

SITE PLAN

BEXHILL

RR/2022/1784/P

Rother District Council Offices
Town Hall
London Road



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Not to Scale

Rother District Council

- Report to:** - Planning Committee
- Date:** - 13 October 2022
- Report of the:** - Director – Place and Climate Change
- Subject:** - Application RR/2022/1784/P
- Address:** - Rother District Council Offices, Town Hall,
BEXHILL
- Proposal:** - **FULL PLANNING PERMISSION** - Proposed demolition of existing offices and outbuildings to rear of site, construction of new building comprising offices, civic and event space, cafe, and creation of new access; refurbishment of existing Town Hall, including part-removal of later additions; removal of access ramp; and associated landscaping and infrastructure works.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **GRANT (FULL PLANNING) – PLANNING COMMITTEE (SUBJECT TO THE SATISFACTORY RESOLUTION OF AMENDMENTS AND CONDITIONS AND THE COMPLETION OF A SECTION 184 (Public Highway) AGREEMENT THROUGH DELEGATED AUTHORITY).**

Director: Ben Hook

Applicant: Rother District Council
Agent: Dowsett Mayhew Planning
Case Officers: Peter Dijkhuis
(Email: peter.dijkhuis@rother.gov.uk)

Parish: BEXHILL CENTRAL
Ward Members: Councillors C.A. Bayliss and P.C. Courtel

Reason for Committee consideration: Director – Place and Climate Change referral: a major scheme where Rother District Council is the Applicant and landowner.

Statutory 13-week date: 14 October 2022
Extension of time agreed to: n/a

This application is included in the Committee site inspection list.

1.0 SUMMARY

- 1.1 Full planning permission is sought for the proposed demolition of the two existing villa buildings (formerly 36 Station Road and 2 London Road 'Chignal') and existing offices and outbuildings to rear of site; construction of a new Rother District Council building to serve the Council, associated public sector services and creating market rental space comprising offices; civic and event space, and café; refurbishment of the existing Town Hall and Council Chamber (internal and external remedial works), including part-removal of later additions; the creation of a public landscaped courtyard to the rear of the building; improvements to the hard standing to the front of the buildings facing the Memorial Gardens (Town Hall Square); and, associated infrastructure works.
 - 1.2 The key consideration in this application is whether the total demolition of the two villas and the construction of the new building will have a less than substantial harm on the setting of the retained Town Hall (heritage asset) and that the cumulative impact will not materially affect the key element for which the Town Hall attains/ retains its heritage value and that the public benefits outweigh such affect as to be supported in planning policy allowing the Local Planning Authority to discharge its obligation in terms of Chp16 'Conserving and enhancing the historic environment' (National Planning Policy Framework 2021). In reviewing the application, it is considered that the public benefits outweigh any heritage harm and consequently this application is supported.
 - 1.3 On balance, the proposal is considered acceptable in terms of planning policy and the Council's objectives to deliver a 'low carbon future' and is subject to the recommended planning conditions and Section 184 Agreement as set out to safeguard the amenities of the area and that the requisite associated infrastructure is delivered.
 - 1.4 It is recommended that the Applicant submit an amended landscape masterplan and fourth floor to ensure the creation of a high-quality public realm and landscape setting in accordance with Policies OSS4 (iii) and EN3 and EN5(ix) of the Rother Local Plan Core Strategy (2014).
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2.0 SITE

- 2.1 The site is situated within the very heart of Bexhill Town Centre and forms an architectural, cultural, and community centre-point to the Town Centre and to the surrounding community of Rother District. The Town Hall and Council Chamber buildings face south from an elevated position overlooking the Memorial Gardens (Town Hall Square) and the frame of historic and intermediate buildings surrounding the Gardens. The site is surrounded by London Road, Memorial Gardens and Amherst Road from the south-west through to the south-east affording the existing buildings an expansive setting within a public open space; the rear (northern) boundary comprises typical two-storey Victorian terraced housing with rear gardens either in commercial and/or residential use. There is a considerable fall across the site and Memorial Gardens down towards the Sainsbury store to the south accentuating the site's elevated position.

- 2.2 The site (circa 0.58Ha) is identified in planning policy BX2: Bexhill Town Centre permitting a range of commercial, retail and leisure uses; it is not a designated Archaeological Notification Area July 2020; it is not part of the Bexhill Town Centre Conservation Area; and, there are no designated heritage assets on site (albeit that some buildings are subject to an application for statutory Listing).
- 2.3 The site is high accessible, served by a local bus network supported by bus stop within Memorial Gardens. The site is located circa 100m from Bexhill Railway Station serving the coastal towns from Ashford through to Brighton.
- 2.4 It should be noted that the Job Centre Plus building ('Amherst building'), a detached four-storey building along Amherst Road forms part of the Red Line demise but does not form part of this application. This building will be retained and occupied through-out the duration of the development.
- 2.5 The Town Hall and Council Chamber buildings ('Town Hall') forming part of this application will be subject to development works but will be retained and occupied through-out the duration of the development. The Applicant is to evidence due H&S consideration to all occupiers, but this does not form a material consideration for planning.
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3.0 PROPOSAL

