the

**Impact of proposed development on amenity of adjoining occupiers and
surrounding area:**
Policy HO20 of the Eastbourne Local Plan requires new development
proposals and extensions to existing buildings to respect residential amenity.
Policy B2 of the Core Strategy seeks to protect the residential and
environmental amenity of existing and future residents. As an extension to
this, Policy D10 states that all significant heritage assets will be protected and where practicable there is a presumption in favour of protection of all heritage assets from inappropriate change, including both designated and non-designated assets.

The details of the extraction system to be installed in the rear extension have been submitted along with this application, however the effects of this system have not been assessed as part of the application. It is considered that to install an extraction system so close to residential units would require a noise assessment to be carried out to prevent the proposed extraction system from having a detrimental effect on nearby residents. As such, and on the recommendation of the Specialist Advisor for Environmental Health, a condition shall be attached to any permission granted, detailing that such a system must be in line with the correct British Standard. This condition is considered necessary due to the proximity of the windows of the residential units above.

The effect of the development on the wider Conservation Area is considered to be negligible as the alterations to the roof will not be visible from the public realm. As such, the scheme is not found to be discordant with Policy D10. In addition, although the site is located in an Archaeological Notification Area, the development will not include any groundwork. As such, any archaeological remains will be unaffected by the implementation of the scheme.

**Design issues:**
Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Local Plan state 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. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused. Policy B1 of the Eastbourne Core Strategy provides the spatial vision and strategic objectives which seek to ensure that future growth in Eastbourne is delivered at an appropriate level and in a sustainable manner and Policy B2 seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. Proposals within Conservation Areas will be required to preserve the character and appearance of the area as specified in Policy UHT15 of the Eastbourne Local Plan.

The proposed alterations are not visible from the street due to their position to the rear of the property at ground floor level. The rear boundary wall further obscures the alterations from view. It is therefore considered that although the loss of the pitched roof is somewhat unfortunate, its being replaced with a flat roof will not have a significant effect on the building, nor will there be any noticeable impact on the wider Conservation Area. This is due to the location of this part of the building to the rear of the property, out of view of the public realm.
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:
Although the proposed alterations will make very little physical difference to the built environment or appearance of the wider Conservation Area, it is considered that a noise assessment will be necessary in order to fully assess any potential impact the extraction system may have on occupiers of nearby properties.

Therefore, although the scheme is recommended for approval, this is on the condition that an adequate noise assessment is submitted to and approved in writing by the Local Planning Authority.

Recommendation:
Approve conditionally

Conditions:
1) Time

2) Approved drawings

3) The development hereby approved shall be implemented in accordance with the current British Standard BS4142 2014 methods for rating and assessing industrial and commercial sound regulations, to ensure no nuisance will be caused to residential properties and shall be retained as such thereafter.

Reason: To ensure that noise levels outside the premises are minimised so as not to cause a nuisance to occupiers of nearby properties

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.
### Executive Summary:
This proposal has been developed over time and has been driven by the need to undertake renovations to the three listed buildings on site, upgrade the facilities in the buildings; preserve the future of the international tennis tournament, create better conference facilities, create a new entrance building, create significant new public realm space and develop a more sustainable future for the site in accordance with the objectives and policies set out in National and Local Plans.

The application is accompanied by a legal agreement covering issues relating to travel plan monitoring, commitment to local parking survey & real-time bus information, commitment to enter into a S278 agreement and full engagement in the delivery of local employment initiatives.

Historic England along with the national and local amenity societies have been consulted on the scheme and whilst their comments have raised issues for further exploration they are not formally objecting to the proposals and in terms of the Notification/Direction...
regulations 2015 there is no need to refer this matter to the Secretary of State (Government Office) for consideration/determination.

Notwithstanding this there is a commitment from the development team to continue further dialogue with the amenity societies in order to secure enhancements to scheme to mitigate the issues raised.

Planning and Listed Building Consent are recommended for approval.

**Relevant Planning Policies:**
- National Planning Policy Framework
  - Achieving Sustainable Development  Para 7, Para 9
  - Presumption in favour of Sustainable Development Para 14, Para 15
  - Core Planning Principles Para 17
  - Delivering Sustainable Development Para 19
  - Ensuring vitality of Town Centres Para 23
  - Promoting Sustainable Development Para 30, Para 32, Para 35, Para 36
  - Requiring Good Design Para 56, Para 57, Para 60, Para 61
  - Promoting Healthy Communities Para 69 Para 70, Para 73,
  - Conserving and Enhancing the Natural Environment Para 111, Para 117
  - Conserving and Enhancing the Historic Environment Para 126, Para 131, Para 132, Para 134, Para 137
  - Decision Taking Para 186, Para 187

**National Planning Practice Guidance**
- 18a Conserving and enhancing the historic environment: In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation”.

It adds, “Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past”.

A thorough assessment of the impact on setting according to the significance of the assets needs to take into account and be proportionate to the significance of the heritage asset”

26 Design:- ... Good quality design is an integral part of sustainable development. Good design should:

- ensure that development can deliver a wide range of planning objectives
- enhance the quality of buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on well being
- address the need for different uses sympathetically...
- ... Local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place. Views into and out of larger sites should also be carefully considered from the start of the design process...
- ... Well-designed new or changing places should:
1. be functional;
2. support mixed uses and tenures;
3. include successful public spaces;
4. be adaptable and resilient;
5. have a distinctive character;
6. be attractive
7. encourage ease of movement...

- A well designed space has a distinctive character...
- ...is attractive, and promotes ease of movements. Layout, form, scale, detailing and materials should all be considered..
- ...Good design can help town centres by ensuring a robust relationship between uses, facilities, activities and travel options. It can also help create attractive and comfortable places people choose to visit. Every element of the street scene contributes to the identity of the place, including for example lighting, railings, litter bins, paving, fountains and street furniture. These should be well designed and sensitively placed ...

2b Ensuring the Vitality of Town Centres:- ...A positive vision or strategy for town centres, articulated through the Local Plan, is key to ensuring successful town centres which enable sustainable economic growth and provide a wide range of social and environmental benefits ...
...Local planning authorities should articulate a vision for tourism in the Local Plan, including identifying optimal locations for tourism. When planning for tourism, local planning authorities should:

- consider the specific needs of the tourist industry, including particular locational or operational requirements;
- engage with representatives of the tourism industry;
- examine the broader social, economic, and environmental impacts of tourism;
- analyses the opportunities for tourism to support local services, vibrancy and enhance the built environment; and
- have regard to non-planning guidance produced by other Government Departments ...

37 Open Spaces, sports and recreation facilities, public rights of way and Local open Green Spaces:- ...Open space should be taken into account in planning for new development and considering proposals that may affect existing open space. It can provide health and recreation benefits to people living and working nearby and be an important part of the landscape and setting of built development...

Eastbourne Core Strategy Local Plan Policies 2013
B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C1: Town Centre Neighbourhood Policy
D1: Sustainable Development
D2: Economy
D3: Tourism and Culture
D7: Community, Sport and Health
D8: Sustainable Travel
D9: Natural Environment
D10: Historic Environment

All significant heritage assets will be protected and enhanced, where practicable...There is a presumption in favour of protection of all heritage assets from inappropriate change, including both designated (listed Buildings, Conservation Areas and non-designated assets...Listed Buildings will be protected from demolition, and from proposed alterations that would adversely affect their character, appearance and or fabric. Development should not adversely affect the setting of listed buildings.

D10A: Design

TC9: Development Quality

Development proposals must be contextually sensitive responding to distinctive townscape and streetscape features, buildings, structures and landscape planting and making references to the design vernacular and heritage assets found in the Town Centre through built form, use of materials and detailing.

TC10 Building Frontage and Elevations

Within the Town Centre, key building elevations must be designed so there is a clear and identifiable ‘bottom’, ‘middle’ and ‘top’, adding visual interest. The ground floor of the elevation must incorporate active frontages addressing adjoining areas of public realm.

Ventilation arrangements, air conditioning, lighting, servicing and any telecommunications equipment must be carefully designed and integrated into the overall structure of the building and should be masked from public view points.

TC11: Building Heights, Landmarks and Tall Buildings

TC12 Servicing and Access

TC13: Public Realm Quality and Priorities

Public realm proposals must establish a sense of place, improve legibility and enhance linkages

TC15: Parking in the Town Centre

TC24: Potential Areas of Change Devonshire Park

Ensure that the strategic importance of the International Lawn Tennis Centre at Devonshire Park is safeguarded and maximise any opportunities to widen the tourism, cultural and conference offer associated with the site providing the predominantly open nature of the park is protected

Town Centre Local Plan 2013

TC3 Mixed Use Development

TC 7 Supporting the Evening and Night Time Economy

TC9: Development Quality

TC11: Building Heights

TC13: Public Realm Quality and Priorities

TC15: Parking in the Town Centre

TC24: Potential Areas of Change

Eastbourne Borough Plan Saved Policies 2007

NE3 Conserving Water Resources
Site Description:
Devonshire Park Campus occupies a large island site bounded by Carlisle Road, Compton Street, College Road and Hardwick Road.

It was conceived as, and has long been, a centre for firstly recreation (as an open cricket and croquet ground) and latterly culture; it now houses two performance theatres, conference /exhibition centre and facilities to support an internal tennis tournament along with a number of ancillary/office buildings. The Campus has two car parks accessed from College Road, there are a number of pedestrian linkages from surrounding streets. A substantial stone wall which encloses three sides of the campus, this wall in places has a mature tree screen behind it.

There are a number of buildings within the campus including four listed buildings:-

*The Congress Theatre Grade II*
Devonshire Park Halls is a single storey building located to the west of the Devonshire Park Theatre. This building is not listed.

The Devonshire Park Theatre, The Buccaneer Public House (Not listed and outside the applications site and in separate ownership) and the Winter Gardens are all connected via a range of later additions/extensions, the latter two are connected via the single storey Congress Suite.

Towner Art Gallery, is connected to the Congress Theatre.

**Relevant Planning History:**
The buildings/plots within the Campus have an extensive planning history however it is considered that the recent applications promoting the refurbishment of the Congress Theatre are considered to be most relevant to the determination of this application.

**Proposed development:**

**BACKGROUND**
Members will be aware that this application builds upon the extant feasibility studies and business plan for the Devonshire Park Campus. In this regard this application is a key marker milestone in the delivery of the Councils Corporate aims and ambitions for this site.

**APPLICATION PROPOSAL GENERAL**
The proposal forms a Heritage led scheme which builds upon and supports the existing activities at the campus as well creating new commercial opportunities and creates a sense of place and arrival with significant public realm improvements.

**APPLICATION PROPOSAL (AIMS AND OBJECTIVES)**
The application is supported by a number of specialist reports that support and evidence the impacts and benefits of the scheme.

These supporting reports outline and capture the main aims and objectives of this proposal and are captured below in no particular order:-

- Preserve and enhance the site’s heritage value
- Better facilitate the core cultural purpose of the site, to enable both existing and new theatre, music and other activities to attract increased and diverse audiences
- Create a campus (uses/activities) with more integration and cohesiveness
- Attract more conference business
- Meet the new requirements for international tennis to safeguarded prestigious tournaments
• Increase income at the same time supporting the wider town centre/seafront and tourist economy.

• Improve and create a vibrant areas of public realm with increased public access and support infrastructure to increase dwell time.

• New public realm to improve the setting of all buildings within the Campus with particular regard to enhancing the setting of the key listed buildings

• Attract a broader range of users to the site

• Add a ‘fit for purpose’ new building that increases the cohesiveness of the site and meets conference and theatre business needs whilst unlocking the potential economic benefits

In response to these aims and objectives the application proposes in general terms 5 key elements and these are summarised below:-

1. Refurbishment and repair of the Congress Theatre, Devonshire Park Theatre and The Winter Gardens to maintain their architectural quality and value as material heritage assets;

2. Replacement of existing conference, event and multipurpose spaces with a new Welcome Building;

3. New café, bar and coffee shop to serve both destination visitors and wider markets;

4. Improved tennis tournament facilities, repairing the tennis centre and improving court provision and layout;

5. Improved setting for the buildings together with improved planting and public realm space and enhancements to the biodiversity of the site

In greater details but still a summation the key elements of the proposal are outlined below.

**Devonshire Park Theatre**

Repairs are currently underway to the exterior, and the current scheme concentrates on the interior.

The proposal seeks essential repairs, access improvements, external redecoration and foyer improvements to the Devonshire Park Theatre which is Grade II Listed.

These changes/alterations include the provision of a passenger lift to permit internal access from the main foyer down to the stalls, and the removal of the box office and confectionery counters (these are later additions). These will be replaced within the arched arcade structures immediately behind, which will then require the rearrangement
of the toilets, along with modifications to the plumbing, heating and ventilation. Some reconfiguration of the stalls seating is also proposed to provide more wheelchair spaces.

In addition to the above, the listed K6 telephone box in the grounds of the theatre will be restored to its original condition (largely repainting and glass replacement).

**Devonshire Park Halls**

The Devonshire Park Halls will be demolished in order to expand the tennis field/playing area.

**Winter Garden**

The proposal seeks external restoration to the Winter Garden which is Grade II Listed together with access improvements. Front of house and Back of House refurbishments are proposed along with new bars and breakout rooms.

The Devonshire Park Halls are aligned to the rear of the Winter Garden, and following their demolition, the following works are proposed:

External:
- reinstatement of glazed walls facing the park following demolition of the Halls and the portico; removal of the 1960’s cladding and reinstatement of timber and glass facades; removal of the 1930’s lift tower from the west elevation; repairs to flat roofed areas; rebuilding of single storey security office on the west side of the entrance block and construction of a matching extension on the east side for symmetry; construction of a new upper ground/first floor extension on the east flank to provide a new lift shaft and plant rooms for the kitchen below.

Internal:
- New pre-show box office in the foyer; new passenger lift to serve all floors; refurbishment of the Floral Hall including improving natural and mechanical ventilation, levelling of the stage floor, and improving acoustics; refurbishment and provision of additional toilet facilities; conversion of offices above the entrance to a multi-purpose room; reorientation of the Gold Room (stage at the west end and food/drink at the east end); conversion of Floral bistro/bar to a central kitchen for all venues; alterations to the stage technical arrangements and equipment with new service lift; provision of new heating and ventilation systems; improvements to lighting, electrical and sound systems.

**Welcome Building**

Situated on the site of the Congress Suite, the proposed new building comprises three floors of conference facilities.

A new Welcome Building is proposed to adjoin the Congress Theatre which will provide two new conference halls, a coffee bar and hospitality. There will be a vehicle ramp to the Park Side of the Welcome Building to fulfil access requirements for deliveries to the conference halls.
The upper plaza/podium level of the building will provide the entrance foyer, reception area, coffee bar, stairs and lifts. Two glazed links are provided at this level to link the building with the Congress Theatre.

Two new conference halls and toilets are to be provided on the below ground Conference Level. The Floral Hall Level provides the upper parts of the two conference halls plus space for temporary catering / exhibitions / sales and registration.

The Upper Level will be used as breakout space and hospitality and will be linked to the Congress Theatre by a glazed passage. The scheme also promotes a screened plant room at roof level which also supports solar panels.

This multi-level building has an overall height of 21m, and depths of 57m at semi-basement level, 31m at upper ground floor level, 27.5m at first floor level and 20m at plant room/roof level, combining terraces to serve the café and the breakout/hospitality rooms with the diminishing depths.

At the front, the conference hall at the semi-basement level forms a podium, which is incorporated into the new public realm to provide access to the Welcome Building and a terrace.

The podium would be faced in ribbed concrete panels (with some glazing to the rear overlooking the park detailing controlled via planning condition) and clear glazing to the upper two levels; the plant room on the roof would be faced in slatted metal.

A particular feature of the building is a canopy on the front elevation, appearing as cantilevered section of roof supported by five slim, metal columns. The building will have links through to the Congress on all levels, and will also contain two large lifts, which will resolve access issues within that building. A link to the Winter Gardens will also be provided at the semi-basement level.

The principle front façade of this building it to be sited behind the front façade of the Congress Theatre with the canopy extending in advance.

This building facilitates disabled/mobility access to the Winter Gardens and The Congress Theatre.

**Welcome Building (During International Tennis Tournaments)**

The Conference Level will be used during International Tennis Tournaments to provide for staff catering, press, interviews, photographers and radio. The Podium Level will provide for players catering and the Upper Level will be for corporate dining.

**Congress Theatre**

The Congress Theatre will be repaired and some lost elements reinstated, there will be access improvements, Front of House and Back of House refurbishment and a new café on the ground floor of this Grade II* listed building. All the original external windows and doors will be stripped back and refurbished.
On the ground floor, the dressing room and WC’s are proposed to be refurbished, a new connection to the Welcome Building will be created, the floor finishes will be upgraded, timber panelling will be reinstated, a new glazed entrance with sliding doors will be installed to the southern elevation and a new duty managers office will be created within the former box office.

On the first, second and third floors, the foyer will be restored and refurbished, a new island bar will be installed within the foyer in its original location, timber panelling will be reinstated, new blackout and sound insulating shutters will be installed and all auditorium seats will be refurbished or replaced. Comfort cooling will be added and the auditorium ventilation system replaced.

The original position of the island bar in the stalls foyer is also planned, although the original small bar on the top floor is to be left in situ.

With the construction of the Welcome Building adjacent to the east elevation, one of the main drivers of the scheme has been to provide full access throughout all levels, and this will be done by providing lifts within the new ‘Welcome’ building which will require access through the east flank elevation in the form of links.

Solar panels and mechanical plant is to be located on the roof and will be screened from public view.

**New Plaza and Public Realm**

A new plaza is proposed to the south of the Congress Theatre.

Currently Carlisle Road runs parallel to the front of the Congress before turning towards Wilmington Square and then King Edward’s Parade. Formerly, it followed a straight line to the junction of Grand Parade and King Edward’s Parade, as the planned main route from Meads to the seafront. This changed when the Congress was constructed in the 1960’s to the layout we see today, which created a narrow access road serving the front entrance of the new theatre and a landscaped mound planted with trees.

It is now proposed to remodel the whole area to provide a pedestrian plaza, which will involve the removal of the small access road, together with the steps and grassed area alongside it and the stopping up of the remaining and diverted section of Carlisle Road.

Most of the area would be hard surfaced with a mixture of coloured asphalt and granite sett banding, with areas of turf and reinforced grass (to maintain access to the existing pumping station and electricity substation), and further planting strips of trees and shrubs. The surface detailing and the soft landscaping will be controlled via planning condition.

The plaza also incorporates the ramped access from Compton Street and stepped access from both the Congress and Winter Gardens. This upper plaza/podium level provides access to the main entrance of the ‘Welcome Building’. In addition access (via steps) is also possible from the terrace to the rear of the Welcome Building down to the tennis court level.
When viewing the upper plaza/podium level form the front of the Congress, it would vary between 2m and 3.5m in height. The facing walls of the podium level will be articulated with facing materials and also incorporate glazing; these details are to be controlled via planning condition.

When viewed from the Winter Gardens the podium would be 4.5m high, but only seen at the end of steps and softened by a raised planting bed to the side, which in turn would enclose three of the four remaining trees on the existing grass mound.

Overall, the creation of the plaza would result in the loss of five trees from the one of these is a donation (memorial) tree, for which an alternative location is being managed.

**Office Building**

The existing office building on the western side of the site is to be re-used for Devonshire Park staff and partly converted for tennis player facilities. Both the east & west wing of the offices is to be refurbished.

**Racquet Court**

This building is located between the Devonshire Park Theatre and the Buccaneer Public House, and has for very many years been used for storage and currently houses boiler plant (to be removed) with a workshop area above on a mezzanine. The only works proposed is the replacement of the roof which is currently partly glazed and leaking. The detailing of the replacement roof detail will be controlled via a further submission for approval (condition).

**Fitness Centre**

The fitness centre to the western side of the site will have upgraded facilities.

**Tennis Pavilion**

The tennis pavilion to the western side of the site will be repaired externally.

**Tennis Courts**

A new tennis court layout is proposed for international tennis events and this will include an irrigation system with supply management. Each tennis court requires an additional 65 square metres around the court to give players extra running area. The requirement for AEGON International is 12 grass courts and the requirement for County Week is 18 grass courts. These courts will be re-configured for the different events.

**Tennis Centre & Stands**

Repairs will be undertaken to the tennis centre and stands. Three new temporary stands will be erected each year for International Tournaments and they will be located to the west of the new No. 2 Court, to the west of No. 1 Court and to the south and east of Centre Court.

**Parking & Servicing**
As the rear of the Welcome Building, unlike the Congress, has a terrace and views over the park, an area of hard and soft landscaping is proposed on the site of two tennis courts. This, together with the provision of the additional show court and the need to provide a service route to the rear of the Welcome Building (the elevated ramp at the rear of the Congress remains unchanged) reduces the overall supply in on-site parking in the existing Congress car park. Some of this can be offset by the use of the area adjacent to the show court earmarked for temporary seating for a large part of the year. The main car park accessed from College Road will remain as it is, as will the small car park at the front of the Devonshire Park Theatre. The scheme as submitted indicates various parking bays around the perimeter of the new plaza, and this will require further development to accommodate disabled parking bays, coach parking and bus stops in the appropriate locations; a drop off point at the front of the Congress addressing the concerns of the Eastbourne Access Group is currently designed into the scheme.

To accompany the application a number of detailed assessments have been undertaken and are surprised below:-

**CONSERVATION MANAGEMENT PLAN (Summary of Significance)**

This document acknowledges the geneses of Devonshire Park the expansion of 19th Century town planning and the boom in Theatres. It also recognises the 20 century development of an International tennis tournament and a regional art gallery.

It acknowledges the importance of the three listed buildings on the site:-

1. The Congress Theatre is Grade II* listed - reflects it ‘modernist’ design externally but also throughout many parts of the interior, much of this building survives. Prominent landmark with high communal value
2. Devonshire Park Theatre is Grade II listed – Many of its original interiors remain – high aesthetic value and high associative value as later additions may reveal earlier features – landmark building with high communal value
3. The Winter Garden Grade II listed – most altered of the three listed building on the site (extended and altered in 1910,1930’s and 1960’s) – evidential value is low given the degree of alteration/change – its communal value is medium

The report also identifies the Towner Gallery as heritage of the future and the grouping of support/ancillary buildings for the Tennis event mark a key part in the evolution of the park and should be recognised as such. Further the report identifies that the for the majority of the year the park feels like private space rather than a public amenity.

**ACCESS STATEMENT**

This report goes on to look at comparing the existing situation with the post development scenario with regard to proximity of disabled parking spaces to the development, travel distance and accessibility to and through the Congress Theatre, Welcome Building and the Winter Gardens.

This report identifies that the scheme will deliver 15 new accessible off street parking spaces with a further five on street. A further 6 accessible spaces will be retained to the
front of the Devonshire Theatre. A vehicle drop of point is proposed to the front/side of the Towner at the edge of the proposed plaza.

All buildings will comply with Part M of the current building regulations (flush thresholds and accessible ramps and there will be greater integration between and across all of the buildings within the Campus and thereby creating an improved inclusive development.

The report concludes that...The sum of proposed improvements in accessibility for the Devonshire Park development (such as lift access from each main entrances to all public floor levels, improved horizontal circulation, increased accessible WC provision, accessible reception/sales counters and improved hearing loops etc.) together with a modest increase in disabled parking bays retention of an accessible drop off zone immediately adjacent to the Congress Theatre main entrance, and drop-off as close as possible to the Winter Garden and Welcome Building entrances will result in an overall improvement in accessibility across the site.

**TREES**

An arboricultural report accompanies the application and identifies in summary that whilst some trees are to be lost as a result of this development they are of low amenity value and as such their worth can be compensated by a comprehensive and integrated planting scheme.

The report acknowledges that high amenity value trees around the perimeter of the Devenonshire Park Campus are not affected by any element of the proposal.

**ECOLOGY**

This report identifies that the site has low ecological value and there is the potential for biodiversity to be enhanced with the proposed soft landscaping scheme.

**NOISE**

This report looks at the noise emission from the mechanical installations post completion of the development and also the events from demolition and construction. The report concludes that acoustic enclosures should be used for the catering core (Winter Gardens), in addition directional loudspeakers should be utilised and that a construction and demolition management plan should be implemented in accordance with BS5228.

**FLOOD RISK & DRAINAGE**

This report concludes that there is a very low risk from overland flooding (surface water, fluvial and tidal) it comments also that the development itself in that the hard surface site coverage is at best neutral (old to new) and as such the development should not contribute to the localised flooding (on site or up-downstream).

**EXTERNAL LIGHTING**
This report outlines that the open square space outside the Congress Theatre is lit by a small number of tall lighting columns with multiple fittings mounted on them. The entrance to the Congress Theatre will be lit by light spill from the internal lighting supplemented by recessed uplighters either side of columns. Fittings will be fitted with glare shields and angled to light the columns and colonnade soffit without causing uncomfortable glare to people.

The pathways will be lit by a mixture of low level bollards and mid-level pole top fittings. LED fittings integrated into handrails on the steps are proposed. Tree feature lighting will be provided by a mixture of up lighting to rows of new trees and small spotlights mounted on the branches of existing mature trees to provide light under trees. The entrance to the Winter Garden will be lit by light fittings integrated into the new canopy. The sodium lights on the Devonshire Park Theatre which give it an orange glow will be replaced with new LED architectural lights. The lights will highlight architectural features of the building with a more neutral colour. The existing lighting columns are to be retained and refurbished. The new entrance to the Winter Garden will have lighting integrated into the canopy. The front façade will also have architectural lighting to highlight the architectural features such as columns and pediments. Small discrete LED fixtures will be used.

