

<b>App.No:</b> 150903 (PP) & 150904 (LBC)	<b>Decision Due Date:</b> 10 December 2015	<b>Ward:</b> Meads
<b>Officer:</b> Leigh Palmer	<b>Site visit date:</b> 1 October 2015	<b>Type:</b> Planning Permission & Listed Building Consent
<b>Site Notice(s) Expiry date:</b> 5 October 2015		
<b>Neighbour Con Expiry:</b> 6 October 2015		
<b>Press Notice(s):</b> 13 October 2015		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b> Devonshire Park, College Road		
<b>Proposal:</b> 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.		
<b>Applicant:</b> Mr Philip Evans, Eastbourne Borough Council		
<b>Recommendation:</b> Approve conditionally in accordance with legal agreement		

### 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

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  
UHT8: Protection of Amenity Space  
UHT9: Protection of Historic Parks and Gardens  
UHT10: Design of Public Areas  
UHT 13 External Lighting  
UHT14: Public Art  
UHT15: Protection of Conservation Areas  
UHT16: Protection of Areas of High Townscape Value  
UHT17: Protection of Listed Buildings and their Settings  
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  
LCF2: Resisting loss of playing fields  
LCF6: Significant Area for Sport  
LCF10: Location of Major Leisure Developments  
LCF11: Major Leisure Developments

**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\**

*The Winter Gardens Grade II*  
*Devonshire Park Theatre Grade II*  
*Telephone kiosk to the front of the Devonshire Park 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 from 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 summarised below:-

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

This document acknowledges the genesis of Devonshire Park the expansion of 19<sup>th</sup> 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 its '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 buildings 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 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 off 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 Devonshire 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 Devonshire 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 of 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 Government's 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 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 integration 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 entrance to the Welcome building the scheme seeks to provide an inclusive form 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 podium 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 pavillion 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 application stage and their comments are outlined in the consultation 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 Congress 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
- Refurbishment 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 PERMISSION & 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**



<b>APPLICATION NUMBER</b>	<b>HW/EB/150903</b>
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**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.

<b>Road Name or Number</b>	U2055	<b>Consultation Date</b>	10 September 2015	<b>Use Class</b>	
<b>National Grid Reference</b>	561120 98428	<b>Contact Officer</b>	Mark Weston 01273 482242		

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 be 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 disabled spaces and drop off 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.

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Signed: M Weston

Date: 30<sup>th</sup> October 2015

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

**HT401**