- 3.1 This application seeks full planning permission for the proposed demolition of existing offices and outbuildings to rear of site, construction of new building comprising offices, civic and event space, cafe, and creation of new access; refurbishment of existing Town Hall, including part-removal of later additions; removal of access ramp; and associated landscaping and infrastructure works.
- 3.2 Demolition: as part of the site enabling works, the application proposes the demolition of i) the two villa buildings (formerly 36 Station Road and 2 London Road 'Chignal') and related two link buildings; ii) the two-storey rear extension attached between the villas and Council Chamber; iii) the annex to the 1930's extension to the Town Hall, external stairs and below ground boiler room; iv) access ramp to the front of the Town Hall; v) the two-storey Autolec Motor building and associated garage buildings to the rear of the site; vi) part demolition of the boundary wall for access to Amherst Road; and, (vii) associated hard standing (Dwg. Demolition Site Plan; BEX-ASL-OO-ZZ-DR-A-008/P04).
- 3.3 Heritage Asset: as part of the conservation and enhancement of the non-designated heritage asset(s) on site to be retained – not limited to internal and external restoration, refurbishment, and decorative works; infrastructure works (services, thermally upgraded/ energy efficiencies) - i) Town Hall; ii) Council Chamber; and, iii) the 1930's Town Hall extension to be retained.
- 3.4 New building: the construction of an upto four-storey building to serve Rother District Council and associated public sector services/ organisations – offices, event space and café; and, creating market rental offices. Maximum c.15,6m height to top of roof line.

- 3.5 The construction of a two-storey atria which will be a link-building between the Town Hall and Council Chamber and the new building. The western, external facade of the Council Chamber will be internalised to form a key feature wall to the atria space. The atria will be the new point of arrival for visitors, with lobby and security.
- 3.6 The layout of the building provides public reception and arrival space to the ground, front of the building with open plan space in the rear at ground and across subsequent floors. The fourth floor provides an event space, kitchen facility and terrace to the south and east with expansive views towards the sea. The new building has been designed with separate stair and lift cores to allow for possible sub-letting with separate entrance (a requirement of the client's brief and business plan to create secure, lettable space).
- 3.7 The building extends along the western boundary creating a central, open courtyard framed by the new building, the Town Hall and Council Chamber. A parking court for visitors and staff is provided to the very rear of the site.
- 3.8 Memorial Gardens: the application makes a neutral response to the forecourt of the existing Town Hall and Council Chamber to allow for on-going discussion with ESCC regarding renovation/ landscape proposals to the Memorial Gardens and highway works (removal of London Road to the front of the Town Hall site) to collectively create a more pedestrian-orientated civic square to the civic buildings.
- 3.9 The application is accompanied by the following documents:**(Drawings)** Site Location Plan; Demolition Plans - Town Hall and Villas; Proposed Plans, Sections and Elevations - Town Hall and New Building; Proposed Landscape Design Plan and Survey; Vehicle Tracking Overlay; Proposed Plan Overlay with East Sussex Public Realm Preferred Proposal; **(Reports)** Acoustic Planning Report; Arboricultural Impact Assessment Tree Condition Survey; Archaeological Desk Based Assessment and Statement of Significance of Heritage; Biodiversity Net Gain Assessment Report; Contamination Investigation Report; Daylight and Sunlight Assessment for the Development; Design and Access Statement; Desk Study and Preliminary Site Investigation Report; Drainage Schematic Plan; Ecological Impact Assessment; External Utilities Services Layout; Gas Monitoring Investigation; Heritage Impact Assessment; Landscape Design Report; Photomontages; Planning Statement; Preliminary Ecological Appraisal; Remediation Strategy and Verification; Statement of Community Involvement; Sustainability and Energy Statement; Transport Assessment; and, Ventilation Planning Statement.

4.0 HISTORY

- 4.1 RR/2019/109/P Planning permission relating to alterations to the Jobcentre Plus building (Amherst Building), which sits within the planning demise of this application, but does not form a material consideration to this application.
- 4.2 PE/00116/2021 EIA Screening request – the Local Planning Authority confirmed that the scheme would not trigger the threshold (January 2021).

5.0 POLICIES

5.1 The following policies of the Rother Local Plan Core Strategy (2014) are relevant to the application:

- PC1: Presumption in favour of sustainable development
- OSS1: Overall Spatial Development Strategy
- OSS2: Use of Development Boundaries
- OSS3: Location of development
- OSS4: General development considerations
- BX1: Overall Strategy for Bexhill
- BX2: Bexhill Town Centre
- BX3: Development Strategy
- SRM1: Towards a low carbon future
- SRM2: Water supply and wastewater management
- CO1: Community facilities and services
- CO6: Community safety
- EC1: Fostering economic activity and growth
- EC2: Business land and premises
- EC3: Existing employment sites
- EN2: Stewardship of the historic environment
- EN3: Design quality
- EN4: Management of the public realm
- EN5: Biodiversity and green space (ix)
- EN7: Flood risk and development (iii)
- TR3: Access and new development
- TR4: Car parking

5.2 The following policies of the Development and Site Allocations Local Plan (2019) are relevant to the application:

- DRM1: Water efficiency
- DRM3: Energy requirements
- DOC1: Retention of Sites of Social or Economic Value
- DHG9: Extensions, alterations and outbuildings
- DHG11: Boundary treatments
- DHG12: Access and drives
- DEC3: Existing Employment Sites and premises
- DEN5: Sustainable drainage
- DEN7: Environmental pollution
- DIM2: Development Boundaries
- BEX12: Bexhill Town Centre
- BEX16: London Road – Sackville Road Enhancement Area (direct adjacencies)

5.3 The application site does not form part of the Bexhill Town Centre Conservation Area (adopted 2004).

5.4 The National Planning Policy Framework (2021) and policy guidance apply.

5.5 The above individually or cumulatively form a material consideration.

6.0 CONSULTATION

6.1 Historic England: **NO OBJECTION – statement of Listing**

They noted that the proposed site does not contain any listed buildings, or lie within a Conservation Area; and, that an application for potential Listing has been made which is now under consideration. Nature of the heritage assets' value is addressed in body of this report.