All the external lighting will be provided to satisfy the requirements of The Institution of Lighting Professionals, Guidance Notes for the Reduction of Obtrusive Light. The guidance aims:

1. To provide adequate levels of light to external areas, allowing spaces to be used effectively and safely, while avoiding “over-lighting” by turning off or dimming lights at times when they are not required.
2. Generally to limit the visible source intensity to minimise glare by reducing the main beam angle of light from external light fittings to an angle no greater than 70° from the downward vertical. Where fittings that do not intrinsically comply with this requirement are necessary, using the building or other fixed structures to obstruct spill light can also aid glare reduction.
3. To limit light spill incident above the horizontal plane, that causes “Sky Glow”.
4. To limit any building luminance resulting from deliberate feature lighting, to an acceptable level.
5. To reduce the levels of light trespass after a curfew, for which 23.00hrs is suggested.

**WASTE AND RECYCLING**

Construction waste will be limited due to careful ordering and the use of offsite manufactured elements. Where site waste does occur it will be sorted and disposed of into the appropriate waste streams. New fixtures and fittings will, where possible be low energy and low water usage.

**TRANSPORT AND TRAVEL PLAN**

This report outlines that on a typical year 330,000 visitors visit the Devonshire Park Campus; this scheme does not seek to significantly alter the visitor number to each
venue and as such it is not anticipated that there will be any material impact upon the local highway network in terms of capacity and free flow of traffic.

A travel plan has been supplied outlining measures that could be implemented to reduce the reliance on the private motor vehicle; compliance with this travel plan will be monitored by officers from ESCC Highways Dept. via a fee controlled within the legal agreement

ARCHAEOLOGY

An archaeological report has been supplied outlining the above and below ground heritage assets within the Devonshire Park Complex. This report concludes that further intrusive ground exploration is required in consultation with officers from ESCC Heritage Department.

SUSTAINABILITY ASSESSMENT

This report identified that a National standard like a BREEAM assessment could not be applied to this development given the physical connections/integration into listed buildings whereby compliance could not be delivered.

Notwithstanding the above a fabric first approach has been developed in the design of the ‘Welcome Building’. This not only ensures the fabric of the building is built to high thermal efficiency standards using modern construction techniques but also that where possible providing an appropriate and pleasant internal environment for visitors/patrons and also staff.

In summary the scheme relies where possible to:-

- integrate natural ventilation measures,
- reliance on natural light,
- controlling solar gain,
- highly insulated fabric of the building to reduce heat loss
- use renewable energy sources Photovoltaic panels on the roofs,
- improvements to the public realm with an integrated soft landscaping would assist in improving air quality at the site
- recycling opportunities across the Campus to reduce residual waste.

OPEN SPACE ASSESSMENT

This report concludes that:-

- as a result of the demolition there will be an increase in green space.
- will enable meetings between members of the community through the delivery of vibrant public realm. This will foster social interaction.
- Create a safe and secure space with a high degree of passive surveillance
- Will enhance integration with other businesses and seafront attractions in the locality
- The Devonshire Park Campus should will become an Eastbourne destination.
STATEMENT OF PUBLIC INVOLVEMENT

This report outlines that prior to the application being submitted that a number of public exhibition events were undertaken including stalls at Airborne and within the Arndale Centre. In addition consultation has been undertaken with all of the national and local amenities groups and civic societies as well as local interest groups/organisations.

The scheme was reported to Conservation Area Advisory Panel and also the Regional Design Panel.

The issues raised as part of the pre application consultation exercise have where possible informed and influenced the design/layout of the application proposal.

Consultations:
Summaries of responses received are reported below.

Internal:
County Archaeologist - No objection in principle to the development proposals; a very comprehensive desk based assessment on the above and below ground archaeology have been submitted in order to realise the full benefits of the scheme and to accord with the NPPF conditions are recommended to control the recording and reporting of important site features.

Specialist Advisor (Arboriculture) - In order to safeguard the longevity of the trees in proximity to a number of elements of the scheme conditions are recommend to control the method of construction. This relates to the group of tree to the front of the Winter Gardens and the London Plane to the rear of the Buccaneer PH.

The proposed tree planting scheme changes the existing scheme throughout this area and does not match the existing avenue planting either side of the site; furthermore some of the species are not suitable for longevity in the locations chosen. A condition will need to be attached to ensure suitable species choice.

The application will lead to the loss of 12 trees including the group of four sycamores situated on the mound in front of the old gym; these trees have limited life expectancy and their loss can be mitigated by the proposed tree planting scheme. Two are memorial trees, one of which is currently undergoing works to facilitate its relocation. All, with the exception of one, are trees with limited value and should not be considered a constraint to development. A condition is should ensure both trees are either removed or replaced within the scheme.

Specialist Advisor (Regeneration) - Operationally, the development offers an additional 28 FTE jobs to local people. The completed site will offer extensive conferencing facilities which in turn will support Eastbourne’s hotel economy. The Welcome Centre and the enhanced tennis provision and public realm, together with the Devonshire Park and Congress Theatres and Towner Art Gallery will be a magnet for leisure activities for residents, wider community and visitors. Strategy and Commissioning (Regeneration) look forward to establishing a Local Labour Agreement which during the construction phase will set benchmarks for the use of local SMEs, apprenticeships, NVQs, work
experience and careers programmes and at the operation stage will include the recruitment, training and employment of local people.

Highways ESCC - The scheme is acceptable in general terms; although the introduction of a plaza will alter the movement of traffic through the area, and there may be additional traffic created by the development, it is not considered that it will result in a severe impact on the highway network. There are concerns, however, to the changes in parking that would result as well as other matters of detail. A legal agreement must be entered into to secure a parking review, an agreed scheme of works through a section 278 agreement, a Travel Plan, improved bus stop facilities and real time information. A stopping up order will also be necessary; this process is entirely outside the planning process, and this may take a considerable time. Conditions are recommended if the scheme is recommended for approval.
(FULL TEXT IN APPENDIX 1)

Specialist Advisor (Planning Policy) - The application is consistent with the Core Strategy, Town Centre Local Plan and the Borough Plan. In addition, it is considered that the application will bring numerous benefits to the town, in particular creating a cultural destination that will enhance tourism and the economic benefits associated with this.

Specialist Advisor (Conservation) - Devonshire Park is heritage rich and as such a sensitive location, and the introduction of any new development, to achieve an accessible cultural and sports arena with a dedicated public realm, would inevitably result in compromise of historic and or architectural significance to achieve the overall objectives.

However the cumulative impact of the associated/identified harm has been balanced against the repair, restoration and long term viable use of the buildings and site through future proofing. In this respect, whilst significance would be lost as part of the proposal, this loss is not to the extent where it would undermine future interpretation of Devonshire Park, its buildings and historic association with Eastbourne.

In context of the above the siting, mass, scale and design of the Welcome Building is considered neutral in terms of impact on the significance of the heritage assets, the historic and architectural character and appearance of the immediate and wider area. However the heritage gain in terms of repair and restoration of the existing assets is welcomed, which together with the newly introduced public realm, would go towards enhancing the appearance of the area as a cultural hub.

South East Regional Design Panel - The draft scheme was reported to the Regional Design Panel; the broad comments of the panel have been incorporated in the application proposal.

The Panel recognised the wider community benefits that this scheme and recommended that the scheme should deliver wider public access, that the ‘Welcome’ building should be predominantly glass structure to allow inward/outward views and be of a scale and design that reflects a linking building rather than an extension. The building should stand alone with its own strength; neither of the adjacent neighbours should be aped nor should it be so reticent that it lacks its own personality. Microclimate issues and signage
to and through the site is important in order to maximise the public benefit of such a development.

The Panel did not comment on the Listed buildings, as they will be dealt with by Historic England and the national amenity societies.

In direct response to the comments made at the Regional Design Panel the scheme has been amended-altered along the following lines:-

- Proposed landscaping within Devenonshire Park has been enhanced to provide greater connectivity to the various entrances and to improve its overall setting.
- Enhanced landscape treatment added to lessen the visual impact of the proposed service ramp that serves the welcome building.
- Landscape treatment to the new plaza simplified to provide a more legible entrance experience to the Congress Theatre and the Welcome building.
- Design of the Welcome building has been developed with cleaner lines to make it read as a pavilion in its own right and not as an extension to the Congress Theatre and the Winter Gardens
- Welcome building canopy design has been developed into a simpler form to make it more legible and to promote the Welcome building as the main entrance building to the campus.

Conservation Area Advisory Group - at its meeting on 6 October 2015 the Group expressed its full support for the scheme, however it acknowledged concerns raised by one the external advisors regarding the Welcome Building’s canopy, in that its siting, scale and design would compete with and potentially diminish the integrity of the Grade II* Congress Theatre. (Members please note that this minute was based on the scheme as originally submitted and not the recently received amended proposal.

External:
Sussex Police - no comments received.
Eastbourne & District Chambers of Commerce - no comments received.
Environment Agency - no comments received.

Eastbourne Access Group - The development team have engaged with the EAG at pre-application stage and formally consulted them at every iteration of the scheme. Their oral comments to date relate to issues around the necessity to have level access from drop off zones/areas to entrances of the buildings good lighting throughout the development and the proximity of disabled parking and coach pick-up/drop off.

If a formal response is received prior to planning committee then it will be reported on the addendum.
Historic England - Historic England recognise that The Devonshire Park complex represents an important cultural asset within Eastbourne. The proposals would safeguard
the long term future of the three principal listed buildings at the site for their original function, and Historic England supports the aspirations for the site.

In responding to the most recent iteration of the scheme (the one being reported here) they make the following comments:- The amendments relate to only to the proposed new Welcome Building. They show the depth of the canopy, and its projection forward reduced as suggested by the previous visuals we were sent. The canopy, and the piers on which it is supported (which have not been reduced in number) would continue to project beyond the south face of The Congress, but we are satisfied that the project team has now made all reasonable attempts to mitigate the harmful impact associated with this element of the proposals, as required by NPPF Policy, and that residual harm would be offset by the heritage benefits across the wider site. Historic England is therefore now content with this aspect of the scheme.

There remain outstanding matters which we raised in our last letter which have not been addressed, particularly in regard to the materials proposed for the podium, and the glazing of the Welcome Building, but also in respect of new work to the Winter Garden.

Historic England welcomes the proposed changes to the Winter Garden, and in particular the efforts to reinstate the historic frontage to the south elevation of the building. We do not consider the proposals to the Winter Garden to constitute a true 'restoration' in the terms in which we understand that to mean, and as set out in our Guidance Conservation Principles, because this is a building with multiple phases in its development and we have never sought to return it to a particular point in its history, nor is that proposed here. On this basis, we think there is scope for new work to be incorporated into the proposals, and we do not object to the new additions on the south front, which we think would be likely to cause less harm to significance than trying to accommodate such services within the building itself. We do however think that they can be more sensitively designed to work with the aspiration of recreating the appearance of an historic facade here. The taller addition on the east side is more problematic because of its height and relationship with the domed roof structure of the main building, and we encourage a different solution there.

Historic England does not wish to oppose the applications for planning or listed building consent, but think that the matters above and as set out in our last letter still need to be resolved. Given the very tight timescales for determination, we think that this might be achievable through the imposition of conditions, but this is a matter for your Authority.

Historic England supports these applications, subject to further details being submitted, either through amendments to the live application, or submission of details after consent is granted via appropriate conditions.

20th Century Society - The society supports the principle of investment and upgrade of facilities at the Congress Theatre...No objection to the removal of the banqueting suite between the Winter Gardens and Congress Theatre. No objection to principle of The Welcome Building...would welcome revisions to the scheme to mitigate as possible the impact of the Welcome Building upon the supremacy of the Congress Theatre as the principle building within this complex of historic buildings...These changes can adequately be controlled via planning conditions.
The Theatres Trust - fully supports the scheme and the improvements to the design, function and sustainability of the three main performance venues, along with the addition of the Welcome Building. Whilst applauding the refurbishment/restoration works to the historic theatres, the podium and canopy would restrict views of the Grade II* Congress Theatre; whilst it is acknowledged that the water table makes it difficult to sink the podium any further which would have helped to maintain this visual link, consideration may need to be given to relocating the Congress signage to ensure it remains visible.

The Victorian Society - The scheme is highly commendable in principle, though the detailing is fundamental to its success. The reinstatement of the Winter Garden front entrance and the catering core (external appearance) is poorly detailed, and subject to these matters being resolved via planning conditions the Victorian Society do not wish to formally object to the application.

The Eastbourne Society - the representative of the Society (who sits on the Conservation Area Advisory Group) makes the following comments:

WINTER GARDEN - the proposal is, on the whole, highly acceptable and the restoration and re-instating of the original architectural design is to be commended. However, a disappointing late alteration to the design, added just prior to the final proposal submission, is the erection of a new plant room clad in zinc style tiles on the right side of the building at first floor level. This clearly disrupts the symmetry of the front elevation when viewed in the public domain from Compton Street and is considered to be totally inappropriate to the integrity of the original shape of the building. It is therefore recommended that the plant room is re-considered to be re-sited less obtrusively on the site.

The same zinc style cladding appears to be applied to the façade of the proposed new lift corridor and new front-of-house office on level 1, either side of the glazed doors. Again considered inappropriate to the original design the cladding of these façades would be more cohesive if they were to echo the glazed doors, thus completing the integrity of the design.

I confirm that I fully endorse the comments on the proposal submitted by the Victorian Society in its response to the proposal.

WELCOME BUILDING - Following my comments at the October 2015 CAAG meeting, I confirm that I was extremely unhappy with the re-design of the Welcome Building façade. The addition of a canopy supported on slender columns, intended to make the building more prominent, was applied to the roof top and projects forward beyond the building line of the Grade II* listed Congress Theatre. The Congress Theatre was originally designed to stand alone in its own grounds, though it began to lose that presence when Towner was attached on the western side but it fortunately retained that side return of the Congress Theatre.

It is my view that the proposed canopy, supported on slender columns, diminishes and detracts from the outstanding splendour of the entire frontage of the Congress Theatre, whilst obscuring the eastern side return. Historic England had also submitted identical comments about this which I fully endorse. However, a revised proposal has since been submitted by Levitt Bernstein showing the canopy to be set back by 1.2m. Although this
is a slight improvement it continues to overpower and partially obscure the eastern side return of the Congress Theatre and therefore does not fully address the problem.

**County Ecologist** – The surveys were carried out in accordance with national best practice. There are unlikely to be any impacts on any sites designated for their nature conservation interest. On the application site, no evidence of bats was found, although buildings to be demolished/refurbished do have low potential to support roosting bats; therefore a precautionary approach to works should be taken (as described in the submitted survey). The site has the potential to support breeding birds; to comply with the relevant legislation regarding nesting sites, any demolition or removal of trees should be carried out outside the breeding season. Bird boxes/bricks should be provided on site to replace lost habitat. The site also offers opportunities for wildlife enhancement, which will help the Council address its duties and responsibilities under the NERC Act and the NPPF; this includes using native species of known wildlife value, climbing plants and green roofs (chalk grassland rather than sedum).

**ESCC SUDS** - (as the Lead Local Flood Authority) concludes the conceptual surface water strategy is acceptable for managing runoff, subject to conditions.

**Eastbourne Hospitality Association** - have a member on the project board and are fully supportive of the scheme.

**Neighbour Representations:**
A very wide consultation exercise was carried out (880 individual letters to the occupiers of nearby properties, notices were posted around the site, and the application was advertised in the local press. As a result no objections have been received, although 10 letters and emails of support have been submitted, which cover the following points:
- Overall the proposal looks very good
- Hard to find in the large number of documents whether the Welcome Building would be connected to the Winter Gardens – it should be
- The plans displayed are excellent
- A brilliant plan with great vision, to upgrade facilities whilst protecting the heritage and existing facades – will attract visitors and business to Eastbourne. Maybe close the Buccaneer?
- Looking forward to seeing a fine complex (the front of the Winter Gardens has been an eyesore for years)
- Wholly supportive; will enhance the outlook over the park
- Only sorry it has taken so long to modernise an area of cultural interest that has needed doing for years, especially the Devonshire Park Theatre

**Appraisal:**

**Principle of development:**
In general terms the NPPF seeks to encourage support for sustainable development. Moreover where that development underpins and supports the Governments growth agenda then there should be support to the principle of the development. In cases such as this the NPPF encourages that Local Councils should not seek to resist planning permission unless material considerations indicate otherwise and where the principle of development is found to be sound then permission should be granted without unnecessary delay.
Members will further acknowledge that the NPPG and NPPF urges Councils to plan positively, to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.

The NPPG also encourages Councils to promote tourism by considering the specific needs of the tourist industry in its area, engaging with representatives and analyse opportunities to further visitor growth.

Members will note that the redevelopment and enhancement of the offer at the Devonshire Park Campus has been a long standing corporate ambition of the Council and its stakeholders.

In an attempt to ensure the long term viability of Eastbourne as a visitor destination the Devonshire Park scheme that forms this application incorporates the following key themes:

- Essential repairs to retained buildings and sensitive renovation to the Devonshire Park Theatre, Congress Theatre and Winter Gardens;
- Upgrade the buildings’ facilities to enable them to be better and more fully used;
- Preserve the future of the international tennis tournament;
- Create better conference facilities;
- Create a new entrance to ‘Welcome’ the visitors and users and make the site more inclusive;
- Create significant new public realm to provide an appropriate civic setting for the new complex;
- Develop a more sustainable future for the site, reducing subsidy and increasing income.

It is considered that set against the national and local plan context that the development is acceptable in principle and the site specific issues that fall to be considered from the development are set out below.

**Impact of proposed development on amenity of adjoining occupiers**

Members will note that there was a significant round of public consultation in the early stages of this application, as a result and save for the amenity society responses there have not been any issues raised to the proposal.

To some regard this may be due to the fact that the Devonshire Park Campus is an ‘island’ site and that any new development in terms of light impacts and loss of outlook would be felt by inwardly by the users/patrons of the campus itself rather than the wider community.
Notwithstanding the lack of negative public comments the scheme does propose to a
greater or lesser extent alterations to virtually every existing building within the campus
as well as a significant new building forming conference facilities and entrance foyer (The
Welcome Building). It is considered that the proposals when taken in the round provide
greater operational intergration as well as more inclusivity for all users of these
important public cultural buildings and as such the scheme should be supported.

In terms of the wider public realm the scheme promotes the following:-

- Improved access into the park
- Landscaped plaza to the front of the Congress Theatre
- Removal of the Devonshire Park Halls
- Upgraded landscape to the north of the new ‘Welcome’ building and Winter Garden
- Increased biodiversity in and around the park.

It is considered that scheme currently before members and when taken holistically
makes a positive contribution to the local townscape and reflects the incremental growth
and change that the park has absorbed since its inception. In this regard a refusal based
upon the impacts that the redevelopment may have upon the amenities of the occupiers
of the nearby local residents could not be substantiated nor sustained.

Design issues and Public Realm:

PUBLIC REALM & PODIUM

To some the Devonshire Park Campus is demonstrably private space that is event driven
and as such does not integrate well into the immediate townscape/community nor does it
look outward to foster robust linkages to other parts of the town centre and the
seafront.

This application seeks to address these perceptions by increasing public accessibility
throughout the campus and by creating a significant area new public realm to the front of
the Towner gallery, the Congress Theatre and the new Welcome building, this will create
an appropriate civic setting for the new campus.

The reconfiguration of the area in front of the Congress Theatre, delineated by
Wilmington Gardens and Compton Street, will greatly improve the quality of the public
realm through the inclusion of coach drop off, disabled/taxi parking, hard and soft
landscaping including lighting, seating areas and contrasting paving (Eastbourne Core
Strategy policy C1). The objective is to create a welcoming and easily accessible entrance
to the theatres and other cultural space in the Welcome Building.

This area will also function as a link between Devonshire Park and the seafront, creating
the northern end of a new pedestrian-focused area from Wilmington Square to King
Edwards Parade (Core Strategy policy D8 and Town Centre Plan policy TC13). The
southern end of Wilmington Square with King Edward’s Parade is a key gateway as
defined in the Town Centre Plan.

The project has the potential to link into another public realm improvement plan, the Arts
Trail (Town Centre Plan Policy TC8), which will better connect the area with other parts of
the Town Centre. The Town Centre Plan refers to Core Strategy policy D8, which
advocates the introduction of innovative pedestrian focused layouts including widening pavements and introducing street trees. New street trees will be introduced and widened pavements and pedestrian walkthroughs feature front and behind the Congress Theatre and Welcome Building.

The whole of the site will be soft and hard landscaped to a high standard (Core Strategy policy D10a and Borough Plan policy UHT7). This includes renewing existing planting, new hard surfacing across the whole site, cycle parking and seating areas, public art (including linked to the Arts Trail), tree pits and other street furniture.

The hard and soft landscaping will be controlled via planning conditions that will also control the external illumination. The external illumination will be chosen to support the evening economy, uplight/wash the frontage and key features of the important buildings and provide directional lighting to the visually impaired.

In providing drop off – pick up zones and parking bays adjacent to the The plaza and incorporating ambulant stairs and graded access ramps to the podium and and entrance to the Welcome building the scheme seeks to provide an inclusive from of development. It is accepted that precise details of this will be controlled via planning condition and will be delivered in full consultation with the representatives from eDIG in order to ensure that the needs of all likely users will be incorporated into the design.

Members will note that Eastbourne unlike many other towns/cities does not have a town or market square nor many spaces where people can meet and intergate on a purely social level, this scheme would deliver such a facility and would go some way to providing an enhanced setting to the buildings at the site as well as provide spill out space for users/visitors of the site. In addition it will also provide an enhanced view for the those onlookers from outside of the site.

The plaza and the podilum are deemed to provide an area of enhanced public space that provides high quality public realm and a setting to all of the historic and new buildings on the site and should become a destination in and of itself. The scheme is considered to be providing a sense of place rather than just a space and this echoes the original design philosophy for this part of the campus.

THE WELCOME BUILDING

The central new build element of the whole project is the Welcome Building, which will replace the Congress Banqueting Suite. It has been designed to be a standalone pavilion with its own setting and its own identity derived from the essential characteristics of the adjacent listed Congress Theatre and Winter Gardens. By replacing the Banqueting Suite, which detracts from its historic neighbours, and taking account of context, the Welcome Building complies with Core Strategy policy D10a and makes a positive contribution to the townscape.

South East Regional Design Panel reviewed the scheme at pre applicaton satge and their comments are outlined in the consultaton section above. In terms of the Welcome building itself and as a direct response to the comments raised by the design panel the design of the welcome building has been developed with clean lines to make read as a pavillion in its own right and not as an extension to the The Congrees Theatre or the
Winter Gardens. In addition the canopy design has been developed into a simpler form to make it more legible and to promote the Welcome building as the main entrance building to the entire campus.

The Welcome Building will contribute positively to the area and is considered to reflect a form of architecture that utilises modern construction techniques whilst respecting the historic heritage (Policy D10a). The Welcome Building would be of similar height to the Congress Theatre and Winter Gardens but form, appearance and scale ensures it appears subservient to them whilst maintaining its own strong presence (saved Borough Plan policy UHT2).

Paragraphs 56 and 57 of the NPPF and ID26 of the NPPG reiterates the importance of good design. Not only is good design central to achieving sustainable development, it is critical to the preservation of the heritage assets and their settings, and continued functional use of the cultural and sporting facilities. ID26 advises that good design should:

- ensure that development can deliver a wide range of planning objectives
- enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on well being
- address the need for different uses sympathetically.

The Welcome Building is the main, new element of the proposal. It will act as a central point of focus, drawing visitors into the complex, improving circulation and connectivity to and through the site. In this regard it is considered to be the key linking feature tying all of the elements together.

Impact on character and setting of a listed buildings or conservation area or area of high townscape value:

GENERAL HERITAGE VALUE
Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. Since opening in 1875, Devonshire Park has made a significant contribution to the social, cultural and sporting life of Eastbourne. The redevelopment will ensure that tradition continues into the 21st century, maximising the site’s capacity for change.

The NPPF and NPPG advises that a thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. The project’s objectives include the creation of a new public realm that improves the setting of the listed buildings and opens the Park to a wider audience for enjoyment throughout the year. The proposal seeks to remove harmful piecemeal changes and areas identified as being of negative impact, reveal original spaces and volumes, repair historic fabric and accommodate proposed uses within the existing buildings before proposing the creation of new buildings on the site. It is therefore considered that the proposal accords with Paragraph 137 of the NPPF as the proposal would preserve elements of the setting that make a positive contribution and will also reveal the significance of the asset to a greater extent.
The proposal will provide great public benefits through the works undertaken and will secure the site its optimum use without causing harm to the listed buildings in accordance with Paragraph 134 of the NPPF.

LISTED BUILDING BENEFITS
As highlighted earlier in this report members will know one of the key drivers for this scheme are the heritage benefits that fall from the proposal. It is acknowledged that a number of the buildings on the campus and specifically the historic/listed ones have been altered significantly over their operational life and in some regard are showing signs of a less than satisfactory programme of maintenance and refurbishment.