6.2 ESCC Highways: **NO OBJECTION**

Commented on rear parking courtyard access; reduction in parking to be addressed by a Travel Plan; and, Memorial Garden proposals – they noted no major concerns raised by development proposal. Issues raised addressed by Condition.

Issues relating to ESCC's proposals to Memorial Gardens that effect the application are excluded from this determination as they remain in discussion.

6.3 ESCC Flood Lead Local Risk Authority: **OBJECTION – due to insufficient information**

The Applicant has failed to meet the requirements to assess its acceptability in flood risk terms. The LLFA will respond in 21-days of receipt of the requested information. This issue is addressed by Condition.

Note that the Applicant has submitted further information to the LLFA and continues on-going discussion to attain resolution.

6.4 County Landscape Architect: **NO OBJECTION**

Comments made regarding planting species to be amendments. This issue is addressed by Condition.

6.5 ESCC Archaeologist: **NO OBJECTION**

Comments made regarding archaeological and historic interest. This issue is addressed by Condition.

6.6 Southern Water: **NO OBJECTION**

Will be subject to Conditions requiring details of foul sewerage and surface water disposal to be submitted for approval.

6.7 SGN (Gas Pipelines): No comments received.

6.8 RDC Conservation & Design: Comments incorporated into report.

6.9 RDC Environmental Health: **NO OBJECTION**

Subject to Conditions (Ground investigation, Noise, Air quality, Construction Management Plan, Working hours, and Asbestos).

6.10 RDC Waste & Recycling: No comments received.

6.11 Bexhill Heritage: **OBJECTION**

The following issues were raised a) Quality of design; b) Impact on non-designated heritage asset and setting; and, c) Scale in regards to Town Hall and Town Hall Square (Memorial Gardens).

- 6.12 Sussex Police: **NO OBJECTION**
Comments regarding 'Secure by Design' with reference to natural surveillance and landscaping, including the provision of CCTV and lighting. Issues to be addressed by Condition.
- 6.13 Bexhill-on-Sea Parish Council: No comments received.
- 6.14 Planning Notice:
Circa twenty-one representations of objection have been received. The concerns raised are summarised as follows:
a) Public expense (concerns expressed regarding Business Plan for project);
b) No need for café and additional office space (work-from-home)(not supporting local businesses);
c) Detrimental to look of Bexhill Town Centre (visually unattractive) and;
d) Changes to road network (ESCC proposals).
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7.0 LOCAL FINANCE CONSIDERATIONS

- 7.1 The application is for a type of development that is not Community Infrastructure Levy (CIL) liable.
- 7.2 The application would be subject to a Section 184 Agreement (permanent alterations or improvements to a public highway as part of a planning approval) as per details (Vehicle tracking: Dwg No. 11640/2200/P5, March 2022; Access plan: Dwg No.11640/100/P1, June 2022; gta); as subject to the local Highway Authority's approval and potential financial contribution.
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8.0 APPRAISAL

- 8.1 The key issues for consideration are as follows:
a) Planning policy: Principle of Development
b) Heritage and conservation
c) Design: layout, appearance and landscaping
d) Environmental matters
e) Access, transportation and highways safety

8.2 PLANNING POLICY: PRINCIPLE OF DEVELOPMENT

- 8.2.1 Client Brief: *'The Rother District Council seek to deliver a new and revitalised civic space to serve the local community and support the District Council functions. Integral to this, is the Council's aspiration to provide fit-for-purpose workspace, civic and event space, that embodies low carbon energy use and enhanced accessibility for all sectors of the community, whilst conserving and enhancing the existing main Town Hall building, reflecting its historical significance'*.
- 8.2.2 Client Brief in detail: commercial, business and service (Use Class E): GIA c.4,340sqm (D&AS pg58).

Compliance with planning policy

- 8.2.3 National Planning Policy Framework (2021) requires application to, at a principle level, accord with paragraph 7: *'The purpose of the planning system is to contribute to the achievement of **sustainable development**'* and paragraph 8 *'three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways a) an **economic objective**; b) a **social objective**; and, c) an **environmental objective**'*. In reviewing this application, it is considered that it accords with the intent of the National Planning Policy Framework (as bolded).