It is appreciated that with historic buildings that have been altered over their lives that an informed judgement has to be made with regard to the degree of intervention and to what period/era should be reinstated. In this regard the application builds upon informed judgements supported by Historic England, National Amenity Societies and stakeholders and attempts to identify a baseline for all of the buildings and identifies works required to bring them back to their former glory and thereby maintain their heritage value.

Outlined below is a summation of what are perceived to be the heritage benefits that fall from the scheme.

GENERAL BENEFITS
General benefits for the listed buildings on the site provided by the scheme include:

- Improvements to accessibility, comfort, technical and safety facilities to safeguard the long term sustainability of the venues
- Completion of the essential internal and external repairs and backlog maintenance to all listed buildings
- Refurbishment of significant heritage details, supported by archival evidence and on site investigations

CONGRESS THEATRE BENEFITS
Heritage benefits of the Congress Theatre provided by the scheme include:

- Restoration of the public spaces with the Congress Theatre
- Refurbishment of the auditorium including new or refurbished seating
- Provision of the auditorium including new or refurbished seating
- Provision of improved ventilation to deal with overheating in the auditorium and foyers
- Improved technical facilities
- Removal of the 1980’s lighting and the ‘art deco’ details
- Reinstatement of the island bar in the stalls foyer
- New foyer colour scheme based in contemporaneous 1960’s archival film footage.

WINTER GARDENS BENEFITS
Heritage benefits for the Winter Garden provided by the scheme include:

- Reinstatement of the historic appearance of the Winter Garden’s facades
- Reurbishment of the public spaces within the Winter Gardens
- Reinstatement of the western apse of the Floral Hall
• Improved links to the park from the Floral Hall
• Improved signage

DEVONSHIRE PARK THEATRE BENEFITS
Heritage benefits to the Devonshire Park Theatre provided by the scheme include:

• Removal of the modern kiosks within the foyer
• Level access to the stalls from the foyer
• External repairs (started in 2015)

RACQUET COURT BENEFITS
Heritage benefits for the Racquets Court provided by the scheme include:

• Removal of boilers to allow for the future public use of this building, possibly the future use of the Racquets Court.
• Fabric repairs.

In conclusion, it is considered that the heritage benefits associated with the wider scheme identified above, offsets some of the more harmful impacts as identified by some of the amenity groups and interested parties. It is considered that the public benefits that the proposal will bring outweighs any harm caused. Paragraph 134 of the NPPF supports this view and states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

It is accepted that there remain some areas of concern raised by amenity groups and interested parties however it is considered that the benefits as outlined above significantly outweigh the harm caused by elements of the proposal and as such a refusal on this element of the proposal could not be substantiated nor sustained. This position is supported by the highest value building on the site The Congress Theatre which is a Grade II* listed building is undergoing significant intervention to restore its full qualities and that setting of this building is not compromised by the new ‘Welcome’ building.

CONSERVATION AREAS
The site is not located within a conservation area, however the College Conservation Area borders the site along its western boundary and the Town centre & Seafront Conservation Area borders the site along its southern boundary. Due to the site’s close proximity to these conservation areas, regard has been had to the setting of these conservation areas in the design process.

The main element of the proposal (the Welcome Building) has been designed so that it preserves the character and setting of the conservation areas and those buildings to be demolished are not considered to be important features which contribute to the character of the wider area or are important to the views to and from the Conservation Areas. The site has been designated as a potential area of change under Policy TC24 of the Town Centre Local Plan 2013 and therefore an element of change is expected in this area. Therefore it is considered that the proposal accords with policy D10 of the Core Strategy Local Plan 2013 and policy UHT15 of the Borough Plan 2003.
**Impacts on trees and biodiversity:**
Subject to the implementation of a tree protection regime in accordance with the relevant BS standard all of the existing high amenity value trees should be able to be retained within the scheme. The scheme proposes the loss of a number of lower value amenity trees and this loss is not considered to hinder the merits of the scheme.

The scheme promotes a new landscaping scheme to the plaza, to the front of the ‘Welcome’ building and the Winter Gardens in particular and to the wider Devonshire Park Campus in general. It is accepted that the precise details of this landscaping scheme would be controlled via planning condition however it is envisaged that through site specific-site appropriate species selection greater biodiversity should result. This enhanced landscaping should assist in integrating the campus site into the wider topography of the area and as such should be supported.

**Impacts on highway network or access:**
Travel Plans, Transport Assessments and Statements are all ways of assessing and mitigating the negative transport impacts of development in order to promote sustainable development. They are required for all developments which generate significant amounts of movements. The area to the front of the Congress Theatre is to be re-aligned to provide workable set down and pick up points for visitors. A Transport Statement and Travel Plan accompanies this application in accordance with Policy TR2 of the Borough Plan and paragraph 32 of the NPPF and ID 42 of the NPPG.

On an average year approximately 330,000 visitors visit the facilities within the Campus it is not envisaged that this population would change significantly as a result of this proposal however the quality of the public realm and the accommodation would be markedly improve, this may have the result in the visitors dwell time being extended.

The facilities within the campus are well known to local residents and on the publicity for events/productions the organisers highlight the location of available public transport links and also the location of available car parking. It is concluded therefore that users of the facility both resident and visitor will be aware of the local parking regime and will make their own arrangements for travelling to and from the site.

Members will note that within the campus there is limited potential for off street parking, and certainly nowhere near enough to accommodate the parking requirements of the all of the venues if they operate at the same time. This is acknowledged within the development proposal and where possible accessible disabled spaces are sited within the off-street parking areas of the campus.

It is considered that the proposals will not significantly alter the existing visitor numbers to each venue and as such it is not anticipated that there will be an increase in trips or a negative effect in terms of highway capacity or public transport operation. The alterations to the on street parking arrangements balance the needs of all users.

It is considered that a travel plan may help to derive modal shift in the way people access the sites’ facilities, this travel will be monitored by colleagues with ESCC Highways and will require a monitoring fee which the applicant has advocated their full support for. In addition the applicant has agreed to use their best endeavours to support ESCC in
their attempts to scope and implement a coherent parking regime in the locality. Both of these issues are outlined within the applicants legal agreement.

STOPPING UP ORDER

Members will note that the plaza to the front of the Towner Gallery and the Congress Theatre is new work upon the public highway and by default is looking to stop this carriage way (Carlisle Road) being used for the carrying of traffic.

This work would require a formal highway stopping up order prior to its implementation and as such this issue falls outside of this application and a refusal on the principle of stopping up cannot therefore in isolation be promoted or sustained.

Sustainable development implications:
It is clear from the application proposals that to promote a major development within a wholly sustainable location is acceptable in principle. In addition the scheme promotes a ‘fabric-first’ approach to all new buildings, this should ensure that high thermal efficiency should be delivered at the same time as ensuring that the users of the facilities they remain pleasant places to work and visit.

The scheme promotes a limited use of renewables in the form of photovoltaic panels on the roofs of The Congress Theatre and the new ‘Welcome’ building. The deployment and frequency of these panels is controlled as there is balance that needs to be struck between the cost/return benefits of installation against the visual impacts that will result, especially given the heritage value of a number of buildings within the site.

The comprehensive refurbishment of a number of the buildings within the Campus should make them fit for purpose for another generation and as such should provide sustainable assets which can continue to make a positive contribution both in financial terms but also the townscape terms. In this regard the proposal is considered to promote high sustainable values.

Other matters:
SPORTING FACILITIES
A key aim of the project is the securing the site as the location for the AEGON international tennis tournament through the provision of ‘fit for purpose’ facilities, in addition to improving facilities for other tennis events held throughout the year.

Works to improve sporting facilities are:
- New tennis court layout to international and LTA standards; incorporate a new irrigation system, providing 12 courts year round and 19 during the tournament
- Repairs to the tennis centre, pavilion and stands, with three temporary stands during the tournament
- Refurbishing the existing fitness centre and existing office building to provide tennis player facilities

Other new facilities will support the tennis use, such as the use of the Welcome Building for catering, press, corporate and hospitality events during the tournament. By significantly investing in the upgrading of the tennis facilities, the scheme positively promotes sport in general and the National/regional tennis events in particular. In some
regard this helps to foster Eastbourne’s national and international reputation and the retention of these tournaments bring significant economic benefits.

In addition the many tennis tournaments held throughout the year raise sport awareness amongst the community, making an important contribution to the health and well-being of the town even if spectators don’t use the facilities directly themselves (NPPF para. 73).

The proposals will enhance sports facilities close to the main centre of population in a location easily accessible by walking, cycling and public transport. Many events have free entry. Raising the profile of sport in the town enhances community cohesion. The site will continue to be shared by a wide range of organisations. The Council run fitness centre is open to the public so upgrading will directly contribute to the enhancement of existing community sporting facilities (Core Strategy policy D7 and Paragraphs 70 and 73 of the NPPF).

The proposal will go towards achieving the Council’s corporate objectives of promoting healthier lifestyles and developing and promoting sports and leisure activities (objectives H1 and EN2 of the Eastbourne Borough Plan). The 2003 Borough Plan pre-dates the Council’s current ambitions to redevelop Devonshire Park, but nevertheless designated it as a Significant Area for Sport (Borough Plan saved Policy LCF6). The proposals comply with LCF6 by proposing ancillary facilities to the tennis centre that reflect the designation.

The tennis courts are covered by saved Borough Plan policy LCF2, Resisting Loss of Playing Fields. As the proposal will increase the number of courts, utilising the space currently occupied by Devonshire Halls which is to be demolished for more courts, the proposals comply with this policy.

**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.

**Recommendation:**
The application is accompanied by a legal agreement that covers all of the issues at hand, namely a commitment to enter into a S278 highway agreement (to cover the works to the highway), to provide a monitoring fee for Travel Plan, engage in a parking strategy (including real time bus information) and engage in the delivery of initiatives to create and foster local jobs.

All of the issues raised by the Statutory Amenity Societies can be controlled via condition and as such there are no formal objections to the proposal. Given this position, there is not any requirement to refer the submission to the Secretary of State for their consideration/determination.

Subject to there being a satisfactory legal agreement in place then Planning Permission and Listed Building Consent be issued with the conditions listed below.
PLANNING PERMISSSION & LISTED BUILDING CONSENT
1. Commencement within 3 years
2. Development in accordance with approved plans
3. Submission and approval of a Written Scheme of Investigation
4. Tree protection during works
5. Tree protection (excavation/foundations/drains)
6. Details of services in relation to trees (gas/electricity/water)
7. Tree planting scheme
8. Auditable arboricultural site monitoring system
9. Surface water drainage scheme & maintenance management plan
10. Biodiversity works in accordance with submitted survey
11. Details of hard and soft landscaping including street furniture, railings etc.
12. Details of the junctions between the Congress and Winter Garden links
13. Submission of a Traffic Management Scheme (size & route of works vehicles)
14. Provision of wheel washing facilities
15. Submission of layout of plaza and surrounding highways
16. Submission of construction details of the plaza and surrounding highway, surface water drainage, outfall disposal and street lighting
17. Provision of approved parking areas prior to occupation
18. Submission of details of cycle parking and provision prior to occupation
19. Hours of operation (building works)
20. Notwithstanding the details hereby approved further details shall be submitted for approval in consultation with the national amenity societies showing the roof of the Racquet Building the front to The Winter Gardens and the catering core to the Winter Gardens.
21. Details & samples of external materials
22. Details & samples of mesh filled glass
23. Details & samples of internal fittings and finishes within the Congress
24. Details & samples of internal fittings and finishes within the Winter Gardens
25. Details & samples of elevational treatment and facing materials to the additions to the Winter Gardens
26. Details including large scale sections of decorative metalwork to the Winter Gardens
27. Details of the junctions between the Congress and Winter Garden links
28. Details of repairs/paint finish of the listed telephone box outside the Devonshire Park Theatre
29. Submission of layout of plaza and surrounding highways
30. Submission of details of cycle parking and provision prior to occupation
31. Phasing of works & repairs
32. Methodology of repairs to all heritage assets
33. Methodology of making good
34. Details of new and repositioned signage on the buildings and within the plaza.

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.
APPENDIX NO 1

To: Head of Planning
Eastbourne Borough Council
1 Grove Road, Eastbourne
FAO: Jane Sabin

APPLICATION NUMBER: HW/EB/150903

Applicant: Mr Philip Evans

Location: Devonshire Park, College Road, Eastbourne, BN21 4JJ

Development: Demolition of Congress Suite, Devonshire Park Halls, first floor offices at front, catering lift, bistro & kitchen, and north east portico at rear of Winter Garden. Construct 3 storey conference (Welcome) building linked to Congress and Winter Garden with a service ramp to rear. Internal refurbishment repairs to the Congress and Devonshire Park Theatres. Internal refurbishment repairs to Winter Garden and remodelling of its front entrance to include reintroduction of a double pitched roof. Redecoration of tennis pavilion and creation of new show court. Provision of new public realm to south to include access to the Welcome Building with landscaping. See also 150904 LB.

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This scheme would include demolition of the Congress Suite and Devonshire Park Halls, constructions of new conference building between the Congress Theatre and Winter Garden along with creation of a new plaza over what is now Carlisle Road. Refurbishment, repairs and remodelling of parts of the existing buildings will also be carried out.

Highway Realignment/Capacity:

The proposal would result in the loss of part of Carlisle Road meaning all traffic would be diverted via Wilmington Gardens. The streets around the site are not traffic sensitive, do not form part of the strategic road network and are all unclassified. Given the low traffic flows in the area, with the appropriate alterations to the road layout I do not have a significant concern over highway capacity in the area. Even with an increase in flows as a result of the development any impact would not be severe and therefore would be acceptable as it would be in accordance with the NPPF.
Creation of Plaza/Stopping Up:

The creation of the public square and Welcome Building would require part of Carlisle Road to be built over. This would require the highways rights over this area to be removed. The only way to remove highway rights is through a Stopping Up order. This can be achieved through both the Town & Country Planning Act, 1990 and the Highways Act, 1980. The most appropriate method in this case would be via the Town & Country Planning Act as it is connected to a development proposal. This process would need to be applied for separately after grant of planning permission through the National Casework Team.

Although related to a planning permission it must be noted that this is an entirely separate process which is open to objection. Should objections be received that cannot be resolved then a hearing/inquiry would need to be held. It can therefore take some time for stopping up orders to be processed and decided.

As there are a number of utilities company pipes & cables running under this area it is likely that these companies will need an easement/way leave agreement over the area so they have a right of access to their apparatus. Alternatively they may need to be relocated so they stay within the public highway. The cost of any alterations could be significant and would need to be paid for by the applicant.

An internal consultation has been carried out with various teams in ESCC and in principle the stopping up of this area is acceptable. There are a number of areas of concern that need to be resolved through the detailed design process and will need to be fully funded as part of the scheme which are mentioned below.

It should be noted that if the stopping up order be successful then the control of the land will pass to the land owner. It is therefore possible that land will have to be obtained by the applicant in order to implement the development.

Plaza – Layout/Design:

There are a number of layout and design issues that need to considered and resolved through the detailed design process. Some of these relate to the Stopping Up and others are just general points. The issues are as follows:

- **Street Lighting** – The current highway street lighting (lamp columns, ducts, cables, etc.) will need to be removed from the area to be stopped up. New street lighting will need to be provided to light the highway in accordance with ESCC’s requirements. Any new lighting provided in the Plaza will need to be installed and maintained by EBC. It is recommended that the lighting levels used are at least those which would apply to the highway.

- **Cycle Route** – A signed cycle route exists along Carlisle Road. The signage will need to be altered to reflect the new route.

- **Pedestrian Crossing facilities** – Formal crossings points (dropped kerbs, traffic islands, zebra crossings, build outs, etc.) will need to be provided to enable
pedestrians to safely cross Compton Street when accessing the site or the Seafront/Carlisle Road.

- Willmington Gardens – Changes to the layout of Willmington Gardens and the Willmington Gardens/Compton Street junctions will need to be fully explored through the detailed design process to ensure it can safely accommodate the traffic which will be diverted from Carlisle Road which will include a regular bus service, as well as pedestrians and cyclists.

- Materials – A palette of materials has been suggested for the Plaza and it is indicated on the layout plans that they would extend over areas they will remain highway. Whilst I can understand the desire for the area to have consistent finishes, ESCC will need to approve any materials on the public highway. Whilst it may well be possible to use the same materials, if they will require a higher level of maintenance then commuted sums may well be required to fund this difference. It is also noted that in the Draft Seafront Strategy Local Plan there is a desire to see consistency of materials between the Town Centre regeneration scheme and the Devonshire Park area. A palette of materials for the town centre has been agreed which do not match those proposed in this scheme. The materials for the town centre include higher quality paving and street furniture than proposed here. If consistent materials are to be used between the two schemes then consultation with ESCC will be required through the detailed design process.

All works on the public highway will need to be agreed by ESCC and secured through a Sec 278 legal agreement. All works will need to be fully funded by the applicant. The entire scheme will also need to be subjected to safety audit procedures before and after construction.

**Parking:**

The information on, on-site parking provision to be provided differs between the application form and the Transport Assessment (TA). The application indicates that a slight reduction in off street spaces would take place but the level of Disabled parking would remain the same. The TA states that the level of parking will remain as it currently is. Even in there was a slight reduction this is not considered a significant issue as for the majority of the time there is spare capacity in these car parks.

The introduction of the Plaza will alter the road layout in the area and would remove areas of on street parking, both on the public highway and in areas owned by EBC. As well as the designated parking spaces, some of which provided Disabled Parking spaces, sections of road with double yellow lines will also be removed which are utilized by Blue Badge Holders at times, as well as drop off and pick up for Coaches/Mini buses.

The submitted TA includes an assessment of the current and potential on street parking provision. This only includes formal spaces and does not include the use of double yellow lines by Blue Badge holders. On the face of it the proposed layout would result in a small loss of spaces but some of the spaces shown are within visibility splays for junctions or in areas that are currently double yellow lines which may well have been installed for safety reasons. Whether all of these spaces can therefore be installed safely has to be questioned at this stage.
It is noted that a drop off area is proposed on the south western side of the plaza which will provide a relatively close drop off point to the Towner Gallery and Congress Theatre. There is currently no dedicated drop off point proposed close to the Winter Garden and the access to the Welcome Building is a reasonable distance from the nearest drop off although it is understood that access will be possible via the Congress foyer.

There are obviously competing demands for the highway that will remain around the plaza as there is a desire to provide bus stops, parking spaces including disable spaces and drop of and pick up including coaches and taxis, while retaining a safe highway. It is suggested therefore that a full review of on street parking in the area around the site is carried out to ascertain exactly where extra parking spaces can safely be implemented. This should also include the extent of loading restrictions in place. Certain lengths of the current double yellow lines include loading restrictions which prevent disabled parking taking place. It may be possible that use of loading restrictions can be amended to provide extra space where it is safe to do so. It is also possible that the revised road layout will mean that new areas of road will need loading bans to ensure they are always clear of parked cars.

The extent of this will need to be agreed with the Highway Authority and should include consideration of the requested changes to bus stop locations that have been made by the local Bus operator and are referred to later in my comments. Parking and drop off will also need to be included. Any changes should also be subject to independent safety audit.

This would also provide an opportunity to formalize the currently unrestricted on street parking around the site with for example permit parking, pay and display parking, disabled parking bays, etc. so it can be more easily managed in the future.

Any changes will need to be agreed with ESCC who would also need to implement the necessary Traffic Regulation Orders to formal the arrangements. The applicant would need to fully fund this process and the implementation of the agreed changes which should be secured through a legal agreement.

**Cycle Parking:**

A total of 42 spaces are proposed which is considered acceptable and an improvement over the 26 currently provided. It appears that none of the shelters will be covered though. To cater for long term cycle storage facilities need to be covered and secure. I would therefore like to see long term storage provided at the rate of 1 space per 10 staff on duty at any one time. A condition is suggested below to secure the details of the cycle parking to be provided.

**Public Transport & Taxis:**

The site is located approximately 950m from the Railway Station and is therefore within an acceptable walking distance. There are also bus stops close to the site in Compton Street. Having consulted Brighton & Hove Buses, as the operator who serves this area, they support plans for the development as it will add value to the area as a destination for their passengers. Enhanced services to the area have relatively recently been
introduced which have proven popular and allow bus travel to and from the site every 30 minutes up to 11pm. In order to enhance the bus facilities in the area the operator would like to see the stop closer to the site than the current location which I support. The stop should also be provided with a shelter and Real Time Passenger Information signs to further enhance the stop. This would need to be included in the detailed design and would need to be secured through a legal agreement.

Taxis can currently drop off close to the theatres which will be removed through creation of the plaza. As mentioned earlier in my response a drop off area is included on the southwestern side of the plaza but the planned designation of this space is not clear. Provision of Taxi ranks or at least space for drop off and pick up should be considered as part of the review of on street parking.

**Service Vehicle Access:**

The servicing arrangements for the site would generally carry on as they currently do. Vehicle tracking has shown that with the revised layout at the rear of the buildings will still operate successfully so there would be no additional issues created.

The largest change to the servicing arrangements is access to the utility company buildings that will remain within the plaza. Although access to these buildings is infrequent it needs to be maintained and submitted tracking has shown that a 7.5t van can access these buildings which is considered acceptable.

**Travel Plan:**

A draft Travel Plan has been submitted and would be a requirement of any consent to reduce single occupancy car trips to and from the site. A full Travel Plan will need to be secured by S106 agreement which will need to secure the following:

- The agreement of a “measures” approach which; a) specifies targets outcomes; and, b) identifies both specific measures designed to achieve the agreed targets / outcomes and the remedies and/or sanctions that shall be applied if the targets / outcomes are not achieved.

- The appointment of a Travel Plan Coordinator to coordinate implementation of the TP and take responsibility for achieving targets including handover arrangements from the developer to a management or residents’ group.

- Appropriate monitoring reports, including multi-modal travel surveys to be carried out annually for five years following occupation/operation of the Development based on the standard survey requirement in East Sussex, i.e. a Level 2 TRICS survey (known in this context as SAM: Standard Assessment Methodology).

- A Travel Plan Audit fee of £6000 (Six thousand pounds).

**Conclusion:**

The scheme is in general acceptable in highway terms. Although the proposal to introduce the plaza will alter the movement of traffic through the area and although
there is likely to be additional traffic created it is not considered that it will result in a severe impact on the highway network.

There is however a concern over the changes to parking that would take place as a result of the amended layout. Subject to a review of parking in the area around the site, secured by legal agreement along with the other items mentioned above I do not wish to restrict grant of consent.

I recommend that any consent shall include the following attached conditions as well as a Sec 106 to secure the following items: on street parking review for the area surrounding the site, implementation of an agreed scheme for the plaza through a Sec 278, Improved bus stop facilities including shelter and real time information, Travel Plan,

1. Prior to demolition works commencing on site the commencement of development a 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.

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

2. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads

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

3. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed plaza and surrounding highway, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with this Authority

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

4. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

   Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

5. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles
Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development

Informative:

1. Whilst submitted as a detailed application, full highway details have not been appended and highway clearance will not be issued until these are received and approved, all in accordance with current guidance.

2. This Authority’s requirements associated with this development proposal will need to be secured through a Section 106/278 Legal Agreement between the applicant and East Sussex County Council.

Signed: M Weston           Date: 30\textsuperscript{th} October 2015

For Director of Communities, Economy and Transport
On behalf of the Highway Authority

HT401
Executive Summary:

This application seeks retrospective planning permission to retain a number of UPVC windows installed on the front and side elevations of the East Beach Hotel, 23 – 25 Royal Parade. This Victorian building is designated as a building of local interest in the Eastbourne Townscape Guide and falls within the Town Centre and Seafront Conservation Area.

Because of the materials used, the scale and detailed design, the windows that have been installed are considered to detract from the character of the host building and have a detrimental impact on the surrounding conservation area. It is recommended that the planning application is refused, and an enforcement notice served requiring the installation of replacement timber windows.

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
7. Requiring good design
10. Meeting the challenge of climate change, flooding and coastal change
12. Conserving and enhancing the historic environment
Site Description:

The East Beach Hotel occupies a corner position on the seafront on the junction of Royal Parade and St Aubyns Road. It is in use as a hotel.

Relevant Planning History:

150358
Two storey side extension to form new WCs and enlarged managers accommodation. Single storey extension at rear to form new office. Planning Permission approved conditionally 13/05/2015

Proposed development:

This application seeks permission to retain the replacement UPVC windows that have been installed on the premises without planning permission.

Consultations:

Internal:

Conservation Area Advisory Group
At a meeting on 6th October 2015 the Conservation Area Advisory Group expressed a concern that the replacement UPVC windows installed are out of keeping with the surrounding area.
Specialist Advisor (Conservation):

Objection. Replacement of windows has resulted in loss of historic fabric. UPVC windows detract from the significance of the building and have a harmful impact on the immediate and wider area.

External:

The Eastbourne Hospitality Association (EHA)

1. The EHA represents the interests of a large majority of the accommodation providers in Eastbourne who offer tourist accommodation. The EHA also has a number of members whose businesses are either directly or indirectly within the tourism industry. The EHA was set up originally as the Eastbourne Hotels Association over 90 years ago and has always strived to contribute positively to the important tourism economy that provides so many jobs in the town.

OBSERVATIONS

2. The EHA welcomes the opportunity as a “Major Stakeholder” to make observations in this planning application.

3. We support this application to retain the PVC windows at the East Beach Hotel and we can fully understand why the owner decided to put them in without first seeking permission from the planning authority.