Development Plans

- 8.2.4 The site is within the Bexhill Town Centre (at its northern edge) as defined by DaSA Policy BEX12. The building is primarily in office use, albeit with a civic heart, and is a town centre use. The town hall square and site frontage is within the London Road – Sackville Road Enhancement Area (DaSA Policy BEX16), which is identified as a focus for townscape improvements to enhance what is an important gateway into Bexhill.
- 8.2.5 The focus of policy is to retain and strengthen the employment, commercial and community role of Rother District Council's Town Centres. Policy further encourages the intensification of employment sites that are identified as highly sustainable locations and, through (re)development, can support the broader social and community role of Town Centres.
- 8.2.6 Core Strategy Policy OSS1 sets out the Overall Spatial Development' for (ii) *'Plan for at least 1000,000sqm of gross additional business floorspace'* over the Plan period; and, (iii.a) identify *'focus new development at Bexhill...economic regeneration'*. The supporting table sets out that at least 60,000sqm of new employment floorspace is to be allocated in Bexhill.
- 8.2.7 Policy BX1 (Overall Strategy for Bexhill) with specific reference to (viii) *'Strengthen the Town Centre's role, both as a commercial and cultural centre, in accordance with Policy BX2'*; Policy BX2 (Bexhill Town Centre) – the focus of both policies is on providing employment, leisure and service provision in existing strategic employment areas in Bexhill; and, Policy BX3 (Development Strategy) reiterates the allocation of 60,000sqm of new business floorspace in the town centre.
- 8.2.8 DaSA Policy BEX12 (Bexhill Town Centre) *'within the Town Centre, the loss of significant town centre uses will be resisted'*. The application site is located within the built-up area of Bexhill, and within the 'Town Centre', as designated by the Policies Map accompanying the DaSA. Existing employment sites, such as this are protected by DaSA Policy DEC3, where criterion (ii) advises that intensification, conversion, redevelopment and/or extension of existing sites and premises will be permitted where they accord with other policies of the Plan. The principle of increasing the amount of office space on this site is supported by Core Strategy Policies EC2(ii) & (iv); EC5; BX1((iii), (viii) & (ix); BEX2 (i) & (iv); and BX3(i).
- 8.2.9 The most recent Employment Land Supply Position Statement (April 2021) published (November 2021) is cited below to evidence policy objectives against actual delivery. While it is acknowledged that in the past 10-years,

outline planning permissions for +60,000sqm of employment floorspace has been granted (attaining policy objective), the majority of this quantum has been granted on greenfield sites around the edges of Bexhill and, while many of the sites have received planning permission, the majority remain undeveloped. It is therefore considered that, while this proposal may exceed the policy allocation for Bexhill, this site represents a **highly sustainable location** that would **actively support** surrounding commercial, retail and leisure Town Centre businesses, and is demonstratively **deliverable** and consequently the potential over-supply against policy objective (in a very constrained investment market) is considered acceptable.

Table 7-1 - Performance against Core Strategy employment floorspace targets (01/04/2021) - Employment Land Supply Position Statement (November 2021) (sqm)

	Bexhill	Battle	Rye and Rye Harbour	Rural areas	Hastings Fringe	Total
Target	60,000	10,000	10,000	10,000	3,000	100,000
Completed	-755	-154	13,876	10,356	0	23,323
In progress	7,141	1,082	2,189	1,418	0	11,830
Permitted	43,308	-120	16,554	7,586	781	68,109
Identified	14,932	0	0	0	0	14,932
Allocated	0	5,700	0	0	1,800	7,500
Total	64,626	6,508	32,619	19,360	2,581	125,694
Difference	+4,626	-3,492	+22,619	+9,360	-419	+25,694

Need for and benefits of the development

- 8.2.10 The application sets out the client's **Key Project Drivers** (D&AS) as:
- 'Community centred: to become a centre for community activities of all sizes and manners and create opportunities for social interactions.*
 - A regeneration 'kickstarter': to be a platform for commercial generation with the new development itself, the public realm, and the rest of Bexhill.*
 - A 21st century civic space: to provide civic spaces in line with the operations of the 21st century Council.*
 - Historical significance: to ensure the preservation of the existing Town Hall building through continued use in line with the 21st century civic operations, and to celebrate the historic significance of the Town Hall.*
 - A sustainable agenda: to bring it in-line with the Council's targets of being Net-Zero by 2030.*
 - Accessibility for all: as a prominent public building for the community, ensure the buildings are accessible to all'.*
 - Sustainability: reduced carbon footprint, improved energy performance, and long-term operational savings.
 - Exemplar building for sustainable town centre redevelopment.
- 8.2.11 In assessing the application, it is considered that the public benefits (Key Project Drivers), as evidenced in the application include:
- Creating new office space to serve the District Council and associated public sector providers in delivering a service to the community;
 - Creating a community café and event space;
 - Creating additional rental commercial space to attract inward investment and employment into Bexhill Town Centre;
 - Using the investment to act as a catalyst and create market confidence in attracting private sector investment into the Town Centre to enable regeneration.

- e) Heritage asset: securing capital works to enable the renovation of the Town Hall et al to secure its long-term *optimum viable use* (National Planning Policy Framework paragraph 202);
- f) Reducing the carbon footprint and enhancing the energy efficiencies of the Town Hall; and,
- g) Potential to improving the setting of the Memorial Gardens as a key civic space.

As identified, the above are defined as project deliverables informing planning determination.

8.2.12 Economic assessment - employment

8.2.13 The application has evidenced socio-economic assessment (benefit), namely:

- a) Employment: 4,340sqm office/ commercial space (circa 233 desk spaces); and increase of 106 desk spaces (employment creation).
- b) Café (Ground floor): seating for 37 people (use allows employment creation).
- c) Event/ small conference space for c.60 persons (business support).

8.2.14 The application proposes the demolition of c.1,613sqm of commercial, Autolec and garages space; retention and refurbishment 1,243sqm; and, the delivery of 3,097sqm of new commercial development. The total development represents c.4,340sqm.

8.2.15 It is noted that the quantum on new build is an outcome of the client's (re-investment and long-term) business case, undertaken in consultation with other public sector bodies that could take up commercial let (i.e. employment retention and consolidation of services), which was then used to inform the architectural massing, spatial planning and broader contextual response of the building.

8.2.16 The potential employment benefits that could be expected to be generated by the proposed development could include temporary construction jobs at the local level with an additional some jobs at the regional level; and, direct Full Time Employment (FTE) within the development and benefits in terms of the supply chain. Initially, many of the jobs would be existing Council and public sector service jobs but over time the commercial space provided would be able to attract and support additional jobs (potentially attracting jobs within different private service sectors).