4. Our properties have to face increasingly strong weather as storms and winds on our shores become more frequent and stronger. Whether this is due to global warming is an argument for environmentalists to have. The fact of the matter is though that our seafront properties, which are premium and are key to the success of our tourism economy, must be fit for purpose.

5. We also wish to remind the committee that THERE IS NO POLICY LOCALLY OR NATIONALLY THAT PROHIBITS PVC WINDOWS IN A CONSERVATION AREA. There is only National “Guidance” and with respect this guidance is more directed at truly historic buildings that are protected and are of unique character. It is submitted that the East Beach, although an attractive property, does not have such a high status. Whilst we appreciate that it appears somewhere on some “local list” that was created in 2014 – what we say about this is that as an industry we don’t even know about the existence of this list, we have never been consulted about such a list and we question the weight and legality of such a list? To place a privately owned building on such a clandestine list seems to us to be completely extreme and after this planning case has concluded we will be asking more about this list, its legal status and how it came about.
6. There has been complete inconsistency over recent years from the planning department in relation to PVC windows and if one looks at the seafront you will see that this inconsistency continues in the permissions granted for windows. We understand that the reason why this hotelier felt the need to take urgent action was a) because of the lack of a consistent approach and b) because the windows were getting so bad that there was little choice. The cost of wooden windows in comparison is six fold+ the cost of a PVC window when in actual fact the wooden framed windows are on the whole ineffectual.

7. In case the planning committee are unaware, the local tourism industry, although strong is in a gradual decline. Although occupancy remains healthy room rates are dropping owing to the expansion of the Online Travel Agent market, the uncompetitively high VAT rate compared to European destinations and the introduction into the town of brands such as Premier Inn. This coupled with the increased costs of heating, lighting, food and wage costs means that margins are at an all time low.

8. There comes a time it is submitted when these factors coupled with environmental concerns have to take precedence over having “wooden framed windows just because our Victorian forefathers made them” and we must be able to invest in our properties with the long term in mind. Many hoteliers in this town want to invest in this way into their properties but again the attitude, or at least the perceived attitude, against PVC on the seafront prevents it.

9. The issue we have been advised by your head of planning is whether the works are in keeping with the building. You cannot it seems to us simply object because it is PVC. As the Planning Inspector in the Claremont appeal in 2014 observed; “The Council appears to have permitted the use of material in other buildings within the conservation area”. The fact therefore that this has been permitted in other properties IS therefore a consideration. Also the Inspector suggested in her judgment that a matter that can be taken into account is the fact that the change in the material of the windows is crucial to the business’ on-going viability (paragraph 17). Further more she suggests that the harm caused by the installation of the windows to the building has to be “substantial”.

10. We submit having looked at the building before and after that the alterations that have been made have made a significant improvement to the building. The proportions of the front elevation have not been altered by the replacement windows in any way and we suggest that the rhythm and hierarchy of the fenestration has been maintained.

11. The front porch has never in fact looked better – remembering of course that this would have been an add on any way and was not part of the original building.
12. There have been advances in the quality of PVC windows in recent years and the quality of the finish. We suggest that these windows are of sufficient quality.

13. We also make this closing point. The fact of the matter is that the average tourist does not study with a fine toothcomb each individual window from the outside. The tourist who stays wants to be able to open the windows with ease when traditional wooden sash is too heavy. Provided (as the Inspector said in her comments) the overall flow of the building is not effected that is what is important.

14. We urge you to permit this application.

**Neighbour Representations:**

58 Neighbouring residents were consulted as part of this application.

One objection was received on the grounds that the materials of the replacement windows are out of character with the surrounding conservation area.

**Appraisal:**

This application seeks permission to retain a number of UPVC windows installed to the frontage of the East Beach Hotel, 23-25 Royal Parade, Eastbourne. The applicant has additionally installed a UPVC framed conservatory at ground floor level. Whilst this is not part of the retrospective application, this report seeks authorisation for an enforcement notice to be served requiring removal of this structure and its replacement with a timber framed unit.

The building is not listed, although it is located in the Town Centre and Seafront Conservation Area. It is designated in the Eastbourne Townscape Guide (Supplementary Planning Guidance) as being a building of local interest. The installation of the UPVC windows on these premises has been the subject of ongoing enforcement action by the Council following on from their installation earlier in 2015.

**Conservation and Design issues**

The windows on the East Beach Hotel are considered to be important architectural features on this unlisted building that define its appearance and how it is read in the surrounding townscape context. Prior to the installation of the unauthorised UPVC windows the building predominantly had characteristic single glazed timber sliding sash windows. The materials, design features, method of opening and glazing pattern were all features that helped to define the external appearance of this substantial Victorian building. The larger glass panels on the first and second floor levels were a reflection of the importance originally assigned to the first and second floor levels of this building in terms of the overall hierarchy of rooms within the building itself.
Whilst there are a number of examples of UPVC windows that have been installed within buildings on the seafront within Eastbourne, in this case the building is part of a townscape group where very few of the original timber sash windows have been replaced, from first floor level upwards. The only exception to this is the Langham Hotel (43-49 Royal Parade) which would appear to have replaced some of the front windows with double glazed UPVC windows without the benefit of planning permission. Notwithstanding this, the windows installed on the Langham Hotel replicate the design of original timber sash windows and many of their original features, and in longer views differ little in appearance to the timber windows they replaced.

The replacement windows that have been installed at the East Beach Hotel are characteristic examples of modern UPVC windows, and clearly perceived as such in both short and long views. The frames are considerably larger and the opening mechanisms differ, opening outwards as opposed to a traditional sliding sash mechanism. Features such as the decorative horns are not replicated in the new windows. The result is windows with an alien and contemporary appearance, resulting in the loss of historic status and interpretation of this building, the group of buildings it sits within, and the wider seafront.

National Planning policy places a great importance to good design and the conservation of the historic environment. Within the saved policies of the adopted Borough Plan, Policy UHT 15 requires that development must preserve or enhance the setting of a conservation area and UHT18 states that proposals which would adversely affect the character or appearance of buildings of local interest will not be permitted. For these reasons the windows that have been installed are considered contrary to national and local policy, and are unacceptable in principle in design and conservation terms.

**Other matters**

**Precedents**

The applicant draws attention to a number of other premises east of the pier which have installed replacement UPVC windows. It is acknowledged that there are examples of UPVC replacement windows installed along the seafront to the east of the pier, along Grand Parade and Marine Parade. In previous decisions the Council have consistently sought to ensure the windows are made from timber, or are otherwise high quality UPVC replacements that accurately reflect the design of the original timber sash windows.

Under planning law windows that have been installed for a period of more than four years on unlisted buildings become immune from enforcement action and therefore lawful. Whilst some windows that have been installed differ from the planning approval, or have been installed without planning permission, these instances are not considered to form a precedent for
further unsympathetic alterations to buildings further along the seafront. Taking account of the comments from the Conservation Area Advisory Group, it is considered that in prominent locations such as this timber sliding sash windows form an important part of the Victorian character of the conservation area. It is recommended that their replacement with modern UPVC variants be resisted, where it is possible and expedient to do so through the exercise of planning controls.

**Economic and Environmental issues**

The applicant also states that any harm created by the installation of these windows is outweighed by the fact that the installation of the windows enable the building to be used in its original and optimum viable use, maintain and strengthen the contribution of the hotel to the wider tourist industry and economy of the town, and would reduce the demands of the hotel on the environment, making reference to the tests in paragraph 134 and 135 of the National Planning Policy Framework.

In this case, however, the harm created by the replacement windows to the heritage asset and surrounding conservation area is considered to outweigh any environmental or economic benefits of the proposal. It is considered in the specific circumstances of a landmark building such as this, the broader public interest is served through the conservation of the historic environment, with its associated economic and social benefits including the wider regeneration of the Devonshire Area.

**Other works**

The applicant has additionally installed a replacement UPVC conservatory to the front elevation of the building at ground floor level. The conservatory has been constructed with a thick UPVC frame which replaced a slimline timber frame. The resulting structure is more dominant feature that visually dominates the host building, with the UPVC frames being very prominent features. As a result, the replacement conservatory is considered to have a detrimental impact on the appearance of the building and the surrounding conservation area. It is recommended that enforcement action is taken to require the removal of this structure and its replacement with a timber framed conservatory.

To the rear of the building the applicant has replaced a number of original sash windows with UPVC windows without planning permission. In this case the windows are read in the context of a secondary elevation, and there are many other examples of UPVC windows in the surrounding townscape along St Aubyn’s Road and Hampden Terrace. Whilst the loss of historic fabric is regrettable, it is not considered expedient to pursue enforcement action in respect of these windows, as they do not have a significant impact on the character and appearance of the building or the conservation area in which it is located.

**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:

It is recommended that the application to retain the UPVC windows is refused on conservation and design grounds, and an enforcement notice served requiring replacement timber sash windows and conservatory to be installed on the front elevation.

Reason for refusal

Planning Permission is Refused and Enforcement Action authorised for the following reason:-

Because of its bulk, materials, method of opening and detailed design the replacement UPVC windows would detract from the setting and appearance of the building of local interest and the Town Centre and Seafront Conservation Area. This is contrary to Section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework 2012; Policies B2 (Creating Sustainable Neighbourhoods) D10 (Historic Environment) and D10A (Design) of the Core Strategy 2013; and Saved Policies UHT1 (Design of New Development) UHT4 (Visual Amenity) UHT15 (Protection of Conservation Areas) and UHT18 (Buildings of Local Interest) of the Eastbourne Borough Plan 2001-2011.

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.
Executive Summary:
The application site consists of land which is not owned by the applicant, who runs an adjacent children’s nursery.

The current application seeks permission for the formation of an outdoor playspace situated directly in front of the existing children’s nursery (namely ‘Little Rockets’) occupying a unit within the Langney Shopping Centre, accessed externally from the lower ground floor level.

The nursery currently has no outdoor playspace and seeks to create an area enclosed by 1.8 metre high green mesh fencing covering an area measuring 18 metres 36.3 metres (approximately 653.4 square metres).

The applicant has not confirmed the proposed hours of use for the outdoor space and although the specific detail of features within the enclosed play space has yet to be fully finalised, the applicant proposes to cover floor with a safety surface of either Safety Matting, Rubber Grass Matting or Woodchip and would install a proposed shed for storage of equipment, Playhouse (Wooden or Plastic) and a Climbing Frame Set (including Swing and slide) within the enclosed play space. In addition, the applicant would seek to form some planting within their scheme.

It is recommended to refuse the application due to its detrimental impact to residential and visual amenity due to the proximity of nearby residential properties and to the detrimental impact to the open plan character of the location.
Constraints:

Tree Conditions
Tree(s) protected by planning permission.
EB/1971/0681

Environment Agency Flood Defences
Areas Benefiting from Defences

Relevant Planning Policies:
National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013
B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C8: Langney Neighbourhood Policy
D5: Housing
D7: Community, Sport and Health
D10A: Design

Eastbourne Borough Plan Saved Policies 2007
UHT1: Design of New Development
UHT4: Visual Amenity
UHT5: Protecting Walls/Landscape Features
UHT8: Protection of Amenity Space
UHT10: Design of Public Areas
HO20: Residential Amenity
LCF3: Criteria for Children's Playspace
US4: Flood Protection and Surface Water Disposal
US5: Tidal Flood Risk

Site Description:
The application location comprises an existing grassed area bounded to the North by the
car park of the Langney Shopping Centre situated some 3 metres higher, to the East, by
the shopping centre itself, with the Western site boundary formed by the public footpath
of Kingfisher Drive.

The Southern site boundary is formed by an access road to the nearby St Barnabas
Church which reverts to a pedestrian footpath beyond leading to the adjacent residential
housing estate and specifically the adjacent properties of Sandpiper Walk with numbers 9
– 33 (odd) Sandpiper Walk all within 100 metres of the proposed play area (number 33,
the closest residential property is within 15 metres of the application site).

Relevant Planning History:

000900
Proposed residential development - amended indicative scheme shows fourteen two-
bedroom flats in a three storey building with a pitched roof (outline application).
Outline (some reserved) – Refused - 13/08/2001
050407
Two-storey mixed use development to provide new retail (3,450 square metres) of retail floor space, library (at first floor level) and residential accommodation (eight, one and two-bedroom flats), a new public transport interchange and associated parking for bicycles and 81 cars (for use by staff).
Planning Permission – Withdrawn - 20/08/2005

050808
Two-storey mixed use development to provide new retail units (3,450 square metres) library (at first floor level) and residential accommodation (8 one and two-bedroom flats), a new public transport interchange and associated parking for bicycles and 81 cars (for use by staff) [Kingfisher Drive Site] together with a residential development of 20 units and 22 car parking spaces, Home Zone and associated landscaping [ Swanley Close Site].
Planning Permission - Approved conditionally - 10/01/2007

080677
Development of two-storey mixed use retail and leisure units. Creation of public library. Eight two-bed apartments at first and second floor level. Single-storey retail unit, service core and public amenity space. Change of use of existing library unit to A2 use. Change of use of unit 18 to A3. Twenty 1,2,3 and 4 bed apartments on land adjacent to Petrol Filling Station and Swanley Close.
Re-configuration of car park, landscaping, bus drop-off and taxi-rank.
Planning Permission – Withdrawn - 05/12/2008

090721
Full application for development of 2 storey mixed use retail and leisure units. Creation of public library. Ten two bedroom apartments at ground, 1st and 2nd floor level. Development of large single storey retail unit and 6 no adjacent small retail units with associated service core and public amenity space and application for outline planning permission for residential development of 20 apartments on land accessed from Swanley Close (Amended Plans).
Planning Permission - Approved conditionally -11/05/2011

Proposed development:
The applicant seeks permission to erect mesh security fencing which is PVC coated (green) steel with 2 green mesh gates, all to a height of 1.8m high, to create an outdoor play area 38.3m by 18m on the grassed area adjacent to Sandpiper Walk for children attending the nursery at Unit 50 Langney Shopping Centre.

The flooring of the space would be covered in a safety material, such as rubber matting, rubber mesh to cover grass, or a woodchip covering.

Proposed equipment to be installed within the enclosure includes a wooden shed (for associated storage), and playhouse (plastic or wood) and a climbing frames side (with swings / slides) for use only in conjunction with the nursery.

The applicant has supplied additional information outlining that they have 60 children on their register, but the external play space will be limited to 30 at any one time. The hours
of use would be from 09:30 – 15:30 from the majority of the children with the older children (after-school club) up to 8 between 15:30 – 17:00.

Consultations:
Internal:
Specialist Advisor (Arboriculture)
- Noted absence of tree report
- one tree on site located centrally
- The application would result in the removal of the tree
  - Category C1 tree which should not be considered a constraint to development.

Considering the use is for a children’s play area consideration should be given to providing long term shade in such a location and therefore a suitable landscaping scheme with this in mind should be attached as a condition if the application is to be approved.

Specialist Advisor (Planning Policy)
- No comments to make from a planning policy prospective in respect of this proposal.

External:

Neighbour Representations:
6 letters of objection have been received and cover the following points:
- Detrimental impact to nearby residents in terms of increased noise
  - West Rise school already nearby creating its own noise
  - Commercial noise exists from uses associated with Langney Sopping Centre, such as collection of waste bins and generators
- The children would be in full view of the public, posing a potential for the security of the children using the play space
- Complete change of use for the land, setting an unwanted precedent for the future
- Overall size is too large
- Visually intrusive
  - High mesh fence is inappropriate for the surroundings and would be unpleasant in appearance
- Potential to attract anti-social behaviour to the area
  - Considerable amounts already, especially in this location
- No hours of use stated
  - May be significant in terms of impact to residential amenity
- The wider area is open plan in nature and the proposed development does not reflect this
- Not appropriate use of site in a predominantly residential area
- Area is liable to becoming frequently water logged and would be unsuitable for play area
  - Previous planning applications refused in past due to these issues
- No direct access from nursery building
  - Would not want busy public right of way between application site and nursery restricted as a result of proposal
- Large tree / vegetation area is a bird nesting site and would be lost as a result of proposal
In addition, 2 indications of support for the proposal has been received.

**Appraisal:**

**Principle of development:**
The installation of a play space to be used in conjunction with the existing children’s nursery would be acceptable in principal so long as the proposal can demonstrate that it does not have a significant adverse impact on the amenities of the surrounding residential occupiers, and whose visual appearance would not have a detrimental impact on the character of the area.

**Impact of proposed development on amenity of adjoining occupiers and surrounding area:**
Policy HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity.

Policy B2 of the Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

A nursery has operated at the location for a number of years, with no record of any reported issues concerning impact to the amenities of any adjacent residents.

As part of the operation there is currently no dedicated outside play space and therefore there is limited existing impact as a result of associated noise generated from the children attending the nursery and other associated sources for potential noise and disturbance.

Residential properties located with within 100 metres of the application site in addition to those of the adjacent Sandpiper Walk include dwellings located in Herons Close (to the rear of 9-33 Sandpiper Walk) as well as some properties of Magpie Close and Nuthatch Roads, located on the West side of Kingfisher Drive.

A number of objections have been received from surrounding residential occupiers whose main concerns (listed earlier in this report) pay regard to impact on visual amenity and character in addition to increased noise as a result of children using the proposed outside play space, which is in addition to other noise, relating the adjacent shopping centre, and nearby West Rise School, located within 200 metres of the site.

Notwithstanding the cumulative impacts of noise from other sources, the introduction of play space for almost daily use in conjunction with the nursery would lead to a loss of residential amenity, for adjacent properties, and the terrace of 3 properties comprising 29 - 33 Sandpiper Walk in particular considered to be unacceptable.

Restricting hours of use, and the potential numbers of children using the playspace at any one time would go some way to mitigating the potential for impact as a result of noise, the cumulative impacts of the proposal, including that of visual amenity (covered later in the report) would likely render any compromise redundant in regard to making the scheme wholly supportable.

**Design issues:**
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 use appropriate materials (preferably locally sourced). Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Local Plan state 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.

The application site, is located on an area of green space characterised by its open-plan nature which, in conjunction with the landscaped grounds of the nearby St Barnabas Church, provides a visual buffer between the adjacent Langney Shopping Centre and its associated carpark and the residential properties of Sandpipers Walk. The area of open space leads physical and visually in to a tree lined area containing a pond and other amenity space for local residents.

It is considered that the introduction of an enclosure play space in the form of a 1.8 metre high green mesh fence would appear incongruous to its surroundings, in contrast to the open plan character of the location and would become an alien feature of little visual merit.

Notwithstanding the fact that the visual appearance of the proposal would be considerably improved through the introduction of suitable scheme for landscaping, ultimately, this would not overcome the concerns with regard to the loss of residential amenity to the residents of Sandpiper Walk and beyond.

**Impacts on trees:**
Despite it being referenced by the applicant, the proposal would lead to the loss of a centrally located tree, leading to consultation with the Council’s Specialist Advisor – Arboriculture.

The tree has been classified by the officer as being of low importance, and should not be a factor that should restrict the grant of planning consent.

**Other matters:**
**Flood Risk**
The proposed development site is located adjacent to an area of flood risk which includes 33 Sandpipers Walk and the adjacent Langney Pond. Anecdotal evidence has been supplied through comments received from local residents stating the area is prone to become boggy as a result of water collecting, and there are concerns that the introduction of any hard surfacing could have any adverse impact on water drainage in the locale.

**Precedent for future development:**
Members will note from the planning history section above that this part of the Langney Shopping Centre site has had planning permission for a significant extension to the shopping centre and an element of new residential accommodation. Accepting that the applicant does not own the land and the ultimate sanction/control rests with the
landlord/owner of the complex it is considered that support for this proposal may to some extent limit the development potential of the site.

Right of Way
Although, sited in relatively close proximity to the nursery, there is a public footpath located between the nursery and the playground, used by numerous local residents making their way to and from the shopping centre, which also operates a central hub for local bus services.

Concerns have been raised as to the security issues involving the nursery children moving between the indoor and very public outdoor space, which may also hinder pedestrians using the adjacent pavement.

**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:**
Due to the detrimental impact to the adjacent residential occupiers by way of an unacceptable increase in noise in addition to the adverse visual impacts of the proposed scheme, the application would not confirm with local and national planning policy and is therefore not considered to be supportable.

**Recommendation:**
It is recommended to refuse the application for the following reasons:

**Summary of reasons for decision**
The formation of an outdoor play space for use in conjunction with the existing nursery would be detrimental to the amenities of the nearby residential occupiers by way of noise generated from the children using the facility. Additionally, the introduction of a 1.8 metre high mesh fence would be visually intrusive and alien in its appearance, out of character with the open plan nature of the area and for these reasons would not accord with policies HO2O, UHT1 and UHT4 of the Eastbourne Borough Plan 2007 Saved Policies and policy D10a of the Eastbourne Core Local Strategy.

**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.
App.No: 150600 (PPP) | Decision Due Date: 25 August 2015 | Ward: Langney

Officer: Leigh Palmer | Site visit date: 17 August 2015 | Type: Planning Permission

Site Notice(s) Expiry date: 19 November 2015
Neighbour Con Expiry: 19 November 2015
Press Notice(s): n/a

Over 8/13 week reason: To amend the proposal and return to Planning Committee

Location: Sports Ground, Shinewater Lane, Eastbourne.

Proposal: Erection of 80 seat stand to football ground

Applicant: Mrs Tracey Saunders

Recommendation: Grant planning permission

Executive Summary:

The application was previously deferred from planning committee in September and a Committee Site Visit was undertaken to assess the impact of the proposal. The application has been amended, to propose the stand to the west of the playing field (moved from Eastern side).

The team (Langney Wanderers Football Club) have gained promotion to County League Division 2 and as such the Sussex FA require various upgrades to the ground including the installation of this stand the subject of this planning application. The amendment to the location of the stand is considered to reduce the impact on surrounding residential properties and therefore it is recommended that planning permission is granted.

Constraints:
TPO Trees
138
Land in Shinewater Lane
TPO33
North Langney (Groups and individual Trees)

No trees are affected by this proposal

Relevant Planning Policies:
National Planning Policy Framework
Site Description:
The application site is a non-local authority playing field (Owned by Fields in Trust) of approximately 2.8 hectares, located to the east of Milfoil Drive, adjacent to the South Downs Community School.

The site can be accessed via Shinewater Lane and Lavender Close. The playing field is surrounded by residential properties. The northern part of the playing field is used as a football pitch, and has been used as such for a considerable amount of time. The football pitch is bounded by metal railing and a small ‘dug-out’ located at one end of the pitch.

Relevant Planning History:

960093 Erection of a spectator Stand Planning Permission Approved conditionally 09/10/1996

130158 Erection of railings around football pitch Planning Permission Approved conditionally 02/05/2013

131017 Erection of 4no. floodlights, measuring 18m in height, and a covered terrace, measuring 8m wide, 3m in depth and 2.8m high, to the football ground. Floodlights to be in operation on Saturday afternoons and for 1 no. weekday fixture per week. Approved conditionally 11/06/2014

Proposed development:
The erection of an 80 seater stand measuring 3m in width, 3m in height, 16m in length to be sited to the western edge (adjacent to existing school fence) of the existing football pitch which is sited to the northern end of the playing field surrounded by a white post and rail barrier (previously granted planning permission 02/05/2013 ref: 130158).

Consultations:

Neighbour Representations to the Original Scheme:
A petition with 32 signatures from local residents in Elmwood Close, New College Close, Windsor Close have objected to the proposal on the following grounds:
Loss of residential amenity
Noise pollution
Local vandalism is a continuing issue and residents doubt the robustness of the security of the structure
Character of the area would be affected
Increase in local parking at and within the vicinity of the site
Floodlights required to progress up the league have not been installed
Rustic charm of the area is being eroded
Donated to the community as ‘Village playing fields’
Residents are worried about other developments/enhancements that may be needed to progress further up the league; further stands, fencing off the pitch introduction of payments etc
Pitch is difficult to find located within the heart of a residential housing estate.

Individual letters of objection have been received from the following properties;
1, 2, 4 Elmwood Close
3, 5, 6, 7 New College Close
42, 44 Wroxham Road

Covering the following points;
- Impact on the open space of the field
- Impacts on residential amenity of neighbours noise/disturbance
- Visual appearance from neighbouring properties
- Anti-social behaviour and Vandalism when not in use
- Use of field is for all not just for the Football Team
- Increase in noise from kicking against the structure
- Increase in noise level when pitch is in use
- Impact on parking (they currently allow parking on match days in the proposed location of the stand)
- Impact on wildlife/natural habitat
- Attracts people to congregate
- Change the unspoilt look of the field
- No toilet provision in the stand
- Ownership disputes/rights of way over the field
- Impacts on surrounding highways and parking

Neighbour Representations to the Revised Scheme:

6 New College Close support the amendment to the proposal.
44 Wroxham Road Objects to the proposal on grounds of impact of additional traffic.

Appraisal:

Principle of development:
The agent for the application outlines that the team (Langney Wanderers Football Club) have gained promotion to County League Division 2 and as such the Sussex FA require various upgrades to the ground to enable them to retain their position in the football pyramid. The provision of the this spectator stand is one of these requirements.
Officers have not seen any corroboration of the agents claim by/from The Sussex Football Association.