Impact on surrounding amenity

8.2.17 The current site comprises commercial land use (uses associated with the civic functions of Rother District Council including offices and Council Chamber, together with other public sector organisations); and, use of the building towards the rear of the site for purposes associated with the sale and distribution of motor vehicle parts – Land Use Class E.

8.2.18 The site is located within a designated Town Centre, characterised by mixed-use. Surrounding activity to the site include commercial (mixed residential above) from the south-east to the north-west and residential to the north-east.

- 8.2.19 Policy OSS4 (ii) (General Development Considerations) of the Core Strategy requires that development '*does not unreasonably harm the amenities of adjoining properties*'. DaSA Policy DEN7 (Environmental Pollution) states that '*development will only be permitted where it is demonstrated that there will be no significant adverse impacts on health, local amenities, biodiversity or environmental character as a result of lighting, noise, odour, land contamination, hazardous and non-hazardous substances and/or airbourne particulates*'.
- 8.2.20 The application does not change current land use, nor does it detract from current and surrounding services/ activity and traffic generation. Consequently, it is considered that the application would not have an undue detrimental impact on adjoining land uses and their amenity value and enjoyment.
- 8.2.21 Environmental Health is satisfied with the noise survey but has sought Conditions to monitor noise and air quality during development.
- 8.2.22 The additional scale of the development may cause lighting disturbance to adjoining properties. A lighting strategy to be secured by Condition.
- 8.2.23 To address development and in-use operational noise, Conditions are recommended to restrict the hours that servicing/deliveries can take to safeguard the amenity of neighbouring properties.
- 8.2.24 To address development/ construction works which would cause short-term noise and disturbance to surrounding properties it is recommended that a Construction Management Plan setting out restriction on the hours of construction to be secured by Condition.
- 8.2.25 Given the scale of the proposed new building and its minor set-back from the boundary with the Social Club (formerly the Royal British Legion Club), evidence submitted by the Applicant states that '*it has been shown that the reduction in daylight to the rooms of the neighbouring buildings will be within the acceptable limits set out in the BRE Guidelines*'. It is therefore considered that the development would not result in a significant loss of light or overbearing impact on the occupiers of nearest adjacent properties to raise significant amenity issues.
- 8.2.26 Statement of Community Involvement (2022) sets out a detailed list of events regarding statutory consultee, community interest group, community, and PPA workshop engagements and related comments received to inform the design development of the proposal.
- a) (19.2) '*The pre-application engagement process has followed best practice, and has sought to engage a wide range of stakeholders and interested parties, including both statutory consultees to a planning application, and local residents. It has included engagement with third party design review organisation, Design South East, and local heritage body, Bexhill Heritage.*
- b) (19.3) '*The design has evolved with full engagement with the Local Planning Authority and other statutory parties, such as East Sussex County Council, both in their role as Highway Authority, and as the organisation responsible for bringing full public realm improvements on land to the south of the site*'.

8.2.27 It is noted that the Applicant has created a bespoke webpage to allow for review of the application and submission of comments. The Applicant has noted that this has had c.2,133 unique page views and c.175 feedback forms (14Sept) have been submitted on the Applicant through this portal.

8.2.28 It is considered that the application **accords with planning policy**. It would contribute to the Council's objectives of regeneration, enabling inward investment, and securing long-term employment within the designated Town Centre as identified in the Local Plan.

8.3 HERITAGE AND CONSERVATION

8.3.1 The application should accord with the following planning policy (regarding heritage and conservation). This is not inclusive.

8.3.2 National Planning Policy Framework (2021): Policy 12 (Achieving well-designed places), paragraph 130 '*Planning policies and decisions should ensure that developments a) ...add to the **overall quality** of the area; b) are visually attractive as a result of **good architecture, layout and appropriate and effective landscaping**; and, c) are **sympathetic to local character and history**, including the surrounding built environment and landscape **setting**, while not preventing or discouraging appropriate innovation or change*'; and, National Planning Policy Framework as referenced further in this section.

8.3.3 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to Local Planning Authorities when considering whether to grant planning permission '*In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority ...shall have special regard to the desirability of **preserving the building or its setting** or any features of special architectural or historic interest which it possesses*'. This is supported by Policy EN2 of the Rother Local Plan Core Strategy.

8.3.4 Local Plan Core Strategy (2014): Policy EN2 (Stewardship of the Historic Built Environment) (i) '*Reinforce the special character of the **district's historic settlements**, including villages, towns and suburbs, through siting, scale, form and design*'; and, (iii) '*Preserve, and ensure clear legibility of, **locally distinctive vernacular building forms and their settings, features, fabric and materials**, including forms specific to historic building typologies*' and Policy EN3 (Design Quality).

8.3.5 Appeal Decision (Beulah Baptist Church RR/2020/2418/P): this appeal decision is reviewed because it has relevance in that it addresses similar issues, namely the '*effect of development on the ...significance of a non-designated heritage asset, including whether harm to or loss of heritage assets would be outweighed by the benefits of the scheme; and, the effect of the proposed development on the character and appearance of the area*.' The Inspector defined significance as architectural, culture, and the townscape.

8.3.6 Paragraph 29 '*Weighed against the loss of the non-designated heritage asset are the benefits...expanded and enhanced community services, ...more efficient use of energy and other resources, ...versatile, accessible,*

and adaptable to the needs of the community it would serve. In my view, these benefits carry considerable weight in favour of the proposal’.

- 8.3.7 Paragraph 31 *‘Accordingly, I find that the benefits of the proposal would outweigh the harm from the loss of the non-designated heritage asset.’*
- 8.3.8 Listed Building: Lane Memorial (Grade II), 1898: drinking fountain. It is considered, in light of the extensive ESCC landscape proposals for the Memorial Gardens (Town Hall Square) within which the Memorial is located, which could have a greater effect on the heritage asset, that this application’s proposal in turn would cause no harm to the Listed significance and no harm to its setting.
- 8.3.9 Conservation Area: the application is not within Conservation Area. Although the Town Centre Conservation Area, located south of the site, may be a consideration, it is considered that the elevated railway line is effectively a visual and contextual barrier between the CA and the site so as not to play a planning role.

Heritage background

- 8.3.10 The application site forms the very heart of Bexhill Town Centre. The town centre was evident of a short development period in the early to late 1890s, initiated by the 7th Earl De La Warr, to transform the small rural village of Bexhill into an attractive town centre and Victoria seaside town (south of the railway).
- 8.3.11 The buildings within the site comprise Bexhill Town Hall (1894), the boundary wall, the Council Chamber (1908) both designed by Henry Ward, an extension along Amherst Road (1937), two Victorian villas (pre. 1894), Autolec building (1908), and various rear extensions and infill buildings.
- 8.3.12 Bexhill Town Hall (1894): the external appearance of the building is reflective of late Victorian / early Edwardian design with architectural clues taken from Queen Anne, classicism, and Jacobean to create an aesthetic pleasing and somewhat eclectic appearance. The towers set at the west and eastern ends of the building are lavishly detailed with Dutch gables, the gables are finished with scrolled pediment and a stout obelisk finial. The vertical emphasis of the finial is continued down from the pediment and engages with a floral decorated tympanum. The polygonal towers set either side of the gable are somewhat reminiscent of minarets seen on other examples of Bexhill’s seaside architecture. Stone or stucco string courses and copings are utilised throughout the buildings design and provides an architectural connection between the towers and the recessed central section of the building. The central section of the building is set back from the gabled towers set either side, but the stone string courses are continued across the building and contribute to the overall cohesive form of the building. The central recessed section elevation can be split into three bays; two subservient bays with the frontispiece in the central bay. In architectural terms the building would be considered ‘well-mannered’.
- 8.3.13 Council Chamber (1908): the Council Chamber was designed as an extension to the Town Hall, aesthetically it pays respect to the symmetry and primacy of the Town Hall façade while creating an extension with its

own identity. The building is overall lower than the gabled towers and set back in line with the centre section allowing the gabled towers to still project forward. The design of the 1908 extension clearly replicates original design elements including the use of red brick, Flemish brick bonding, stone string courses and friezes to maintain the architectural cohesiveness of the building. However, some variation in appearance does occur.

- 8.3.14 1937 Extension: the extension is located along Amherst Road to the north of the Town Hall eastern tower and successfully reproduces the architectural detail of the original building. There are minor variations in brick coursing and parapet detailing. The extension is considered to be complimentary and of suitable scale and as such is considered to be worthy of retention. Minor additions to the building facing into the rear courtyard are proposed for demolition.
- 8.3.15 Victorian Villas (pre. 1894): the two villas form part of a series of five or six similar villas that front on to London Road creating a uniform street elevation to this sweep of the road as it enters the Memorial Gardens (Town Hall Square). Collectively, these buildings have been extensively altered to both the front, rear and internally. The two villas within the application site have retained some historic integrity to their front façade, albeit that structural concerns are evident, however significant to near total alterations have occurred to the rear and internal to the buildings. Later extensions to the rear of the villas, and infill between the two villas and with the Council Chamber have led to the systematic deterioration of both building's character (as detached villas) and the collective setting.
- 8.3.16 Autolec Motor Factor Building (c.1909): it is noted that the buildings to rear could be dated from circa 1909. For avoidance of doubt, in light of the potential listing, this building will be reviewed as a non-designated heritage asset within the curtilage of the application. It is suggested that the Applicant evidences this by correspondence.

Applicant's Reports

- 8.3.17 Policy EN3 (vi) of the Core Strategy requires appropriate archaeological research and investigation of both above and below-ground archaeology, and retention where required.
- 8.3.18 Archaeological Assessment and Statement of Significance of Heritage Assets (2021): The report assess the significance of Listed Buildings and other designated and non-designated historic assets in line with Historic England's 'Historic Environment Good Practice Advice Note in Planning No. 3: The Setting of Heritage Assets'. The report concludes that:
- a) The site has low potential to contain archaeological remains from prehistory to the Roman period;
 - b) (7.16) '*The Bexhill Historic Character Assessment Report assigns a low value to the area within which the Town Hall is located, with the Town Hall and bank buildings being the only notable exceptions.... No. 36 Station Road and Chignal have a lower individual heritage value, but add to the heritage value of the group setting*'; and,
 - c) '*No other part of the Conservation Area can be seen from the Town Hall, and it is suggested that any changes to the Town Hall and associated*

buildings will not have any impact on the setting of the Conservation Area’.