There is no objection in principle to community societies/clubs wishing to extend/adapt/alter their facilities to meet changing demands and responsibilities subject to their aspirations not resulting in any material harm to the interest of acknowledged importance. In short where a proposal can demonstrate that the development of a community asset can be achieved/delivered without giving rise to significant harm to either visual amenity or the amenities of the local residents then it should receive full support.

It is accepted and noted that over time there have been a number of consents/planning permissions that have supported the establishment and growth of this local football club, this proposal is materially larger than any scheme previously considered/determined.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:
The playing field is surrounded by residential properties. The amended proposal to alter the location of the stand reduced the impact on surrounding residential properties, moving the stand away from the nearest residents.

There is a significant amount of greenery/shrubbery to the eastern boundary of the field which do form a separation for residential properties. Therefore the stand would not be overly visible from these properties other than from upper floors.

The plan states that the stand would be completely enclosed with a security shuttered front. There are not specific details of how this would work, but it is understood that this would be a metal mesh secured to the stand when not in use to prevent access and therefore reducing concerns relating to the potential for anti-social behaviour.

The team have expanded over the years requiring further infrastructure to facilitate the use of the playing field as their ‘ground’. The stand in addition to other facilities is considered to be another step in the intensification of the use of the playing field which is a concern raised by the surrounding residents.

It is considered that a supporters stand of this size is likely to bring a ‘focus’ to the supporting activity rather than being dispersed around the pitch boundary. The relocation of the proposed stand to the eastern side of the existing pitch, will reduce the impact in terms of noise to the residential properties to the north-east.

Design issues:
The stand is proposed to be formed with a steel framework and upvc sheet walls, with a security gated front. No specific details of the security gate have been provided, however it is understood that this would constitute a metal mesh which would be bolted onto the stand when not in use.

It is considered that the facility would not be in use for a greater period of time than it would be in use and as such the security shutter would be down. The amendment to the location of the stand is considered to reduce the impact visually on the openness of the field, as it would be situated adjacent to the school fencing and ‘dug outs’.
Impact on character and setting of a listed building or conservation area:
The site is not listed, nor is it situated within a conservation area.

Impacts on trees:
Given the location of the stand on a cleared section of the field, there would be no impact on surrounding trees.

Impacts on highway network or access:
The stand is proposed to provide seating for 80 people with 3 wheelchair spaces. There is no control over the current number of spectators who could attend a match, and it is not considered that the erection of a stand in and of itself would entice more people to attend matches to the extent that there would be significant impacts on the surrounding highway network or on-street parking demand to warrant the refusal of the application. Therefore it is not considered that a refusal on highways grounds could be justified.

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.

It is accepted that the proposal does include accommodation/space for disabled supporters, and or people with prams, this would provide a weatherproof viewing area and as such may entice/encourage access to the widest possible sector of the community.

Conclusion:
It is acknowledged that the proposal is to support the team’s promotion to the next league. The club is a sporting facility with benefits to the local community the benefits and the amendment to the location of the proposed stand is considered to overcome previous concerns in relation to the harm to the amenity of surrounding occupiers and in relation to the visual appearance and impact on the openness of the field. Therefore given the amendment to the location of the stand it is recommended that planning permission is granted.

Recommendation
Grant planning permission subject to the following conditions;

1. Time for commencement
2. Approved drawings
3. The stand shall be properly secured/enclosed when not in use to minimise anti-social behaviour.

Informative;
The applicant is reminded that the display of any advertisements at the site would require express advertisement consent from the Local Authority. Class A, schedule 1 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 allows for the display of advertisements on enclosed land on the condition that the
advertisement is not readily visible from outside the enclosed land or form any place to which the public have a right of 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**.
### Executive Summary

Application relates to the demolition of the Upperton United Reform Church, Upperton Road to be replaced with a new church building providing accommodation for a consolidated congregation from four Eastbourne Churches.

The proposal gives rise to highway capacity and safety issues such that the application should be refused on highway grounds.

The proposed design, size, mass and scale of the proposed new building is such that it is considered to out of character with the predominant pattern of development in the locality and would also give rise to an overly-dominant development that would have an unacceptable impact upon residential amenity. The application should be refused on design and residential amenity grounds.

### Relevant Planning Policies:

- National Planning Policy Framework
- Achieving Sustainable Development  Para 7, Para 9
- Presumption in favour of Sustainable Development Para 14, Para 15
- Core Planning Principles Para 17
- Delivering Sustainable Development Para 19
- Ensuring vitality of Town Centres Para 23
- Promoting Sustainable Development Para 30, Para 32, Para 35, Para 36
- Requiring Good Design Para 56, Para 57, Para 60, Para 61
- Promoting Healthy Communities Para 69 Para 70, Para 73,
National Planning Practice Guidance

18a Conserving and enhancing the historic environment: - In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation”.

It adds, “Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past”.

A thorough assessment of the impact on setting according to the significance of the assets needs to take into account and be proportionate to the significance of the heritage asset”

26 Design: - … Good quality design is an integral part of sustainable development. Good design should:

- ensure that development can deliver a wide range of planning objectives
- enhance the quality of buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on well being
- address the need for different uses sympathetically…

Local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place.

Views into and out of larger sites should also be carefully considered from the start of the design process…

Well-designed new or changing places should:

1. be functional;
2. support mixed uses and tenures;
3. include successful public spaces;
4. be adaptable and resilient;
5. have a distinctive character;
6. be attractive
7. encourage ease of movement…

- A well designed space has a distinctive character…
- …is attractive, and promotes ease of movements. Layout, form, scale, detailing and materials should all be considered..
Good design can help town centres by ensuring a robust relationship between uses, facilities, activities and travel options. It can also help create attractive and comfortable places people choose to visit. Every element of the street scene contributes to the identity of the place, including for example lighting, railings, litter bins, paving, fountains and street furniture. These should be well designed and sensitively placed ...

Eastbourne Core Strategy Local Plan Policies 2013
B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C2: Upperton Neighbourhood Policy
D1: Sustainable Development
D2: Economy
D3: Tourism and Culture
D7: Community, Sport and Health
D8: Sustainable Travel
D9: Natural Environment
D10: Historic Environment
D10A: Design

Eastbourne Borough Plan Saved Policies 2007
NE3 Conserving Water Resources
NE4: Sustainable Drainage Systems
NE5 Minimisation of Construction Industry Waste
NE6 Recycling Facilities
NE14: Source Protection Zone
NE18: Noise
NE22: Wildlife Habitats
NE28: Environmental Amenity
UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT5: Protecting Walls/Landscape Features
UHT6 Tree Planting
UHT7: Landscaping
UHT10: Design of Public Areas
UHT 13 External Lighting
UHT14: Public Art
UHT18: Protection of Buildings of Local Interest
HO20: Residential Amenity
TR2: Travel Demands
TR6: Facilities for Cyclists
TR7: Provision for Pedestrians
TR11: Car Parking
TR12: Car Parking for Those with Mobility Problems
US3 Infrastructure Services and Foul and Surface water Disposal
US4 Flood Protection and Surface Water Disposal
Site Description:

The site is located on the A2270, Upperton Road on the corner of Watts Lane in a predominately residential area. The A2270 is one of the main routes into and out of Eastbourne and carries, on average, just over 10,000 vehicles per day.

The stretch of road adjacent to the site is approximately 8m wide, widening to 13m to the east of the site. Footways are present on both side of the road and a Zebra crossing is located just to the west of the site. Given the width of the road outside the side and to the northwest, there are extensive sections of double yellow lines in place to ensure traffic can flow as freely as possible. Zig- Zag markings are also in place on the approaches to the crossing further reducing on street space.

Watts Lane itself runs to the west of the site and is a one way street in a southerly direction. There is only a footway on the western side of the road opposite the site. Double yellow lines are in place over large stretches of the road restricting parking to the east side. It also has a relatively steep gradient falling in a southerly direction which would put off some from walking or cycling along this route.

A number of properties in the area around the site in Upperton Road, Watts Lane, New Upperton Road, etc. do not have off street parking. Residents must therefore rely on on-street parking which is limited due to the parking restrictions in place. The relatively low level of parking available coupled with the demand means the spaces there are, are well used at all times.

There is a mixed range of plots sizes, property/building sizes and architectural styles of plots that face Upperton Road, however Watts Lane and surrounding residential properties are formed by Victorian/Edwardian and later suburban dwelling houses that are more intimate in scale design and appearance.

Relevant Planning History:
EB/1963/0221
ALTS TO CHURCH HALL, PORCH AT SIDE
Approved Conditional
1963-06-06

970593
Construction of a disabled access ramp.
Planning Permission
Approved unconditionally
13/03/1997

Proposed development:

BACKGROUND
This application proposes a new church building with community and ancillary support facilities to be located at the site currently occupied by the Upperton United Reform Church, Upperton Road.
This new church will be formed by the amalgamation of 4 existing church congregations within Eastbourne who have agreed to merge to form one new Emmanuel Church.

The four churches involved in the merger relate to
- Central Methodist Church
- St Andrews United Reform Church
- Upperton United Reform Church
- Greenfield Methodist Church

The applicant has informally scoped the development potential of these four sites and have submitted these scoping documents to accompany this application. The applicant accepts with the vacated sites that the planning process needs to be engaged with before the full development realisation can be achieved. Notwithstanding this note of caution a summation of the characteristics of each site and their development potential is reported below.

The current application proposes that the development of the other sites will and can only be realised if a new site for a consolidated church can be found.

The four churches involved in this scheme are:-

**Central Methodist Church Pevensey Road**, Eastbourne BN21 3HP (Town centre location GradeII Listed building decorated in Gothic revival style. Constructed in two parts: school and hall in 1907 and main church in 1908. Site area 0.11Ha (0.27 areas) with a plot coverage of +84%. No parking)

*Central Methodist Church:* Potential scheme involves keeping current congregation space and converting the rear of the building using existing window openings to provide 10 flats all with a floor area greater than 50sqm

**St Andrews United Reform Church, Blackwater Road Eastbourne BN21 4NG** (off town centre location. Not listed Main church dates from 1878. No parking. Plot coverage 0.1ha (0.25 acres) +88% plot coverage.

*St Andrews United Reform Church:* Potential scheme involves Convert existing building to create 45 flats to be used for/as an extra care scheme

**Greenfield Methodist Church, Greenfield Road, Eastbourne, BN21 1JJ** (Not listed dating from 1898. Limited parking. Site area0/073Ha (0.18 acres) +60% site coverage.

*Greenfield Methodist Church:* Potential scheme had two development options and proposes; i) 5 X 4 bedroom town houses with integral garages and rear gardens or ii) retention of community hall facing Green Street and the conversion of the rear element of the scheme into 6 X 1 bend flats all greater than 50sqm in area and share of off-street communal parking for 8 spaces.
APPLICATION PROPOSAL
The application presented to Members involves the demolition of all buildings at the site Upperton Reform Church, Upperton Road and the erection of a new church/community building with parking and roof-gardens.

GROUND FLOOR
The ground floor provides vehicle access to an Undercroft and surface parking area sufficient for 30 vehicles to park and main pedestrian entrance foyer and lift/stair core (within tower feature).

FIRST FLOOR
The first floor provides accommodation for the main congregation hall (190 seats), smaller hall and a range of meeting/office rooms, vestry and prayer room and welfare facilities.

SECOND FLOOR
The second floor provides accommodation for gallery seating (50 seats) over the main hall (first floor), three further meeting rooms and access to two roof gardens finished in artificial grass, and welfare facilities.

EXTERNAL APPEARANCE
Upperton Road:-The main frontage of the building facing Upperton Road has a horizontal emphasis and formed white render panel and curtain wall glazing and slate effect to the roof.
Tower:-A tower is proposed at the corner of the plot where the site abuts the junction of Upperton Road and Watts Lane. This tower is formed predominantly from facing brickwork with inset flint decorative panels.
Watts Lane:- The building form along the Watts Lane frontage is formed by flat roofed building carrying through the external finishes from the main tower.

Roof Plan:- A roof light is proposed over the main congregational hall and also over the tower structure. Two roof garden areas are proposed; one on the boundary with No 48 Upperton Road and the other to the rear of the building adjacent to Watts Lane and the rear gardens of Laleham Close.

RELEVANT HEIGHTS OF ELEMENTS OF THE SCHEME

- Side elevation adjacent to 48 Upperton Road 1.25m
- Roof height (middle of front elevation) 14.4m
- Tower (top of brickwork) 13.87m
• Tower (top of roof light) 18m
• Side wall (Middle up Watts Lane) 8m

Supporting Documents:

Travel Plan:- The application is accompanied with a travel plan that identifies that alternative modes of transport (buses) can be accessed to attend the site; this should reduce to some extent the reliance on the use of the private motor vehicle.

Congregation:- The combined congregations would on average result in 193 people attending based on the figures provided.

The applicant’s agent has been monitoring the representations received from interested third parties on this applications and has submitted the following by way of clarification:-

1. **Access from Watts Lane**
   This is primarily intended as a fire exit from the rear of the building and extends in the open air approximately 14m from the escape door to the junction with Watts Lane. If more space is required for a refuge in addition to this area which is 1.7m in width, this could be accommodated by combining with the door to the hall/meeting room which would be a convenient refuge space off the main road. The fire assembly point to the main building is intended to be in the SW corner of the site adjacent to the main entrance.

2. **Roof Gardens**
   These are intended to provide secure children's areas for each of the 2 groups who will be using the facilities: the Montessori Play Group which presently uses the Upperton Site and the Jenny Wren Nursery at Greenfields: they are not intended for general use although would be available for children to use on Sundays. (The intended use was discussed and accepted by residents of Watts Lane who attended the presentation at the church on 18th July who pointed out that the Montessori Group already use a restricted outside space adjacent to Watts Lane without causing any difficulties. However, the resident of No.5 Laleham Close would not be convinced that children and adults would be unable to look into her garden even though the levels clearly show that this would be impossible).

3. **Church Functions**
   Church functions presently terminate at around 9.30pm and restrictions for normal activities to 10pm are quite usual for church use. Occasionally at Christian Celebrations e.g. Christmas or Easter there may be one-off activities which require extended hours of operation but the church is conscious of the need to avoid disturbance to its neighbours. Residents attending the coffee morning noted that because of the Methodist involvement in the scheme, alcohol will not be permitted on the premises.

4. **Parking generally**
   At present the Upperton Church can and infrequently does accommodate over 300 people. The only parking available is the end to end bays at the front. All other parking has to take place on surrounding streets for both mid-week and Sunday
activities. A Green Travel Plan has already been submitted as part of the application which demonstrates the commitment of the church to reduce travel by private cars. This together with 30 spaces laid out in accordance with approved dimensions increased by a further 10 spaces which will be managed by the church on a first-in last-out basis, will significantly improve the present position. Any overspill on the surrounding streets will be reduced appropriately.

5. Community Provision
All four churches offer their accommodation for a variety of secular activities ranging from toddler groups, meetings for mutual support, community arts (choirs/dance/drama), in addition to usual church activities. The changing demographics of the Upperton area indicates that more facilities will be required covering the whole age range. The new facilities will be to a high standard, properly equipped with modern technology and the church has every reason to believe their continuing commitment to their community by offering good quality low priced facilities will be continued.

6. The Proposed Church Tower
The tower is the perfect location to accommodate a lift which has to be large enough to accommodate a casket with the appropriate overrun required and a suitably wide staircase which would otherwise have to be located in the foyer. A Tower is universally recognised to be a strong Christian symbol which has theological as well as spatial significance and will be a way of accentuating the importance of this corner site.

7. Design
The proposed building is unashamedly modern and distinctive in its appearance when viewed from the Upperton Road but uses brickwork with flint panels elsewhere in recognition of the existing materials which predominate in the area. Clearly this is not appreciated by some who have written letters of objection but which was appreciated by almost all who attended the presentation at the church on 18th July, the records of which are a part of our submission.

Consultations:
Internal:
Specialist Advisor (Economic Development) Scheme is likely to result in a number of job opportunities, a Local Labour Agreement via a S106 should deliver local job opportunities.

Specialist Advisor (Environmental Health):- No representations received.

Highways ESCC:- Object and recommend refusal for the following reasons:

Layout:

The site currently has ‘in and out’ driveways and would look to retain both accesses, although the eastern access would be widened to accommodate the majority of the traffic, with the western entrance maintained mainly for pedestrian access as well as for wedding and funeral cars.
The parking bays proposed have dimensions of 4.8m x 2.4m which is less than the 5m x 2.5m recommended in the ESCC guidance. It is also noted that the support columns are also within a number of the parking spaces reducing the width slightly which would make using the spaces more difficult.

The layout of the parking area in general provides adequate room for manoeuvring as a 6m of space is available behind the spaces in accordance with guidance. This guidance does suggest that 6m is required where spaces are 2.4m wide. In the case of those spaces that are reduced in width by the presence of supporting columns, manoeuvring would be more difficult and may require some back and fore manoeuvres to enter and exit the space. It is also considered that space 5 will be difficult to use.

These factors may well put off some drivers from using certain spaces.

A separate pedestrian entrance is shown from Watts Lane, which would also provide access to the cycle parking area as well as a means of escape route. As there is no footway on this side of Watts Lane anyone exiting the building will be emerging straight out into the carriageway, most likely from between parked cars/vans. This would make it difficult for pedestrians to see vehicles and for drivers to see pedestrians with the obvious risk of conflict. This situation would be worsened if large numbers of people were to use the route in an evacuation when they are likely to spill out onto the highway. It should also be noted that the access is only protected by a white line. Whilst these generally work well they are not legally enforceable and if someone was to park in the area they would block an emergency exit.

It is acknowledged that there is currently a pedestrian access from Watts Lane but the building door and the access through the boundary wall are off set. The level of use of the Church is also lower than it would be as a result of this proposal.

Parking:

The current church provides 6 spaces which would increase to 30. The East Sussex County Council parking guidance states that a church should provide 1 space per 5 seats. Based on a total of 240 seats this equates to 48 spaces being required. Although there is flexibility in the parking guidelines there needs to be justification provided to show that a reduced parking provision will not impact on the safety and operation of the highway network.

The combined congregations would on average result in 193 people attending based on the figures provided, but the proposal needs to be judged on the maximum capacity possible as the congregation could increase in the future.

Although 30 spaces are shown on the drawings it is noted that spaces 29 & 30 are shown as being reserved for wedding and funeral cars. It would also provide the only space within the site for a mini bus to park if one is used for drop off and pick up. There is also a concern as mentioned above that the layout will make some spaces more difficult to use which could put off some drivers form using them.
Also submitted is a plan to provide 10 extra spaces in the site if needed, operated by stewards which would run on a last in first out basis. Whilst in theory this could work it would complicate matters and limit the number of people who would use the car park. Anyone who needed to leave quickly or wanted to stay after the service would be put off using the car park if they could not be guaranteed to be able to leave when they needed or had to leave before they wanted as they were blocking the car park. These people would have to park on street to ensure they could leave when they wanted to.

As mentioned previously there is limited on street parking available in the vicinity of the site, due to the level of parking restrictions in place. The demand that already exists from local resident’s means that the parking that is available is well used at all times and especially evenings and weekends. Any extra demand created is therefore unlikely to be able to be catered for on street close to the site. This may lead to people parking inappropriately which would result in additional congestion on the public highway causing further interference with the free flow and safety of traffic on the A2270, Upperton Road and surrounding roads.

**Sustainability/Travel Plan:**

A Travel Plan (TP) has been submitted as part of the application which is to be commended and can influence travel behaviour. The TP includes a number of possible proposals.

Bus stops are located relatively close to the site and are served by a number of routes which provided a regular service to and from the town centre, Polegate, Hailsham, Seaside (part), Bridgemere and Sovereign Harbour. On a Sunday however, as with most areas the level of service and routes covered is reduced. On Sundays the 51 is a half hourly service to and from the Town Centre & Polegate/Hailsham and an hourly service from Sovereign Harbour/Bridgemere.

This is still a reasonable level of service but those travelling from large parts of the town would need to change buses as a direct service is not available. This is likely to limit those who are willing to travel by bus especially in periods of bad weather.

It is suggested that a mini bus may be utilised to collect and drop off members of the congregation. Whilst this would be a positive step, no details have been provided on how this would operate. If it is to be within the site then turning would need to be provided. As the parking is under croft the only possible turning space that appears possible would involve spaces 29 & 30 reducing the on-site provision. Alternatively if drop off and pick up was on street then it would either interfere with the free flow of traffic on Upperton Road and restrict visibility for anyone exiting the site or using the zebra crossing or would involve pedestrians walking in the carriageway if from Watts Lane.

The Travel Plan also includes details of the home addresses of the congregation which shows that people will travel from a large area to attend the Church. The majority are beyond walking/cycling distance and large numbers will not be able to travel directly via bus without needing to change service or do not have a service available at all. The gradients of some of the surrounding streets will further
reduce the numbers willing to walk and cycle. The number of one way streets in the area will also potentially put off some from cycling as their journey length will be extended.

It is therefore considered that the potential for sustainable travel is limited reducing the impact that the Travel Plan could have. Car share and a mini bus could help but I have concerns about the operation of a mini bus as mentioned below.

**Demolition/Construction:**

Given the location, I have a concern as to how the current building can be demolished and the new one built without causing disruption to the highway network. The site can only be accessed from two sides and larger lorries will not be able to access the site as there is limited space within the site and certainly not enough to allow turning. Smaller vehicles would therefore need to be used but this would not always be possible for larger or bulky items, resulting in vehicles needing to park on street while they were loaded or unloaded. Ideally this would be from Watts Lane but as the road is one way it is only accessible from unclassified residential streets which are not suitable for HGV access. The building also extends up to the Watts Lane boundary which will further limit access. This would result in Upperton Road needing to be used which would interfere with the free flow of traffic. Given the proximity to Watts Lane and the zebra crossing parked vehicles would also reduce visibility potentially causing a safety issue.

**Conclusion:**

Although the proposal provides an increased level of parking on site I am concerned that the level proposed is insufficient to service the proposed use of the site, especially as some of the spaces may not be available and the layout may put of some from using the car park.

I do not consider that the location is particularly sustainable in transport terms and therefore car trips to and from the site are more likely as suitable alternatives are not possible for many.

As off street parking is limited around the site any extra demand cannot easily be accommodated and would lead to potentially inappropriate parking. Drop off facilities are also limited and within site would most likely result in vehicles stopping either in Upperton Road interfering with the free flow of traffic or in Watts Lane where there are no footways. Even if drop off could be provided within the site this would either remove parking bays in the site of blocking the access temporarily.

I recommend that this application is refused on the following grounds:

- 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 the A2270,
Upperton Road and surrounding roads and would therefore be contrary ESCC parking guidance.

- The proposal would increase hazards on the A2270, Upperton Road by the additional slowing, stopping, turning and reversing traffic.

Should the committee be minded to approve the application then a number of conditions are recommend

- Parking to be provided before use commences.
- Cycle Parking
- Traffic management scheme
- Surface water drainage to mitigate discharge onto the highway
- Wheel washing
- Travel Plan

Specialist Advisor (Planning Policy)

Specialist Advisor (Conservation) In summary the mass, scale, design and use of materials as proposed for Emmanuel Church, is considered to harm the inherent character associated with the immediate and wider area. Recommend Refusal

Eastbourne Design Review Panel:- The applicant present their draft scheme the DRP at pre application stage and the comments/conclusions from the Panel have been reported below:-

- The overall impression was that the building looked confused and overcomplicated and did not have a coherent aesthetic across the building/site.

- Church buildings tend to be aspirational and inspirational in their external and internal arrangements and design. Panel members appreciated that the scheme was in its infancy however it was felt that further work/attention needs to be given to this.

- The building lacked the degree of presence that would be required for this high status community building.

- Double height and triple height spaces should be introduced.

- The tower was just a grouping of stacked rooms this was a missed opportunity.

- The entrance was not very welcoming and the sense of arrival was poor again for this high status building. Panel members questioned whether the reception space was large enough to accept 240 congregation.

- The building appeared bulky and did not have any finesse to the external appearance; further work is need to reconfigure the accommodation with the potential to increase the height/mass towards the centre of the building
- Palette of materials were confused and the design panel expected further exploration of this with further iterations.

- Car parking seemed insufficient to meet likely demand and they the parking spaces to the front of the building was unjustified and would potentially damaging to the design and appearance of the building/site.

- Increase the extent and quality of the public realm to the front of the site.

- Glassed roof and large glazing to auditorium is likely to cause heating issues give southerly orientation.

- Play space poorly located and could be resisted to another more central location and increased in area, with the possibility of decking over more of the carpark.

- Any further integration needs to have existing and proposed on the same drawings to clearly show differences.

**External:**

Environment Agency: No objections

County Archaeologist:- Full archaeological recording of the building would be required prior to demolition. Recommend that conditions are imposed to control the survey and reporting of the archaeological

East Sussex County SUDS Team:- Recommends that conditions be imposed relating to further sustainable drainage details at the site; these will cover speed of surface water disposal, capacity and practicalities of soak-aways and details of long term maintenance.

Eastbourne Society:- objects to the scheme for the following reasons:-

As Planning Advisor representing the Eastbourne Society, and in consultation with the Society's Architectural Advisor, I present my comments on the proposed Emanuel Church, Upperton Road.

The initial impression of the design is uncohesive as it combines a tower built in brick and flint alongside the remainder of the building in a post-modernist style.