- 8.3.19 Heritage Impact Assessment (2022): The report has been submitted to evidence an assessment of the impact of the application on the significance of the non-designated heritage assets. It has been prepared to meet the requirements of the National Planning Policy Framework, Planning Guidance Historic Environment and local planning policies and takes account Historic England Guidance such as Conservation Principles, Advice Note 2: Making Changes to Heritage Assets, and Historic Environment Good Practice Advice in Planning 3 (2nd ed.): The Setting of Heritage Assets. The assessment concludes that:
- a) (4.1) *‘Primarily, the [Town Hall and Council Chamber] building’s significance resides in its communal value and its continued use as a Town Hall since its inception in the 1890s. This communal value is to be enhanced by the potential refurbishment and extension, which will increase the ability for the public to visit and engage with Rother District Council and the building’s site’.* Bexhill Town Hall scored (value based: ICOMOS Burra Charter) a low evidential value, medium illustrative and associative historic value, medium aesthetic value, and high communal value to determine its heritage significance.
 - b) (8.0 Statement): *‘In assessing the potential impact of the refurbishment and redevelopment of Bexhill Town Hall, on balance that the current proposals would constitute a moderate adverse level of impact on the group value of the buildings, which has been assessed as having medium value. This is principally through the proposed loss of the two villas and their contribution to the setting of the Town Hall, creating a suite of 19th century buildings to the north and west of Town Hall Square with the London and County Bank Building.*
 - c) *‘The intervention would therefore constitute a moderate adverse impact on the significance of Bexhill Town Hall, being of less than substantial harm to significance as per the National Planning Policy Framework.*
 - d) *‘Certain proposals, such as the demolition of the villas would have effects on surrounding elements that would constitute a higher adverse impact on the buildings. The impact will be to the historic setting. The villas that would be affected have been identified as having low evidential value, medium historic and aesthetic value and high communal value, the latter only through their association with the Town Hall.*
 - e) *‘Conversely, the repair of the 1895 and 1907 external fabric, and restoration of their staircase and civic rooms, as well as removal of suspended ceilings throughout and enhancement of the existing Town Hall entrance, as well as revealing the original north and west elevations has the potential to significantly improve the reading of the original architects’ designed spaces’.*
- 8.3.20 The above ‘value based’ assessment of the heritage assets (i.e. evidential, historic, aesthetic and communal) aligns with the National Planning Policy Framework’s definition of ‘**significant** (for heritage policy)’ - *‘The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting’.* For ease of reading, we set out the following table.

Table 1: Significance of heritage assets

ASSET NPPF> Value based>	Archaeological (Evidential)	Historic (Historic)	Architectural Artistic (Aesthetic)	- (Communal)	Setting (interpreted)
Town Hall etal	Low	Medium	Medium	High	High
Villas	Low	Medium	Medium	High (by association)	Medium
Autolec	Not stated				

- 8.3.21 In assessing the merits of demolition and/or changes to a heritage asset, planning policy requires the Local Planning Authority to review the 'degree of harm to the asset's **significance** rather than the scale of the development that is to be assessed' (NPPG Paragraph 18a-018); i.e. the criteria for assessing significance is not restricted to scale and setting but should also address evidential, historic, aesthetic and communal value.
- 8.3.22 A key assessment is the high communal value attributed which is retained if not enhanced and is considered a material consideration.
- 8.3.23 Illustrative Views (several view): The Applicant has submitted several CGI streetscape views and 3D aerial views to allow a review of the cumulative effect of the application, in terms of scale and massing of the development, on the significance and setting of the proposed retained heritage asset.
- 8.3.24 We note that the view taken from Station Road (entrance to Sainsburys) looking towards the Town Hall (ID67), with the new building sitting behind, does cause concern as the detailed gable and finial roof line of the Town Hall read against an open sky, from one of the most important arrival routes to the Town Hall, is no longer read due to the square massing of the top floor of the new building which projects above the Town Hall roofline.
- 8.3.25 However, a streetscape view from Station Road/ London Road closer to the Town Hall building indicates that the roof line will continue to be read against an open sky, so the concern caused is limited in extent.
- 8.3.26 Demolition Plans: much of the demolition as proposed (Demolition Site Plan, No. BEX-ASL-OO-ZZ-DR-A-008/P04) involves later 20th century extensions and adaptations to the rear of the buildings which neither have particular architectural merit or significance in terms of setting and is therefore considered acceptable.
- 8.3.27 The proposed demolition of the two villas should be viewed as effecting a degree of harm to the setting and framing of the Memorial Gardens. However, it should be acknowledged that later additions have eroded their individual heritage value to a significant degree. An assessment of their asset significance in terms of the National Planning Policy Framework is addressed below.

Heritage Consultees

- 8.3.28 Bexhill Heritage have been consulted on the application and responded (27 June 2022): '*While we recognise the efforts [the Applicant] have made to reduce the risk of the Town Hall being dominated by the proposed new building, we remain concerned by its height. We are strongly of the view*

that, without further work on its design, the new building will overwhelm the Town Hall and be a negative, jarring influence on the Square in general. We recommend that the height of the new building be significantly reduced.'

- 8.3.29 Historic England have received an application (18 August 2022) for statutory listing which is currently under consideration. Historic England have responded that *'While we do not know at this stage the outcome of the listing assessment, the Local Planning Authority should be aware that the significance of Bexhill Town Hall might be higher than its current status indicates and that, if it is listed, the policy requirements contained in the National Planning Policy Framework relating to designated heritage assets would need to be enacted'*. Further correspondence indicates that the possible listing would be for the Town Hall, extension, Council Chamber and villas only within the curtilage of the site. The Council is currently preparing a response.
- 8.3.30 In the event that the buildings are Listed, Listed Building Consent will be required and determination of such an application will be made by the Secretary of State.
- 8.3.31 For the purposes of planning determination, the Town Hall et al will be reviewed as 'non-designated heritage assets'.