The tower has surface flint panels that have obviously been used to break up the overall brick mass, considered a rather outdated style, though a more creative idea could have been employed, e.g. brickwork in relief or intaglio. Furthermore the tower as a whole presents a very domineering and bulky appearance on the corner of the site alongside a row of small artisan cottages opposite.

The main part of the church building is designed in complete contrast to the tower in a post-modernist design, with white painted rendering and a full length horizontal window, appearing more like an office building than a church. This gives the impression of a separate building altogether, surely defeating the object of a unified church building.
Whilst welcoming a church building in a modern design, it is recommended that the design be reconsidered, particularly bearing in mind its proximity to the immediate vicinity with a mix of early cottages and Victorian and Edwardian domestic architecture.

A reconsidered design is therefore recommended.

Neighbour Representations:
671 consultations letters have were sent out to neighbours and consultees. As a result of this consultation the Council have received the following:-

2 letters of support have been received commenting in the main on the following issues:-
- Happy to see new church built rather than an old one falling into further decay.

30 Letters of objection have been received commenting in the main on the following issues:-

Parking/Congestion
- Greater congestion
- Parking is difficult in the area
- New building is aggressive in its form and portrays a private appearance
- Very ugly building
- Dangerous location given road junction and also close to pedestrian crossing of Upperton Road
- Upperton Road narrows at this point making long range visibility an issue
- Increase in on street parking and general activity would/may impact upon the access for refuse and emergency vehicles.
- Watts Lane is a rat run and for a small road carries a lot of traffic.
- May lead to an increase in accidents

Appearance
- New building is an eyesore
- Proposed building creates a threatening and foreboding impression by its solid mass, height and box like nature, no elegance to the form that might elevate the spirit in an inviting way, this looks like a missed opportunity,
- Design of new building is neither in keeping or contemporary
- Occupancy of the new building unknown but likely to be less than those within the community that will be looking at it.
- Too large for the site
- Privacy screens top the roof garden make then building look more dominant
- More sympathetic materials should be used
- Wrong location for a project of this scale, building looks squashed in

Character of area
- Loss of an Eastbourne Landmark
- Proposed building is brutal and overbearing
- New building is high and dominating
- New development is out of character
- Overdevelopment of the site
• Individual sense of place with the grouping of church, Watts Lane and surrounding streets and also views over the Downs would be severely impacted and in some instances lost.

Noise and Disturbance
• Noise disturbance from use
• Noise disturbance from demolition and construction

Neighbourliness
• Overlooking form windows; these need to be frosted
• Tower is particularly dominant
• Loss of outlook
• Loss of light
• Loss of privacy from roof garden
• Loss of views from the Downs
• Brick wall side to the building facing Watts Lane is overly dominant and dwarf the Victorian properties in the area
• Noise disturbance from demolition and construction phases will affect the viability of holiday let business.
• Loss views.
• Overshadow and over dominant

Other Issues
• Potential damage to high boundary wall between site and neighbours
• Other locations are more preferable with more parking
• Already got community centres nearby, why do we need another one
• Why build a new church when the congregations are failing
• Cannot rely on parishioners arriving by public transport
• Parking permits will have to be rolled out to mitigate the parking stress
• Increase in activity will have an impact upon Carbon emissions.
• Current building used as location for family weddings as nice attractive building, unsure how many from the wider community will use this as a wedding venue given the poor appearance
• Proposed building would be better located within an industrial estate
• Pre application (by the applicant) consultation was poor
• Concerns over structural stability of the walls that form the boundaries of the site.
• Accept that more housing is needed in the town but would not welcome an extended church in this location
• Articles thrown from the roof gardens may cause damage/accidents

A petition signed by 21 residents from Watts Lane, Selwyn Rod and Laleham Road object to the scheme on the following grounds:-

• Off-street parking is insufficient
• Evening and weekend use would increase the impacts
• Existing traffic onto existing busy road in proximity to road junction and pedestrian crossing.
• Poor design
• Not reflective of the area
• Building looks more than a supermarket than a church
• Tower provides lift shaft for staircase can these be provided elsewhere within the scheme
• Noise and disturbance from use of roof garden
• No information about the fire assembly point, fire access door to the rear would have users disgorging direct into oncoming traffic in Watts Lane.
• Proposed signage is stark and out of character
• Horizontal emphasis of the new building being out of character with the area.
• Building materials should be more sympathetic
• Pre application public consultation by the applicant was very poor

Appraisal:
Principle of development:

The scheme proposes the redevelopment of a previously developed land within the urban fabric of Eastbourne and is considered to be in a sustainable location. In this regard the principle of redevelopment would accord with National and Local policies.

Similarly as the site is not allocated for any use within the Local Plan there is no objection in principle to a community building (existing or new) operating from the site.

Whilst the planning merits of the other sites have not been assessed by way of planning applications it is fair to say that the pressure for redevelopment of these sites (once vacated) would be likely to deliver residential units and to some extent community uses. In this regard it is considered that the potential for the delivery of windfall residential units would contribute to housing delivery/need within the town and will also help to assist the Governments growth agenda. It is recommended therefore that the development potential of the other sites as outlined within this submission is and should be a material consideration on the determination of this application. If to be supported then a legal agreement needs to be formulated linking and controlling the delivery of the church building and the other sites.

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

In terms of residential amenity there are a number of issues to assess and these can be summarised as:-

1. Building impacts
2. Use Impacts
3. Parking Impacts

Building impacts:- It is considered that the proposed development given its size/scale and massing of the proposal is likely to have an overbearing, over dominant and unneighbourly relationship to the properties that lie adjacent and near to the plot.

Some of the nearby properties have short and long range views between, around and over the existing buildings on the site. These views appreciating that they are over third party land and thereby cannot always be relied upon are considered to add to the home-owners enjoyment of their dwellings. In this regard the loss of outlook is considered to be a material consideration in the determination of this application.
Given the height and of the tower element and the rear building and its setting close to the boundary of the plot it is likely to have an impact upon the available light to the front of these properties/gardens. As these properties are small Victorian/Edwardian cottages they do not have sufficient building plots to obtain relief from this impact and as such is likely to be more acutely felt than in other situations.

It is considered that the required privacy screen to the external play space would and does increase the bulk and appearance of the proposed building especially in relation to the sensitive residential boundaries of the site.

In conclusion it is concluded that the relationship as proposed by this scheme design and building is likely to significantly affect the amenities currently enjoyed by the occupiers of the nearby properties.

Use Impacts:- The amalgamation of the four congregations onto this plot along with the other wider community uses (including two church run crèche facilities) is likely to give rise to an increase in activity at and within the vicinity of the site and the surrounding area. The concerns over the increase in activity as an in-principle objection to the proposal (as raised by some respondents) has to be assessed against the current and lawful use could expand and intensify with the need for planning permission.

Notwithstanding this, the increase in traffic/parking has been outlined by officers from East Sussex County Council elsewhere in this report. In addition it is accepted that the site does currently operate a creche facility, however to double the attendance and to elevate their recreational space to second floor level is likely to accentuate the loss of residential amenity through/by from noise disturbance.

The applicant has outlined the potential closure times for the proposed establishment and whilst this is welcomed there are no controls over the wider community use, this lack of certainty of the potential use has raised a number of areas of concern/anxiety for some respondents. Officers acknowledge this area of concern however a refusal based on this element of the proposal could not be sustained. Officers are of the opinion that community buildings have to reach out to the wider community and as such the prospective uses will vary over time and the success of any community building is often reflective of the usage outside its core purpose.

Parking Impacts:- This matter has been addressed by East Sussex County Officer response elsewhere in this report.

Design issues:

In assessing the mass, scale, design and use of materials of the replacement church, against the identified character of Upperton Road its immediate and wider area, the following comments are made;

As expressed in para. 6.01 Scale within the Design & Access Statement “the footprint of the proposed new building, is less than the existing building and the overall height, apart from the new tower, is in proportion to the current roof line”. However when balanced against the inherent mass, design and use of materials associated with the immediate
area. The accumulative harm associated with the massing, design and use of materials of the new church; detract from the appearance of Upperton Road, for the following reasons.

The massing [bulk] of the new church is considered incongruous, when balanced against the identified rhythm of the existing streetscene. A rhythm introduced through domestic gable-ends, a feature adopted by the existing building. Although not domestic in use, the associated mass of the church, is overcome through its orientation, resulting in a narrow gable-end façade addressing the street, reflective of the historic character associated with the residential area in which it is sited.

Turning to the design and use of materials, which express the functionality (activity) or importance of the principal internal spaces within the building (5.01 Design Philosophy within the Design & Access Statement).

The use of flint as a feature to the ‘tower’ which defines the corner of the building, addressing Upperton Road, is welcomed. As it recognises the use of flint as a local vernacular feature, which is a prominent boundary treatment, that makes a positive contribution to the character and appearance of the immediate and wider area. It is considered though that the use of flint in this instance is purely decorative and an attempt to embed the building into the local street scene.

Whilst contemporary design is always welcomed, in this instance the extensive use of translucent glazing, solar roof, render and a screened wall, as contrasting vertical bands, to the front elevation. Unfortunately, accentuates the overall mass and orientation of the building, both key features considered out of character with the immediate and wider area.

In assessing the return elevation to Watts Lane, against the character and topography of the immediate area, the overall scale and mass is considered overbearing. With little or no relief to the proposed blank façade, that would sit close to the boundary edge of the lane. Whilst it is accepted the siting and mature vegetation associated with the cottages adjacent, provided some relief to their domestic scale. The narrow lane and natural incline, provides a characteristic stepped ridge line, an approach which contributes to the appearance of the area. A key characteristic which is not reflected in the design of the new church, resulting in a mass and scale which is visually overbearing and out of character with the immediate and wider area.

Further concerns regarding overbearing, are identified to the neighbouring property No 48 Upperton Road, a late Victorian semi-detached residential dwelling, reflective of the mass, scale, design and use of materials that contribute to the inherent character and appearance of the immediate and wider area.

Impact on character and setting of a listed building or conservation area:

Whilst the site does not fall within a Conservation Area, nor is it subject to national or local listing. Due to its siting, mass, scale and use of materials, Upperton United Reformed Church, is reflective of its period and considered; to make a positive contribution, to the character and appearance of Upperton Road and as such the gateway to Eastbourne from the North.
Namely, the gable ends as presented, strengthen the rhythm and harmony of the streetscene and compliment the late Victorian early Edwardian housing development in which it is sited, allowing for the interpretation of part of Eastbourne’s urban development history. It is accepted the wider area of the site, has been subject to 1960’s development, mostly in the form of flats, following what is assumed bomb damage, these additions whilst out of keeping with the inherent character and appearance of the area, are mostly set back from the streetscene, sited within large plots of land, softened by mature vegetation within their forecourts and as a result, do not impose themselves or interrupt, the historic rhythm associated with the late Victorian / Edwardian buildings.

Impacts on trees:

There are no trees affected by this proposal and there is considered to be no significant/material impacts upon the biodiversity of the site.

Impacts on highway network or access:

Please see East Sussex County Highways Response reported earlier in the report.

Sustainable development implications:

The application proposes to implement a ‘building first’ approach in order to ensure that the proposed building is highly thermally efficient and where possible through natural light and natural ventilation an internal climate should be created that would be pleasant/appropriate for all users. In addition the scheme proposes to look at other sustainable measures such like green roofs and low flow and energy efficient fixtures and fittings.

No evidence has been supplied to outline the inherent embedded energy used in the production of the materials used in the construction and external fabric of the building, notwithstanding this the scheme is considered to promote a sustainable development.

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.

Recommendation:

REFUSE PLANNING PERMISSION

1 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 the A2270, Upperton Road and surrounding roads and would therefore be contrary ESCC parking guidance
2 The proposal would increase hazards on the A2270, Upperton Road by the additional slowing, stopping, turning and reversing traffic. And would be contrary Saved policies TR1 (Location of Major Development), TR2 Travel Demands), TR11 (Car Parking) from The Eastbourne Borough Plan 2001 - 2011.

3 The proposed building by reason of its design, scale, mass would be out of scale and character with the wider character of the area and would also be likely to result in an unneighbourly, over dominant development that would be likely to result in a material loss of residential amenity. The development would therefore be contrary to Policies B2 (Creating Sustainable Neighbourhoods) D10A (Design) of the Core Strategy 2013; and Saved Policies UHT1 (Design of New Development) UHT4 (Visual Amenity), HO20 Residential Amenity of the Eastbourne Borough Plan 2001-2011.

**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**.
PLANNING COMMITTEE

DATE November

SUBJECT SUMMARY OF PERFORMANCE OF THE PLANNING SERVICE FOR 3rd QUARTER (Jul - Sep) OF 2015 and PLANNING CUSTOMER SATISFACTION SURVEY FROM (Jun – Oct)

REPORT OF Leigh Palmer Senior Specialist Advisor (Planning)

WARDS All

PURPOSE This report provides a summary of performance in relation to key areas of the Development Management Services for the relevant period

CONTACT Leigh Palmer
Leigh.palmer@eastbourne.gov.uk
01323 415 215

RECOMMENDATION That Members note the content of this report

1 Background

Members will be aware that together we deal with a whole host of planning applications covering a range of differing forms of development.

Given the many varied types of planning application received Central Government require that all Councils report the performance in a consistent and coherent manner. To this end and for reasons the many varied applications are clumped together into three broad categories Major, Minor and Others.

In broad terms the types of application falling into these categories are outline below.

<table>
<thead>
<tr>
<th>MAJOR DEVELOPMENT</th>
<th>MINOR DEVELOPMENT</th>
<th>OTHER DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>10+ Dwellings / Greater .5Ha</td>
<td>1-9 Dwellings/ greater .5Ha</td>
<td>Householder applications</td>
</tr>
<tr>
<td>Office/light industrial greater 1000sqm/ 1Ha</td>
<td>Office /light industrial up to 999sqm under 1Ha</td>
<td>Change of use</td>
</tr>
<tr>
<td>General industrial greater 1000sqm / 1Ha</td>
<td>General Industrial up to 999sqm under 1 Ha</td>
<td>Adverts</td>
</tr>
<tr>
<td>Retail greater 1000sqm / 1Ha</td>
<td>Retail up to 999sqm under 1 Ha</td>
<td>Listed Building</td>
</tr>
<tr>
<td>Gypsy &amp; Traveller 10+ Pitches</td>
<td>Gypsy &amp; Traveller 0-9 Pitches</td>
<td>Conservation Area Applications</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Certificates of Lawfulness</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Notifications</td>
</tr>
</tbody>
</table>
In analysing the performance for the processing of these differing types of application the Government do allow 13 weeks for the processing major applications and 8 weeks for processing the Minor and Other categories.

The figures below give the development management performance figures against these categories and starting with the calendar year 2013 on going; both annual performance and quarterly statistics are reported below.

In addition this report also includes information about the recent appeal decisions and Members should note that any decision made to refuse an application opens the potential for an appeal by the applicant to the Planning Inspectorate.

As Members will be aware the majority of the applications received are granted planning permission, however for those that are refused and challenged through to an appeal it is considered important to analyse the appeal decisions in order to determine and evaluate whether lessons need to be learnt, or interpretations need to be given different weight at the decision making stage.

In addition the evaluation of the appeal decisions will also go some way to indicate the robustness and the correct application of the current and emerging policy context at both a local and national level.

2 Special Measures

Members will be aware that along with all Councils our performance has to be reported to Central Government and where authorities are deemed to be underperforming then they will be placed in ‘special measures’.

As from June 2014 the Government have imposed two criteria against which Councils will be assessed, these are:-

- Where Councils have received more than 10 major applications over a rolling two year period then no more than 40% should take longer than 13 weeks to deal with.
- Where Councils have received more than 10 major applications over a rolling two year period 20% of decisions on major applications are overturned at appeal.

Members will note therefore that it is important to keep abreast of all decisions with regard to maintaining performance above the ‘special measure’ thresholds

2 All Decisions

It is clear therefore that with the regular (quarterly) reporting of this this report to Planning Committee issues, trends and pressures could readily be identified. The figures in Tables 1-3 below include the data from the Government return (currently excludes ‘Notifications and Certificates of Lawful development.’)
TABLE 1

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>All determined</td>
<td>574</td>
<td>596</td>
<td>414</td>
<td>2106</td>
</tr>
<tr>
<td>Delegated</td>
<td>510 (89%)</td>
<td>521 (87%)</td>
<td>359 (87%)</td>
<td></td>
</tr>
<tr>
<td>Granted</td>
<td>521 (91%)</td>
<td>546 (92%)</td>
<td>375 (91%)</td>
<td></td>
</tr>
<tr>
<td>Refused</td>
<td>49 (9%)</td>
<td>50 (8%)</td>
<td>39 (9%)</td>
<td></td>
</tr>
</tbody>
</table>

It is clear from the tables above that the volume of the cases determined during the survey period (Tables above) have percentage levels consistent with the whole year (2013 & 2014) percentage.

It is considered that in granting planning permission for 91% of all applications received that the planning services of Eastbourne Borough Council have supported/stimulated the local economy and also helped to meet the aspirations of the applicants and only where there are substantive material planning considerations is an application refused.

The table below highlights the speed of decision against the three Government categories (Major Minor and Other).

It is clear from the table below that the team are performing on/over the National PI threshold and that there are, at this time, no special measure issues.

TABLE 3
### PRE-APPLICATION ADVICE

In addition to the formal applications received the Council offer a free pre application advice service. The table below indicates the numbers of pre-application enquiries received by the Council up to the end of Q3.

<table>
<thead>
<tr>
<th>NAME</th>
<th>NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRE APP (Old Process)</td>
<td>0</td>
</tr>
<tr>
<td>PRE APP HOUSEHOLDER</td>
<td>129</td>
</tr>
<tr>
<td>PRE APP MEDIUM</td>
<td>117</td>
</tr>
<tr>
<td>PRE APP MAJOR</td>
<td>10</td>
</tr>
<tr>
<td>TOTAL</td>
<td>256</td>
</tr>
</tbody>
</table>

This information is considered to be relevant given that it is a barometer as to the additional workload of the team and members should note that our returns to central government are based on a pre-described application categories and they do not necessary highlight the volume of work going through the Planning section of the Council.

Members should note that Appendix No1 includes further application data by ward.

#### 4 Refusals

Members requested further information on the number and break down of the refusal issued for the calendar year 2015 (to date). This information is highlighted within Table 4&5 below.

Member should be aware that in common with other years we refuse fewer than 10% of the applications received.

### TABLE 3

#### REFUSALS BY WARD

<table>
<thead>
<tr>
<th>Row Labels</th>
<th>Count of ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>DV Devonshire</td>
<td>15</td>
</tr>
<tr>
<td>LG Langney</td>
<td>3</td>
</tr>
<tr>
<td>MD Meads</td>
<td>10</td>
</tr>
<tr>
<td>OT Old Town</td>
<td>4</td>
</tr>
<tr>
<td>RN Ratton</td>
<td>4</td>
</tr>
<tr>
<td>SA St Anthony’s</td>
<td>10</td>
</tr>
</tbody>
</table>
Table 3a

Calendar Year 2015 Applications Received (Including All Planning Applications - Pre application Schemes - Tree application & Invalid submissions)

Table 3a

<table>
<thead>
<tr>
<th>Row Labels</th>
<th>Count of ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>DV Devonshire</td>
<td>130</td>
</tr>
<tr>
<td>HP Hampden Park</td>
<td>32</td>
</tr>
<tr>
<td>LG Langney</td>
<td>30</td>
</tr>
<tr>
<td>MD Meads</td>
<td>261</td>
</tr>
<tr>
<td>OT Old Town</td>
<td>93</td>
</tr>
<tr>
<td>RN Ratton</td>
<td>104</td>
</tr>
<tr>
<td>SA St Anthony</td>
<td>93</td>
</tr>
<tr>
<td>SV Sovereign</td>
<td>68</td>
</tr>
<tr>
<td>UP Upperton</td>
<td>147</td>
</tr>
<tr>
<td>(blank)</td>
<td></td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>967</strong></td>
</tr>
</tbody>
</table>

TABLES 4&5
REFUSAL BY DECISION LEVEL (see below)

COMMITTEE REFUSAL

<table>
<thead>
<tr>
<th>Reference</th>
<th>Application Description</th>
<th>Application to</th>
<th></th>
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<tbody>
<tr>
<td>141575</td>
<td>PROPOSED CONVERSION OF EXISTING GARAGE/SHOP STORAGE TOGETHER WITH 2</td>
<td>UP Upperton</td>
<td></td>
</tr>
<tr>
<td>141389</td>
<td>Erection of a detached 2 bedroom bungalow with garage within the rear</td>
<td>OT Old Town</td>
<td>34 Dillingburgh Road</td>
</tr>
<tr>
<td>141497</td>
<td>Demolition of existing garage and erection of 1no. two-storey</td>
<td>LG Langney</td>
<td>55 Friday Street</td>
</tr>
<tr>
<td>141524</td>
<td>Retrospective application under section 73a for the retention of an</td>
<td>MD Meads</td>
<td>10 Blackwater Road</td>
</tr>
<tr>
<td>141604</td>
<td>Proposed demolition of existing garage and conservatory and erection</td>
<td>SV Sovereign</td>
<td>1 Vincent Close</td>
</tr>
<tr>
<td>150046</td>
<td>Three storey extension to the east side to provide three-two-bedroom</td>
<td>MD Meads</td>
<td>2 Silverdale Road</td>
</tr>
<tr>
<td>150070</td>
<td>Demolition of 10 lock-up garages and erection of 6 x terraced 2</td>
<td></td>
<td>Queens Crescent</td>
</tr>
<tr>
<td>150092</td>
<td>Conversion of first floor residential accommodation to form 1 one-</td>
<td>OT Old Town</td>
<td>153 Victoria Drive</td>
</tr>
<tr>
<td>150141</td>
<td>RECONSULTATION: New build 2 Storey residential accommodation</td>
<td></td>
<td>Land to rear of 48 St Leonards Road</td>
</tr>
<tr>
<td>150208</td>
<td>Retrospective application for Change of Use from Guesthouse (Class C1)</td>
<td>DV Devonshire</td>
<td>93 Royal Parade</td>
</tr>
<tr>
<td>150265</td>
<td>Installation of rides and stalls upon the decking at the location of</td>
<td>DV Devonshire</td>
<td>Grand Parade</td>
</tr>
<tr>
<td>150365</td>
<td>Erection of 2 storey side extension (Amended description).</td>
<td>SA St Anthony</td>
<td>29 Filder Close</td>
</tr>
<tr>
<td>150424</td>
<td>Erection of first floor rear extension and single storey rear</td>
<td>DV Devonshire</td>
<td>199 Seaside</td>
</tr>
<tr>
<td>150443</td>
<td>Outline application (with Appearance, Landscaping and Scale reserved)</td>
<td>UP Upperton</td>
<td>29 Bedfordwell Road</td>
</tr>
<tr>
<td>150495</td>
<td>Formation of a playground enclosed by a 1.4 metre high fence and</td>
<td>SA St Anthony</td>
<td>1 St Philips Place</td>
</tr>
<tr>
<td>150499</td>
<td>Demolition of existing buildings and erection of a three-storey 58 bed</td>
<td>OT Old Town</td>
<td>46-48 East Dean Road</td>
</tr>
<tr>
<td>150646</td>
<td>Erect single storey extension and first floor addition at rear</td>
<td>DV Devonshire</td>
<td>199 Seaside</td>
</tr>
<tr>
<td>150694</td>
<td>Demolition of existing building and flint boundary wall. Rebuilding of</td>
<td>UP Upperton</td>
<td>51 Upperton Lane</td>
</tr>
<tr>
<td>150729</td>
<td>Application to vary condition 6 of planning permission</td>
<td>SA St Anthony</td>
<td>St Philips Avenue</td>
</tr>
<tr>
<td>150759</td>
<td>Proposed conversion of a previously approved 2-bedroom ground floor</td>
<td>DV Devonshire</td>
<td>41 Pevensey Road</td>
</tr>
<tr>
<td>150760</td>
<td>Erection of a two storey building to provide 2no. studio flats on and</td>
<td>SA St Anthony</td>
<td>1 Baillie Avenue</td>
</tr>
<tr>
<td>150804</td>
<td>Retention of new boundary fence</td>
<td></td>
<td>1 Samoa Way</td>
</tr>
<tr>
<td>150921</td>
<td>Retention of existing 2m high closed board timber fence to facilitate</td>
<td>LG Langney</td>
<td>258 Sevenoaks Road</td>
</tr>
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</table>
### DELEGATED REFUSALS

<table>
<thead>
<tr>
<th>Application</th>
<th>Authority</th>
<th>Location</th>
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<tbody>
<tr>
<td>141104 Application for variation of condition 2 following grant of planning</td>
<td>DV</td>
<td>28, 29 and 29a Marine Parade</td>
</tr>
<tr>
<td>141105 Application for variation of condition 2 following grant of planning</td>
<td>DV</td>
<td>28, 29 and 29a Marine Parade</td>
</tr>
<tr>
<td>141224 New shopfront with amendments to windows and openings on</td>
<td>OT</td>
<td>23 Albert Parade</td>
</tr>
<tr>
<td>141421 Division of one Acer pseudoplatanus by 50%</td>
<td>MD</td>
<td>12 Milnthorpe Road</td>
</tr>
<tr>
<td>141472 Non-material change to application 130147 to enlarge the rear external</td>
<td>DV</td>
<td>311 Seaside</td>
</tr>
<tr>
<td>141494 Carry out works to various trees subject to planning conditions and a</td>
<td>UP</td>
<td>3 Hurst Lane</td>
</tr>
<tr>
<td>141522 Erection of single and two storey side and rear extensions.</td>
<td>RN</td>
<td>4 Woodcroft Drive</td>
</tr>
<tr>
<td>141523 Erection of two-storey extension to the side of the property to</td>
<td>SA</td>
<td>84 Bridgemere Road</td>
</tr>
<tr>
<td>141591 Change of use A5 ground floor restaurant to form 2 self contained</td>
<td>DV</td>
<td>218 Seaside</td>
</tr>
<tr>
<td>141610 Removal of 2 no beech trees.</td>
<td>UP</td>
<td>3 Saffrons Road</td>
</tr>
<tr>
<td>141605 Change of use of car park at the rear of Harford Battersby House to</td>
<td>MD</td>
<td>10 Trinity Trees</td>
</tr>
<tr>
<td>150010 Erection of first floor side extension</td>
<td>SV</td>
<td>32 Pevensy Bay Road</td>
</tr>
<tr>
<td>150069 Change of use of retail floorspace (use class A2) to 2 X 1 bedroom</td>
<td>DV</td>
<td>79 Seaside</td>
</tr>
<tr>
<td>150086 Topping of nine limes back to original height.</td>
<td>MD</td>
<td>2 Silverdale Road</td>
</tr>
<tr>
<td>150087 Variation of condition 2 of Planning EB/2007/0129 (change of use)</td>
<td>DV</td>
<td>85 Cavendish Place</td>
</tr>
<tr>
<td>150122 T2 beech- fell to ground level.</td>
<td>UP</td>
<td>12 St Annes Road</td>
</tr>
<tr>
<td>150154 Erection of rear dormer roof extension on existing 2 storey rear</td>
<td>SA</td>
<td>242 Seaside</td>
</tr>
<tr>
<td>150233 External alterations and change of use from vehicle repair workshop to</td>
<td>UP</td>
<td>39 Upperton Lane</td>
</tr>
<tr>
<td>150253 Erection of first floor rear extension to existing detached house.</td>
<td>SV</td>
<td>34 Sturdee Close</td>
</tr>
<tr>
<td>150328 50% Crown reduction of two Beech Trees nearest to the property.</td>
<td>RN</td>
<td>19 The Combe</td>
</tr>
<tr>
<td>150374 Erection of a detached 2 storey, 2 bedroom house on land adjacent to 3</td>
<td>SA</td>
<td>3 Churchdale Place</td>
</tr>
<tr>
<td>150394 T1 &amp; T2 Beech, felling of 2 beech trees</td>
<td>MD</td>
<td>Link Road</td>
</tr>
<tr>
<td>150410 Installation of replacement UPVC windows to front, side and rear.</td>
<td>MD</td>
<td>18 Silverdale Road</td>
</tr>
<tr>
<td>150420 Single storey rear extension with a depth of 5.95m (max) and 5.12m to</td>
<td>SA</td>
<td>31 Bowood Avenue</td>
</tr>
<tr>
<td>150425 Erection of attached building incorporating a ground floor studio</td>
<td>DV</td>
<td>184 Ashford Road</td>
</tr>
<tr>
<td>150437 Outline application (all matters reserved) for demolition of lean to</td>
<td>UP</td>
<td>3 Selwyn Road</td>
</tr>
<tr>
<td>150460 T2 Beech fell to ground level, T5 &amp; T6: Beech deadwood from crown,</td>
<td>UP</td>
<td>12 St Annes Road</td>
</tr>
<tr>
<td>150469 3no Quercus ilex. Previously pollarded. Cauing shading to adjacent</td>
<td>MD</td>
<td>40 St John's Road</td>
</tr>
<tr>
<td>150491 Erection of upper ground floor rear extension above existing lower</td>
<td>UP</td>
<td>12 Carew Road</td>
</tr>
<tr>
<td>150502 T5: Norway Maple reduce back to previous 25%. T3: Yew reduce crown off</td>
<td>UP</td>
<td>23 Upperton Road</td>
</tr>
<tr>
<td>150647 Prior notification of proposed demolition. Application to demolish a</td>
<td>DV</td>
<td>Waterworks Road</td>
</tr>
<tr>
<td>150711 Retrospective permission for the creation of self contained</td>
<td>DV</td>
<td>60 Susans Road</td>
</tr>
<tr>
<td>150782 Erection of a single storey extension at rear.</td>
<td>RN</td>
<td>60 Park Avenue</td>
</tr>
<tr>
<td>150789 Change of use from hotel to HMO</td>
<td>DV</td>
<td>26-28 Elms Avenue</td>
</tr>
<tr>
<td>150794 Proposed increase in length of ground floor front extension (increase</td>
<td>SA</td>
<td>21 Tremaines Road</td>
</tr>
<tr>
<td>150797 Two storey extension at side.</td>
<td>RN</td>
<td>145 Burton Road</td>
</tr>
<tr>
<td>150811 T1: Corsican Pine, remove deadwood, T2: Lime, crown reduce by 40% thin</td>
<td>MD</td>
<td>9 Granville Road</td>
</tr>
<tr>
<td>150832 T1 and T2, Lime - Pollard. T3, Lime - reduce large wood by 2 to 3m</td>
<td>UP</td>
<td>23 Compton Place Road</td>
</tr>
<tr>
<td>150844 1x over-extended stem from 3-stem Elm towards rear wall to fell to as</td>
<td>MD</td>
<td>42 Saffrons Park</td>
</tr>
<tr>
<td>150883 Extension of side boundary wall to the edge of the plot adjacent to</td>
<td>SV</td>
<td>46 Hardy Drive</td>
</tr>
<tr>
<td>150919 Erection of a single storey ground floor rear extension to a maximum</td>
<td>LG</td>
<td>4 Tenterden Close</td>
</tr>
<tr>
<td>150994 1no. silver birch - reduce in height 3m, balance overall ....</td>
<td>SA</td>
<td>Hammonds Drive</td>
</tr>
</tbody>
</table>
5 Appeals

As commented above all applications that are refused have to the potential to be appealed by the applicant. The Council for the year 15 have received 14 appeal decisions and the decision letters are appended to this report (for information purposes)

Appeals received by ward/count & Appeal by development type/application

TABLE 6

<table>
<thead>
<tr>
<th>Row Labels</th>
<th>Count of ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>DV Devonshire</td>
<td>3</td>
</tr>
<tr>
<td>LG Langney</td>
<td>1</td>
</tr>
<tr>
<td>MD Meads</td>
<td>4</td>
</tr>
<tr>
<td>OT Old Town</td>
<td>1</td>
</tr>
<tr>
<td>SA St Anthonys</td>
<td>3</td>
</tr>
<tr>
<td>SV Sovereign</td>
<td>1</td>
</tr>
<tr>
<td>UP Upperton</td>
<td>1</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>14</strong></td>
</tr>
</tbody>
</table>

TABLE 7

<table>
<thead>
<tr>
<th>Row Labels</th>
<th>Count of pacode</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADV Advertisement</td>
<td>1</td>
</tr>
<tr>
<td>HHH Householder</td>
<td>7</td>
</tr>
<tr>
<td>OSR Outline (some reserved)</td>
<td>1</td>
</tr>
<tr>
<td>PPP Planning Permission</td>
<td>5</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>14</strong></td>
</tr>
</tbody>
</table>

APPEAL ANALYSIS

Recent appeal decision letters are appended to this report

TABLE 9

<table>
<thead>
<tr>
<th></th>
<th>Approve – Member Overturn Allowed</th>
<th>Approve – Member Overturn Dismissed</th>
<th>Refuse – Member Support Refusal Allowed</th>
<th>Refuse – Member Support Refusal Dismissed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>7 (28%)</td>
<td>4 (16%)</td>
<td>2 (8%)</td>
<td>12 (48%)</td>
</tr>
<tr>
<td>2014</td>
<td>0</td>
<td>4 (40%)</td>
<td>2 (20%)</td>
<td>4 (40%)</td>
</tr>
<tr>
<td>2015</td>
<td>0 (0%)</td>
<td>3 (21%)</td>
<td>2 (14%)</td>
<td>9 (65%)</td>
</tr>
<tr>
<td>2016</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2017</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Appeal Analysis Table 10
<table>
<thead>
<tr>
<th>Year</th>
<th>Special Measures PI (%)</th>
<th>No of Majors Overturned at Appeal (number and %)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>20</td>
<td>1 (100%)</td>
</tr>
<tr>
<td>2015</td>
<td>20</td>
<td>1 (100%)</td>
</tr>
<tr>
<td>2016</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>2017</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>2018</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

The above table 9 identifies the relevant decisions permutations and it is acknowledged that the appeal volume is reducing when compared to 2013. There may be a number of reasons for this; it could be applicants benefiting from the free pre-application advice and thereby improving the quality of the schemes that are being submitted; it could also be the Governments introduction of the ‘larger residential extension’ scheme that allows for homeowners to extended greater depth than would formerly be allowed without the need for a planning application. The appeal rate/volume will continue to be monitored going forward.

It is accepted that Eastbourne due to the nature and type of the borough statistically receives few major applications and as such we may not get above the survey threshold of more than 10 appeal decisions overturned. Notwithstanding this it is considered important to review and analyse all appeal decisions across all application types as an indicator that we have applied a sound planning judgement at both delegated and planning committee level.

Appeal Analysis Table 9 Column 1

**Officer recommendation for approval – Member overturned – Appeal Allowed (Officers right Members were wrong)** It is important to keep a watching brief on this column as this is often the scenario where costs are awarded against the Council. Notwithstanding this at the time of reporting it is acknowledged that the 0% of cases in this column has fallen significantly compared to the previous years.

It is accepted that at times there are differences of opinion between officers and Members however for the appeal decision received to date there have been only one instance this year where this scenario has occurred.

In some way this could be an indication that all parties are aligned in their thinking and are consistent with established policy and National Advice.

Appeal Analysis Table 9 Column 2

**Officer recommendation for approval – member overturned – appeal dismissed (Officers were wrong and Members were right)** This is also a category where appeal costs can be awarded. This shows that officers are not always right, but the volume of cases in the category is modest.

Appeal Analysis Table 9 Column 3

**Officer recommendation for refusal – Member support for refusal (committee or delegated) – Appeal allowed – Officers and Member were wrong.** This shows that officers and Members are in tune but the officers have
been over zealous with their recommendation and it has not been supported by the Planning Inspectorate.

The volume in this category remains low but again this needs to be monitored as it is an indication that Officers may not follow planning policy/advice and skewing recommendations following neighbour concerns or trying to second guess the outcome of planning committee.

In essence it is important that officers do not shy away from making difficult recommendations if the recommendation is in accordance with national and local advice/policies.

Appeal Analysis Table 9 Column 4

Officer recommendation for refusal – Member support for recommendation (committee or delegated decisions) – appeal dismissed (officers and Members were right). This column shows when Officers and Members are in tune and supported by the Planning Inspectorate. The Higher the % the better, Members will note that this category is usually by far the largest, this is a reflection that the decision that were taken were consistent with National and Local advice.

Appeal Costs

As members will be aware the appeal process can award costs to any party involved in the appeal process where it can be demonstrated that any party has acted unreasonably. During the survey period the Council received one award of costs:-

One appeal for costs has been submitted within the survey period; this claims that the Council acted unreasonably in their handling of the Courtlands Hotel application. The agent for this appeal has supplied details justifying their costs claim of £15,000.

Members should note that this is not an insignificant sum of monies that is Bourne from the public purse and as such collectively we should strive to secure that wherever possible costs claims are avoided. Legal and Planning Officers will advise members where there is the likelihood of a cost claim being successful.

As commented earlier Eastbourne may not trigger the special measures threshold for Government intervention due to the number of major applications received. Notwithstanding this for the first ten months of 2015 Eastbourne has had 1 major application going through to an appeal decision and this was overturned resulting in 100% of cases being overturned.

6 Planning Enforcement

As outlined in the Planning Enforcement Policy Statement previously reported to committee regular reporting of the enforcement function to Planning Committee is considered important as keeps members aware of the cases and issues that are live in their area and would it assists in:-

- Tackling breaches in planning control which would otherwise have an unacceptable impact on the amenity of the area;
- Maintaining the integrity of the decision-making process;
• Helping to ensure that the public acceptance of the decision making process is maintained.

Going forward it is the intention to provide the statistics on a quarterly basis with an annual review.

Members will note some of the data places high volumes in the Devonshire ward, this reflects the focus given with/by the Difficult Property Group through S215 (Untidy Sites) legislation and also emphasises the support for the ‘Driving Devonshire Forward’ policy document.

Table 11
Enforcement Live Case on Hand

<table>
<thead>
<tr>
<th>Row Labels</th>
<th>Count of pward</th>
</tr>
</thead>
<tbody>
<tr>
<td>DV Devonshire</td>
<td>53</td>
</tr>
<tr>
<td>HP Hampden Park</td>
<td>3</td>
</tr>
<tr>
<td>LG Langney</td>
<td>8</td>
</tr>
<tr>
<td>MD Meads</td>
<td>13</td>
</tr>
<tr>
<td>OT Old Town</td>
<td>6</td>
</tr>
<tr>
<td>RN Ratton</td>
<td>17</td>
</tr>
<tr>
<td>SA St Anthonys</td>
<td>17</td>
</tr>
<tr>
<td>SV Sovereign</td>
<td>13</td>
</tr>
<tr>
<td>UP Upperton</td>
<td>7</td>
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<tr>
<td>(blank)</td>
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</tr>
<tr>
<td>Grand Total</td>
<td>137</td>
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</table>

Cases Closed

<table>
<thead>
<tr>
<th>YEAR</th>
<th>END OF Q1</th>
<th>END OF Q2</th>
<th>END OF Q3</th>
<th>END OF Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>28</td>
<td>46</td>
<td>61</td>
<td>95</td>
</tr>
<tr>
<td>2015</td>
<td>144</td>
<td>61</td>
<td>117</td>
<td></td>
</tr>
<tr>
<td>2106</td>
<td></td>
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<td></td>
<td></td>
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</table>

Table 12

<table>
<thead>
<tr>
<th>YEAR</th>
<th>CLOSED</th>
<th>RECEIVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>246</td>
<td>346</td>
</tr>
<tr>
<td>2015</td>
<td>252</td>
<td>255</td>
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</table>

Table 13

<table>
<thead>
<tr>
<th>YEAR/Q</th>
<th>CQ1</th>
<th>RQ1</th>
<th>CQ2</th>
<th>RQ2</th>
<th>CQ3</th>
<th>RQ3</th>
<th>CQ4</th>
<th>RQ4</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>33</td>
<td>107</td>
<td>38</td>
<td>72</td>
<td>95</td>
<td>92</td>
<td>87</td>
<td>92</td>
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<tr>
<td>2015</td>
<td>74</td>
<td>73</td>
<td>61</td>
<td>92</td>
<td>117</td>
<td>91</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

It is clear from the above tables/information that the volume of cases closed has significantly increased in the second and third quarters of the calendar year 2014. This rate of closure reflects an upturn from approximately 10-15 cases per month (Q1&2) to approximately 25-30 cases per month (Q3&4), this has continued within the 2015 to date.
It is important to note that the closure rate is now matching the volume of received cases and as such there should not be an expanding backlog of live cases. On this issue Members should note that the volume of cases on the over 6months old list has remained fairly static at 30 cases.

7 Customer Satisfaction Survey

**Introduction**
Between June and October we took part in a National Project to improve the way local council planning departments work. Run by the Planning Advisory Service (PAS) we carried out a Customer Satisfaction Survey, which was sent to all Applicants and Agents following our decision on their planning applications, and those who made representations on applications for their views on how well we had dealt with the applications.

The purpose of this report is to look at the responses received and to highlight any areas for improvement in how we deal with planning applications and engage with our ‘customers’, Applicants, Agents and Neighbours (members of the public).

In total we had sent the survey to 197 recipients, we received 94 responses so had a 47% response rate.

**Planning Agents and Applicant**
It is fair to assume that planning Agents have experience of submitting planning applications, and how the process works generally. This could explain generally why their experience of the planning system is better. The majority of our planning applications are submitted by 5 local planning agents, therefore we have built up good working relationships with these agents. Planning Applicants could be first time applicants, generally where applicants do not use a planning agent the type of application tends to be more simple.

The following graphs outline responses to the questions of the satisfaction survey from Applicants and Agents.

How helpful were the council in dealing with your application?

<table>
<thead>
<tr>
<th>descending</th>
<th>Agent</th>
<th>Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very helpful</td>
<td>80%</td>
<td>90%</td>
</tr>
<tr>
<td>Quite helpful</td>
<td>10%</td>
<td>0%</td>
</tr>
<tr>
<td>Not very helpful</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Unhelpful</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Not relevant</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

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Page 117
How well did the Council manage the time taken to make a decision?

The council usually asks you to send in supporting information with the planning application. Did they use this supporting information well?

Comments were received around the validation of applications, and the difficulty when emails regarding validation are sent from individuals rather than a generic email address. If responses are sent directly to individuals this could delay matters if that person is away or doesn’t thereafter index the email response. There were also comments around how we deal with long term absence, once member of staff was absence for a long period and emails sent directly to him were therefore not picked up.

There were a number of positive responses from Agents and Applicants about the service they received. The majority had a good experience and commented that Case Workers/Specialists were helpful, and engaging throughout the process so as to have a positive outcome.

**Neighbours/Interested parties**

The comments and responses from the Neighbours/interested parties, those who commented on the applications is the most useful and interesting in terms of how we can improve our service for members of the public. The survey was carried out online, and sent to those who provided an email address when commenting on the
application, therefore to some degree they have engaged with the online/electronic system. The following charts outline the answers given to the survey.

How did you find out about the application?

Did our website and the paperwork from the application help you understand the proposal?

How we assess planning applications can sometimes be difficult to comprehend. How well did we help you understand the planning process and engage with it?
Our job is to make a decision as quickly as possible but also to listen to people's views. Did we get this balance right in this case?

How clearly did the council explain its decision?
There is a clear distinction that the Agent/Applicants feel that the decision is clearly explained whereas neighbours who responded did not.

This could be simply that the Agent and/or Applicant would be sent a copy of the decision notice, whereas we do not send the decision notice to any other interested party. The letter to the neighbour consultees explains this and that the decision will be available online or if they contact the Council. The reasons for the decision are set out in the Case Officers report which is also available online this is evidently not clear to those commenting on applications.

The majority of those who carried out the survey were those who were formally consulted by way of neighbour consultation letter. Of those who responded 50% of people said our website was useful to help them to understand the proposal, unfortunately 33% found the website to not help inform them of the application proposal.

Comments submitted state that the website was hard to navigate, that the pages were disjointed, that the website kept falling over and that the website did not include a timetable for the application so they did not understand when a decision was due.

Several comments were made about the information displayed on our website, in that not all comments were viewable. There is work to be done to insure that all those indexing comments/objections are aware of how to index, so that the customer gets an automatic acknowledgement and that the document is redacted to be made public.

The website needs improving was the main comment, and that members of the public found it difficult to view the necessary documents as they are not in any clear order. The letter sent out states that the documents are available online and gives a link, but does not explain in great detail.

**Improvements/Recommendations**

The planning section of the website, how members of the public view applications and comment is currently under review, with a new website to be launched soon. This should greatly improve the ‘usability’ of this service for member of the public.
Our website on the front page of the application has the date the application was received and the date it was made valid. It does not state the date the decision is due, or when comments should be submitted by. This should be picked up in the new website design.

When the new website is launched the consultation letter sent to neighbouring properties will be improved to explain much clearer how to use the website to view the application documents, in that you have to search the planning register with the application reference number.

In terms of how we explain our decision, it is not proposed that a copy of the decision notice is sent to any who comment on applications, given that the majority of people do engage with the online system and submit comments online, and the time and cost associated with this. However it is recommended that updates are made to the neighbour consultation letter which clearly explains how they can view our reasons for making the decision, such as how to view the Officers report online post decision for a full explanation.

Continued training is being carried out with all those who do planning indexing to ensure the documents are indexed correctly, that we are utilising the ‘Document Title’ to clearly label documents as this appears on the website, and to ensure that all comments are made available online within a timely manner.

Something to explore further relates to being able to move documents around on W2 so that similar plans or documents can be grouped together to really improve the way customers view documents. Especially on the bigger applications there can be several pages of documents and plans.

It is unlikely that we can make emails in relation to planning validation be sent from a generic email address, therefore the template for the invalid letter should be improved to state ‘please send all return correspondence to customerfirst@ Eastbourne.gov.uk’ to ensure that responses are picked up in a timely manner.

It is also recommended that the section of the website in relation to applying online (http://www.eastbourne.gov.uk/residents/planning/make-planning-application/), how to submit documents and the documents needed to be submitted with an application is improved to reduce the amount of applications made invalid on receipt. We have already created a checklist for ‘householder’ applications to make it clear for applicants submitting householder applications the documents they are required to submit this is being sent out with all pre-application responses to assist applicants.

**Conclusion**

The majority of the Customer surveyed were happy with the service they received and gave positive feedback. The above recommendations are being worked on by the Specialist Advisors to further improve our service.

---

**8 Legal & Human Resources**
Save for the potential costs claim that could follow an appeal there are no other legal issues arising from this report.

It is considered that the current workload/capacity and the current level of performance can be sustained with/by the current establishment.
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<table>
<thead>
<tr>
<th>Application No.</th>
<th>Application Details</th>
</tr>
</thead>
</table>
| **150600**     | **Site:** Sports Ground, Shinewater Lane, Eastbourne, East Sussex, BN23 8AT  
**(PPP)**  
**Proposal:** Erection of 80 seat stand to football ground (amended location: towestern side of existing pitch)  
Langney  
**Cons. Area:** Not applicable  
**Officer:** Leigh Palmer  
**Applicant:** Mrs Tracey Saunders  
4 Carisbrooke Close  
Eastbourne  
East Sussex  
BN23 8EQ  
**Agent:** Mr Ray Caille  
48 Church Street  
Eastbourne  
BN22 0JA |
| **150824**     | **Site:** Upperton United Reformed Church, Upperton Road, Eastbourne, East Sussex, BN21 1LQ  
**(PPP)**  
**Proposal:** Demolition of existing church and construction of new church and community centre  
Upperton  
**Cons. Area:** Not applicable  
**Officer:** Leigh Palmer  
**Applicant:** Rev Paul Tabraham  
Three Trees  
11a Decoy Drive  
Eastbourne  
East Sussex  
BN22 0AB  
**Agent:** CPL Chartered Architects, Property Consu  
First Floor Unit A3  
Chaucer Business Park  
Dittons Road  
Polegate  
BN26 6QH |
| **150882**     | **Site:** Langney Shopping Centre, 64 Kingfisher Drive, Eastbourne, East Sussex, BN23 7RT  
**(PPP)**  
**Proposal:** To erect mesh fencing 1.8m high, to create an outdoor play area 38.3m by 18m on the grassed area adjacent to Sandpiper Walk for children attending the nursery at Unit 50 Langney Shopping Centre  
Langney  
**Cons. Area:** Not applicable  
**Officer:** Toby Balcikonis  
**Applicant:** Ms Amanda Saunders  
Little Rockets Ltd  
Unit 50 Langney Shopping Centre  
Kingfisher Drive,  
Langney, East Sussex  
BN23 7RT  
**Agent:** Ms Amanda Saunders  
Little Rockets Ltd  
Unit 50 Langney Shopping Centre  
Kingfisher Drive,  
Langney, East Sussex  
BN23 7RT |
EASTBOURNE BOROUGH COUNCIL - Applications for Delegated Meeting

Application No.  Application Details

150903  Site: Devonshire Park, College Road, Eastbourne, East Sussex, BN21 4JJ

(PPP)  Proposal: Demolition of Congress Suite, Devonshire Park Halls, first floor offices at front, catering lift, bistro and kitchen, and north east portico at rear of Winter Garden. Construct 3 storey conference (Welcome) building linked to Congress and Winter Garden with a service ramp to rear. Internal refurbishment repairs to the Congress and Devonshire Park Theatres. Internal refurbishment repairs to Winter Garden and remodelling of its front entrance to include reintroduction of a double pitched roof. Redecoration of tennis pavilion and creation of new show court. Provision of new public realm to south to include access to the Welcome Building with landscaping. See also 150904 LB.

Meads  Cons. Area: Not applicable  Officer: Jane Sabin

Applicant: Mr Philip Evans
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex
BN21 4TW

Agent: Ms Kathryn Sadler
Parker Dann Planning Consultants
Suite S10 The Waterside Centre
North Street, Lewes, East Suss
BN7 2PE

Application No.  Application Details

150904  Site: Devonshire Park, College Road, Eastbourne, East Sussex, BN21 4JJ

(LBC)  Proposal: Demolition of Congress Suite, Devonshire Park Halls, first floor offices at front, catering lift, bistro & kitchen, and north east portico at rear of Winter Garden. Construct 3 storey conference (Welcome) building linked to Congress and Winter Garden with a service ramp to rear. Internal refurbishment repairs to the Congress and Devonshire Park Theatres. Internal refurbishment repairs to Winter Garden and remodelling of its front entrance to include reintroduction of a double pitched roof. Redecoration of tennis pavilion and creation of new show court. Provision of new public realm to south to include access to the Welcome Building with landscaping.

Meads  Cons. Area: Not applicable  Officer: Jane Sabin

Applicant: Mr Philip Evans
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex
BN21 4TW

Agent: Ms Kathryn Sadler
Parker Dann Planning Consultants
Suite S10 The Waterside Centre
North Street, Lewes, East Suss
BN7 2PE
150951

**Site:** 6 Holywell Close, Eastbourne, East Sussex, BN20 7RX

**Proposal:** First floor addition over garage and single storey side extension

**Meads**

**Cons. Area:** Meads

**Applicant:** Mr Mark Bird
6 Holywell Close
Eastbourne
East Sussex
bn207rx

**Agent:** Mr Mark Bird
6 Holywell Close
Eastbourne
East Sussex
bn207rx

**Officer:** Thea Petts

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150965

**Site:** The East Beach Hotel, 23-25 Royal Parade, Eastbourne, East Sussex, BN22 7AN

**Proposal:** Retention of existing UPVC windows to front (south east) and side(south west) elevations (retrospective).

**Devonshire**

**Cons. Area:** Town Centre and Seafront

**Applicant:** Miss Heidi Cowderoy
The East Beach Hotel, 23-25
Royal Parade
Eastbourne, East Sussex
BN22 7AN

**Agent:** Miss Heidi Cowderoy
The East Beach Hotel, 23-25
Royal Parade
Eastbourne, East Sussex
BN22 7AN

**Officer:** Neil Holdsworth

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150975

**Site:** 42-44 Meads Street, Eastbourne, East Sussex, BN20 7RG

**Proposal:** Replacement of pitched roof to the rear of no.42 with a raised flatroof to provide route for ductwork for new ventilation system to restaurant.

**Meads**

**Cons. Area:** Meads

**Applicant:** Ms Hui Sheng
159 Victoria Drive
Eastbourne
BN20 8QG

**Agent:** CKA Architectural Consultants Ltd
36 Church Street
Eastbourne
East Sussex
BN21 1HS

**Officer:** Thea Petts
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1.0 Introduction

1.1 This is a covering report to introduce the Cabinet report attached. The Cabinet Report is self explanatory and includes a discussion under the usual implication headings so will not be repeated here.

1.2 The Cabinet Report recommends that the Revised Proposed Submission version of Employment Land Local Plan be published for a six week period between 11 December 2015 and 22 January 2016 to allow stakeholders to make representations on issues on ‘soundness’ before it is submitted to the Secretary of Statement for public examination.

1.3 Planning Committee Members are asked to consider the attached report and any comments will be considered and reported orally to Cabinet when they meet on 9 December.

Background Papers:

The Background Papers used in compiling this report were:

- Cabinet Report – 9 December 2015

To inspect or obtain copies of the background paper, please refer to the contact officer listed above.
Introduction

In May 2012, the Eastbourne Core Strategy Local Plan was subject to Public Examination by a Planning Inspector. The Inspector expressed concerns over
the evidence that supported Core Strategy Policy D2: Economy, particularly relating to the employment land supply. In order to address this issue without delaying the adoption of the Core Strategy, the Inspector recommended that Core Strategy Policy D2: Economy be the subject of an early review, leading to its replacement with an additional Local Plan to deal specifically with the employment land supply.

1.2 In order to meet this requirement, an Employment Land Local Plan (ELLP) is being produced. The ELLP will guide job growth and economic development in Eastbourne up to 2027 by identifying an appropriate supply of land for future employment development, in order to achieve a sustainable economy and make Eastbourne a town where people want to live and work. It relates to land and buildings within the B1 (Offices and Light Industry), B2 (General Industry) and B8 (Storage and Distribution) Use Classes.

1.3 A Proposed Submission ELLP was presented to Cabinet on 10 December 2014 for approval and authority to publish to receive representations on issues of soundness. It was subsequently published for an 8 week period between 12 December 2014 and 6 February 2015. The representations received during the consultation have been taken into account in revising the ELLP.

1.4 Representations received on the Proposed Submission ELLP resulted in some changes being made on the ELLP and the supporting documents, and as a result a Revised Proposed Submission ELLP now needs to be published to allow for representations to be made on issues of soundness before it can be submitted for examination.

2.0 Employment Land Local Plan

2.1 The Employment Land Local Plan contains policies to meet the identified need for 43,000 sqm of employment (Class B) floorspace between 2012 and 2027. This would result in the creation of 1,263 new jobs.

2.2 The ELLP seeks to allocate land for employment use in the most sustainable and effective way, through intensifying development in existing employment locations and directing development towards the ‘Sustainable Centres’ at the Town Centre and Sovereign Harbour that have been identified in the Core Strategy 2006-2027. This approach will allow all sites within the Borough to ‘work together’ to meet future requirements, providing a functioning supply of sites that are deliverable and provide sufficient choice to support indigenous businesses and inward investment.

2.3 Therefore the strategy contained within the ELLP to deliver the employment floorspace requirement proposes:

- 20,000 sqm of industrial and warehouse floorspace through the intensification of the existing Industrial Estates;
- 3,000 sqm of office floorspace in the Town Centre; and
• 20,000 sqm of office and light industry floorspace at Sovereign Harbour.

3.0 **Representations on Proposed Submission ELLP**

3.1 A total of 19 representations were received on the Proposed Submission ELLP when it was published in December 2014, including significant representations from Sovereign Harbour Limited (SHL) that raised a number of issues.

3.2 A review of the issues raised was undertaken, and as a result it was considered that the overall strategy for the provision of employment space, particularly in relation to the amount of office space at Sovereign Harbour, should be re-assessed through the Sustainability Appraisal process.

3.3 The outcomes of the revised Sustainability Appraisal showed that the proposed strategy is the most sustainable option, and that there is no overwhelming justification to reduce the amount of office space at Sovereign Harbour. Options for a lower provision of office space at Sovereign Harbour were rejected because they failed to meet market demand and were considered to be less deliverable and sustainable solutions.

4.0 **Revised Proposed Submission ELLP**

4.1 As a revised Sustainability Appraisal has been prepared and some minor changes to the ELLP have been proposed, it is necessary to publish a revised version of the Proposed Submission ELLP once again for a period to receive representations on issues of soundness.

4.2 As the evidence and the outcomes of the revised Sustainability Appraisal supports the original position, it is not proposed to make any significant changes to the ELLP before it is re-published. However, some minor amendments have been made to various parts of the ELLP for clarification purposes.

4.3 A schedule of changes made to the Employment Land Local Plan is provided in Appendix 1.

5.0 **Consultation**

5.1 The Revised Proposed Submission ELLP was approved by the Local Plan Steering Group on 20 October 2015.

5.2 The Revised Proposed Submission ELLP will, if approved by Cabinet, be subject to a 6 week representation period between 11 December 2015 and 22 January 2016 to allow stakeholders to make representations on issues of soundness. Soundness is defined in the National Planning Policy Framework as being: positively prepared, justified, effective and consistent with national policy.
6.0 **Next Steps**

6.1 Following the representation period, it is recommended that the Local Plan Steering Group consider a summary of representations, and that the Senior Head of Regeneration, Planning & Assets is given delegated authority to approve the submission of the ELLP to the Secretary of State ahead of public examination by a Planning Inspector.

6.2 It is anticipated that Public Examination will take place around May/June 2016. The Inspector at the Examination may require that modifications be made to the ELLP in order for it to be found sound, and it is recommended that authority is delegated to the Senior Head of Regeneration, Planning and Assets, in consultation with the Lead Cabinet Member, to authorise public consultation on any proposed modifications. Once the ELLP has been found sound by the Planning Inspector, it can be formally adopted by the Council.

7.0 **Implications**

7.1 **Legal Implications**

7.1.1 The Revised Proposed Submission version of the ELLP has been prepared in order to meet Regulation 19 of the Town & Country Planning (Local Planning) (England) Regulations 2012, and with regard to the requirements of the National Planning Policy Framework. The Council must also comply with Section 33A, of the Planning and Compulsory Purchase Act 2004 (as amended) which imposes a duty to co-operate with other local planning authorities on issues which are likely to have a significant effect on more than one planning area.

7.2 **Financial Implications**

7.2.1 There are no financial implications to the Council as a direct result of this report. The cost of the publication and examination the ELLP will be met from within the service budget, which has been subject to bids through the Service and Financial Planning process.

7.3 **Human Resource Implications**

7.3.1 Officers in the Regeneration & Planning Policy team will manage the consultation arrangements for the ELLP, the collection and processing of representations received, and defending the ELLP at Examination.

7.4 **Equalities and Fairness Implications**

7.4.1 An Equalities and Fairness Impact Assessment was undertaken during the scoping stage in the production of the ELLP, and the assessment demonstrates that the ELLP is unlikely to have any significant impacts on equalities and fairness.
8.0 **Conclusion**

8.1 Work undertaken since the Proposed Submission version has provided the evidence required to show that the correct process has been followed, and that the strategy is the most sustainable, which will provide a solid base to defend against any further objections.

8.2 In order to progress the ELLP towards adoption, Cabinet are requested to approve the Revised Proposed Submission ELLP for publication to receive representations on issues of soundness between 11 December 2015 and 22 January 2016.

8.3 Following the representation period, the Employment Land Local Plan will be submitted to the Secretary of State for public examination, following which the Council will be able to formally adopt the Employment Land Local Plan.

Background Papers:

- Revised Proposed Submission Employment Land Local Plan (November 2015)
- Employment Land Local Plan Revised Sustainability Appraisal Report (November 2015)
- Schedule of Changes to the Employment Land Local Plan (Revised Proposed Submission) (November 2015)
- Representation Statement (November 2015)
- Statement of Representations Procedure (November 2015)
- Employment Land Local Plan – Changes to Policies Map (November 2015)

To inspect or obtain copies of the background paper, please refer to the contact officer listed above.
APPENDIX 1

Schedule of Changes

The table below provides a schedule of the changes that should be made to the Employment Land Local Plan for the Revised Proposed Submission version. The majority of the changes are proposed as a response to the representations received on the Proposed Submission Employment Land Local Plan, which was published in December 2014, and these can be identified by the Rep ID. Other changes are proposed to add clarity or revise description of the procedure.

<table>
<thead>
<tr>
<th>Ref</th>
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<tbody>
<tr>
<td>RPS-C1</td>
<td>PS-ELLP/13</td>
<td>Introduction – What is the Employment Land Local Plan?</td>
<td>Amend para 1.3 to read: The Employment Land Local Plan identifies the future requirements for employment land in Eastbourne and how the future needs for employment are to be met.</td>
<td>To provide consistency for the Revised Proposed Submission version</td>
</tr>
<tr>
<td>RPS-C2</td>
<td>n/a</td>
<td>Introduction – Format of the Proposed Submission Employment Land Local Plan</td>
<td>Replace para 1.5 to read: The Revised Proposed Submission Employment Land Local Plan has been published for a six week period in order to receive representations on matters of soundness in accordance with Regulation 19 of the Town &amp; Country Planning (Local Planning) (England) Regulations 2012. The Revised Proposed Submission version presents the proposed strategy and policies relating to the employment land supply over the Core Strategy plan period up to 2027.</td>
<td>To provide consistency for the Revised Proposed Submission version</td>
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<tr>
<td>RPS-C3</td>
<td>PS-ELLP/13</td>
<td>Introduction – Format of the Proposed Submission Employment Land Local Plan</td>
<td>Replace para 1.6 to read: The Revised Proposed Submission Employment Land Local Plan takes into account representations that were received through pre-production stakeholder engagement, via consultation on the Proposed Draft Employment Land</td>
<td>To provide consistency for the Revised Proposed Submission version</td>
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| RPS-C4| PS-ELLP/13| Introduction – Format of the Proposed Submission Employment Land Local Plan | The Revised Proposed Submission Employment Land Local Plan has also been informed by:  
- Employment Land Review (GVA, 2013)  
- Employment Land Strategy and Distribution Options Report (EBC, 2013)  
- Supplementary Employment Land Evidence (GVA, 2014)  
- Employment Land Review Viability Briefing Note (GVA, 2014)  
- Revised Sustainability Appraisal (JAM Consult, 2015)  
- Eastbourne Office Deliverability Assessment to Support the Sustainability Appraisal (GVA, 2015) | To update para on stages that have occurred since Proposed Submission version                |
| RPS-C5| PS-ELLP/13| Introduction – Relationship with Other Plans and Strategies             | Add new para after para 1.9:  
**Sovereign Harbour Supplementary Planning Document (SPD)**  
1.10 The Sovereign Harbour SPD, which was adopted in 2013, has been prepared to provide more detail on the implementation of Core Strategy Policy C14: Sovereign Harbour Neighbourhood Policy. The SPD identifies the issues that need to be addressed through future | To provide further context and background to the preparation of the Employment Land Local Plan |
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<td>development in Sovereign Harbour. It identifies that the main uses of Sites 6 and 7 should be a Business/Office Park of a high quality design to provide a distinctive gateway into the town and Sovereign Harbour, and that office use could also be provided on Site 4.</td>
<td></td>
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</tbody>
</table>
| RPS-C6| PS-ELLP/13| Introduction – Relationship with Other Plans and Strategies | Add new paras after new para 1.10:  
Town Centre Local Plan  
1.11 The Town Centre Local Plan, adopted in 2013, set out a strategy and proposals for the regeneration of the Town Centre, in order to create a place that attracts more shoppers, workers, residents and visitors to increase investment in the town, which will bring wide-ranging benefits to Eastbourne.  
1.12 Alongside enhanced shopping and leisure facilities, the Town Centre Local Plan aims to deliver a minimum of 450 net residential units across five Development Opportunity Sites, along with a quantum of office development that will be determined through the Employment Land Local Plan. | To provide further context and background to the preparation of the Employment Land Local Plan |
| RPS-C7| n/a      | Introduction – Relationship with Other Plans and Strategies | In para 1.14, amend first sentence to read:  
The Revised Proposed Submission Employment Land Local Plan has been prepared having regard to the National Planning Policy Framework (NPPF) and specifically the presumption in favour of sustainable development. | To provide consistency for the Revised Proposed Submission version                      |
| RPS-C8| n/a      | Introduction – Relationship with Other Plans and Strategies | Amend para 1.15 to read:  
The South East Local Enterprise Partnership (SELEP) Strategic Economic Plan sets out proposals to drive | To provide an update on the latest situation regarding SELEP and |
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<td>Economic expansion over the next six years. The bid for the Government’s Local Growth Fund is supported by businesses, local authority and education leaders across the area. To date, funding has been awarded for the development of Pacific House at Sovereign Harbour (via the Growing Places Fund), and funds have been committed from the Growth Deal to deliver site infrastructure on the Sovereign Harbour Innovation Park site and transport schemes for the ‘Hailsham, Polegate and Eastbourne Sustainable Corridor’, ‘Town Centre access &amp; improvements’ and an ‘Eastbourne and South Wealden walking and cycling package’.</td>
<td>Funding that has been committed.</td>
<td></td>
</tr>
</tbody>
</table>
| RPS-C9| n/a    | Introduction – Stages in the production of the Plan | In Table 1 at para 1.17, replace:  
|       |        | Publication of Proposed Submission Version for representation period | December 2014 – February 2015                                                                                                           | To provide consistency for the Revised Proposed Submission version |
|       |        | Submission to Secretary of State              | February 2016                                                                                                                               |                                                                                                     |
|       |        | Examination in Public                         | June 2016                                                                                                                                    |                                                                                                     |
|       |        | Adoption                                       | October 2016                                                                                                                               |                                                                                                     |

Amend para 1.18 to read:

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<tr>
<td>RPS-</td>
<td>n/a</td>
<td>Introduction – Stages in the production of the Plan</td>
<td>To provide consistency for the Revised Proposed Submission version</td>
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<tr>
<td>C10</td>
<td></td>
<td>production of the Plan</td>
<td>The six week representation period on the Revised Proposed Submission Employment Land Local Plan commenced on 11 December 2015 and finishes on 22 January 2016. The Revised Proposed Submission Employment Land Local Plan is accompanied by a Revised Sustainability Appraisal Report, which is also available for comment.</td>
<td>the Revised Proposed Submission version</td>
</tr>
<tr>
<td>RPS-C11</td>
<td>n/a</td>
<td>Introduction – Stages in the production of the Plan</td>
<td>At para 1.19, amend final sentences to read: Regeneration and Planning Policy 1 Grove Road Eastbourne BN21 1TW All representations should be received by 5pm on Friday 22 January 2016.</td>
<td>To provide consistency for the Revised Proposed Submission version</td>
</tr>
<tr>
<td>RPS-C12</td>
<td>PS-ELLP/13</td>
<td>Context – Existing Situation</td>
<td>Replace para 2.8: Over the past 10 years, there has been an overall net increase in employment floorspace in Eastbourne of 4,569 sqm. A significant amount of this growth has been due to redevelopment of areas of the Courtlands Road and Brampton Road Industrial Estates to provide an increased amount of higher quality employment space. There has been an overall increase in the amount of class B8 (Storage and Distribution) uses, however there has been a net loss of all other employment use classes. There has been a significant loss in class B1a (Office) uses in the last two years, particularly to residential use due to the recent changes to Permitted Development rights.</td>
<td>To provide an update on employment development that has taken place since the Proposed Submission version</td>
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<tr>
<td>RPS-C13</td>
<td>n/a</td>
<td>Context – Recent developments and future projects</td>
<td>Amend para 2.16 to read: There are a number of significant economic development projects that are being undertaken in Eastbourne. Recently, the South East Local Enterprise Partnership (SELEP) via the Growing Places Fund allocated £6m towards the development of a state of the art business park (Sovereign Harbour Innovation Park) at Sovereign Harbour. The first building, known as Pacific House, was completed in summer 2015 and has the potential to provide up to 300 new jobs.</td>
<td>To update the Revised Proposed Submission version with the latest position regarding the Sovereign Harbour Innovation Park.</td>
</tr>
<tr>
<td>RPS-C14</td>
<td>n/a</td>
<td>Context – Recent developments and future projects</td>
<td>Delete para 2.18.</td>
<td>The Council is no longer progressing an Economic Development and Tourism Strategy.</td>
</tr>
<tr>
<td>RPS-C15</td>
<td>PS-ELLP/13</td>
<td>Context – Key Issues</td>
<td>Amend the second sentence of para 2.27 to read: This allocation for 30,000 sqm (GEA) of office space across two sites (known as Sites 6 and 7) was retained through the Eastbourne Borough Plan 2001-2011 (adopted 2003).</td>
<td>To provide clarity over the amount of floorspace</td>
</tr>
</tbody>
</table>
| RPS-C16 | PS-ELLP/13 | Context – Vision and Objectives | Add additional bullet points to para 2.41:  
• Key Spatial Objective 3: Town Centre Regeneration – To strengthen Eastbourne’s Town Centre as a leading sub-regional shopping and leisure destination.  
• Key Spatial Objective 8: Sustainable Travel – To reduce the growth in car-based travel by reducing the need to travel and by promoting alternative travel | To include other relevant Spatial Objectives from the Core Strategy                           |
<table>
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</table>
| RPS-C17 | PS-ELLP/13 | Strategy – Employment Land Strategy and Distribution | Amend para 3.2 to read:  
The options for employment land were considered through the Sustainability Appraisal, and this determined that the most sustainable and effective way of meeting the employment land requirement is through intensifying development in existing employment locations and directing development toward the Sustainable Centres at the Town Centre and Sovereign Harbour that have been identified in the Eastbourne Core Strategy Local Plan 2006-2027. | To provide an update and better explanation that the preferred option is the more sustainable option that was considered. |
| RPS-C18 | n/a      | Policy EL1 – Economy and Employment Land      | Add bullet point to Policy EL1 to read:  
- Seeking Local Labour Agreements on all development of 1,000sqm or more, including change of use, to secure local employment and training measures as part of development proposals | To provide a policy hook to seek Local Labour Agreements on developments.                                                                                                                                  |
| RPS-C19 | PS-ELLP/13 | Strategy – Economy and Employment Land        | Amend the bullet points at para 3.10 to read:  
- Intensification of Industrial Estates – 20,000 sqm GEA of B1c/B2/B8 floorspace  
- Town Centre – 3,000 sqm NIA of B1a floorspace | To provide further clarity on the amount of floorspace to be provided.                                                                                                                                      |
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<tbody>
<tr>
<td>RPS-C20</td>
<td>n/a</td>
<td>Strategy – Economy and</td>
<td>Replace para 3.14 with:</td>
<td>To provide further information and justification on the part of the policy relating to Local Labour Agreements.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employment Land</td>
<td>The level of development required in Eastbourne will create a significant number of jobs and there is opportunity to create local employment at both construction and operational stages of this development. Eastbourne Borough Council will seek to secure Local Labour Agreements and associated contributions on developments of 1,000sqm or more (including change of use) in order to secure local employment and training measures as part of development proposals, with the objective of improving training and skills in the town for the future economic development of the Borough. This will be achieved through Section 106 Agreements related to specific development proposals, which will secure contributions from development that will support and benefit the local labour market and economy, enabling employment growth, raising skills and giving local people opportunities generated by new developments. A Local Labour Agreement Supplementary Planning Document (SPD) will be prepared to guide the implementation of this policy.</td>
<td></td>
</tr>
<tr>
<td>RPS-C21</td>
<td>PS-ELLP/13</td>
<td>Policies – Industrial Estates</td>
<td>In para 4.3, after 20,000 sqm, add: (GEA)</td>
<td>To provide further clarity on the amount of floorspace to be provided.</td>
</tr>
<tr>
<td>RPS-C22</td>
<td>PS-ELLP/13</td>
<td>Policy EL2: Industrial Estates</td>
<td>After 20,000sqm add: (GEA)</td>
<td>To provide further clarity on the amount of floorspace to be provided.</td>
</tr>
</tbody>
</table>
Ref | Rep ID | Section | Modification | Reason
---|---|---|---|---
RPS-C23 | n/a | Policies – Industrial Estates | Replace para 4.6 with:
Since 2012/2013, a total of 5,049 sqm of class B floorspace has been delivered within the town’s industrial estates (at 1 April 2015). This includes the redevelopment of an existing site that has been vacant for a considerable amount of time to provide new, high quality class B2 floorspace, and the intensification of an existing site to provide nine new class B1a and B8 units totalling 1,755 sqm. In addition, there is 3,722 sqm of employment floorspace within the Industrial Estates that has permission but development has yet to start. Table 3 shows the position at 1 April 2015 in terms of completed employment developments within the designated Industrial Estates.
Table 3: Employment Land Delivery within Designated Industrial Estates

<table>
<thead>
<tr>
<th>Year</th>
<th>Completed Floorspace (sqm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012/2013</td>
<td>100</td>
</tr>
<tr>
<td>2013/2014</td>
<td>118</td>
</tr>
<tr>
<td>2014/2015</td>
<td>4,831</td>
</tr>
<tr>
<td>Total</td>
<td>5,049</td>
</tr>
<tr>
<td>Target</td>
<td>20,000</td>
</tr>
<tr>
<td>Committed</td>
<td>3,722</td>
</tr>
<tr>
<td>Residual 2015-2027</td>
<td>11,229</td>
</tr>
</tbody>
</table>

To provide an update on the current position in terms of the amount of employment floorspace that has already been developed within the Industrial Estates.

RPS-C24 | Policies – Sovereign Harbour | Replace Para 4.36 to read:
Eastbourne Borough Council has been active in promoting the delivery of business space in Sovereign Harbour. In 2013, the Growing Places Fund confirmed the allocation of

To update the Revised Proposed Submission version with the latest position regarding the
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<td></td>
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<td></td>
<td>£6 million to deliver a new “Innovation Mall” at Sovereign Harbour. Completed in 2015, Pacific House has provided 2,350 sqm NIA of serviced employment floorspace, and will help to establish Sovereign Harbour as a business location, which will help to attract future occupiers. The commitment from the Growing Place Fund highlights the potential for Sovereign Harbour to accommodate high quality employment space that is not available elsewhere in the area.</td>
<td>Sovereign Harbour Innovation Park.</td>
</tr>
<tr>
<td>RPS-C25</td>
<td>PS-ELLP/13</td>
<td>Figure 3</td>
<td>Update Figure 3 to include demarcation of Site 7a, and the full extent of Site 7.</td>
<td>To clarify the extent of Site 7a upon which the office development should be provided.</td>
</tr>
<tr>
<td>RPS-C26</td>
<td>n/a</td>
<td>Implementation and Monitoring – Infrastructure</td>
<td>Amend second sentence of para 5.5 to read: In April 2015, Eastbourne Borough Council adopted a CIL Charging Schedule, which sets out a table of charges that calculates how much development is required to pay.</td>
<td>To update the Revised Proposed Submission version with the latest position in terms of CIL</td>
</tr>
<tr>
<td>RPS-C27</td>
<td>PS-ELLP/13</td>
<td>Glossary</td>
<td>Add new terms and definitions into Glossary: <strong>Sovereign Harbour Supplementary Planning Document (SPD)</strong> - The Sovereign Harbour SPD provides additional detail on the implementation of Core Strategy Policy C14: Sovereign Harbour Neighbourhood Policy, to guide the development of the remaining sites. <strong>Sustainable Neighbourhood Assessment</strong> - An evidence study produced in 2011 that analyses the sustainability of each of the Borough’s 14 neighbourhoods against locally relevant sustainability criteria.</td>
<td>To provide further clarification.</td>
</tr>
</tbody>
</table>