Appraisal

- 8.3.32 In terms of heritage assets, the appraisal needs to assess:
- a) *'When considering the impact of a proposed development on the significance of a designated heritage asset [or in this case a non-designated heritage asset which has the potential to be Listed in terms of a letter from Historic England that notes that the merits of the Bexhill Town Hall may be 'significant'], great weight should be given to the **asset's conservation** (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its **significance**'* (National Planning Policy Framework paragraph 199);
 - b) *'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification... should be wholly **exceptional**'* (National Planning Policy Framework paragraph 200);
 - c) *'Where a proposed development will lead to **substantial harm** to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...'* (National Planning Policy Framework paragraph 201);
 - d) *'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, where appropriate, securing its optimum viable use'* (National Planning Policy Framework paragraph 202);
 - e) *'The effect of an application on the significance of a **non-designated heritage asset** should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required*

having regard to the scale of any harm or loss and the significance of the heritage asset' (National Planning Policy Framework paragraph 203); and,

- f) *'Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development **will proceed** after the loss has occurred'* (National Planning Policy Framework paragraph 204).

Interpretation of Harm

- 8.3.33 The above tiered approach advocates Local Planning Authorities to take a balanced judgement to assess whether substantial harm, total loss or less than substantial harm effecting a heritage asset (either designated or/and non-designated) is mitigated in terms of the public benefits outweighing that harm.
- 8.3.34 The interpretation of substantial harm is not defined in the National Planning Policy Framework but both the Bedford Borough Council vs Secretary of State for Communities and Local Government (2013) ruling *'the impact on significance was required to be serious such that very much, if not all, of the significance was drained away... One was looking for impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced'*, and National Planning Practise Guidance (2019) Paragraph 18a-018 *'Whether a proposal causes substantial harm will be a judgment for the decision-maker [Local Planning Authority], having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, **substantial harm** is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse **impact seriously affects a key element of its special architectural or historic interest**. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting'* offer some clarity to inform determination.
- 8.3.35 Assessment: in reviewing national planning policy, supporting rulings and guidance it is considered that any potential harm as caused by the total demolition of the two villas, remedials works to the Town Hall, and the construction of the new building inter-alia, leading to cumulative effect on the setting and significance (significance as 'value based' assessed above) of the heritage assets (either designated or non-designated status) as set-out in the application cannot be determined as *substantial* and will consequently be determined as **less than substantial harm** of which the adverse harm/ impact would not *seriously affects a key element of its* [retained Town Hall etal] *special architectural or historic interest* in terms of the retained Town Hall etal asset's significance.

Interpretation of Public Benefit

- 8.3.36 The National Planning Policy Framework requires that the *less than substantial harm* be weighed or mitigated by public benefits. In assessing the application, the public benefits are identified as 1) securing capital works to enable the renovation of the heritage Town Hall etal to secure its long-

term *optimum viable use* (National Planning Policy Framework 202); 2) reducing the carbon footprint of the Town Hall; 3) creating new office space to serve the District Council and associated providers in delivering a service to the community (employment retention); 4) creating additional rental commercial space to attract inward investment into Bexhill Town Centre (employment creation); 5) creating a community café and event space; 6) improving the setting of the Memorial Gardens; and, 7) using the investment to act as a catalyst and create market confidence in attracting private sector investment into the Town Centre to enable regeneration (enabling growth). It is considered that the public benefits weigh favourably in determining and mitigating against adverse effect on the heritage assets.

8.3.37 While it is not evidenced in the planning application, the planning review needs to make reference to the Applicant's planning portal (Town Hall Renaissance – Rother District Council) which states under 'How much will it cost?': *'The total cost of the build is around £15m, of which just over £2m will be put towards upgrading the existing Town Hall and the rest towards the construction of the new Civic Centre and the surrounding site areas'*. The Applicant identifies that the refurbishment and retro-fitting of the Town Hall and related heritage assets are a Key Project Driver and consequently it is recommended that this capital sum specified for the heritage assets, as further detailed in a Scope of Works (Heritage), should be secured by a Condition.

8.3.38 Lastly, the National Planning Policy Framework Paragraph 204 requires evidence that the loss of a heritage asset should ensure, is so far as can be obligated by planning policy, that the new development will proceed after the loss has occurred. The total demolition of the two villas and identified outbuildings is necessitated to enable the construction of new commercial premises to enable the District Council to deliver its services to its community. It is therefore considered that this by its very nature should offer sufficient assurances to deliver the new building.

8.3.39 Consequently, it is considered that the demolition as proposed and the construction of the new building will have a **less than substantial harm** on the setting of the retained Town Hall et al (heritage asset) and that the cumulative impact will not seriously affect the key element for which the Town Hall attains/ retains its heritage value and that the **public benefits outweighs** such affect as to be supported in planning policy. The Local Planning Authority's obligation in terms of Chp16 'Conserving and enhancing the historic environment' (National Planning Policy Framework 2021) is considered discharged.

8.3.40 We note that a detailed Scope of Works and Cost Plan relating to the restoration/ renovation works to the Town Hall and Council Chambers (interior and exterior) is required to ensure the protection of the heritage asset and is to be secured by Condition and legal mechanism.

8.4 DESIGN: LAYOUT, APPEARANCE AND LANDSCAPING

8.4.1 National Planning Policy Framework (2021) Chp12 'Achieving well-designed places' sets out the expectation regarding Good Design: Paragraph 126 *'The creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should*

achieve. **Good design** is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’.

- 8.4.2 Paragraph 130 *‘Planning policies and decisions should ensure that developments:*
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and,*
 - f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience’.*
- 8.4.3 The National Design Guide (2021) and National Model Design Code (2021) (as referenced in National Planning Policy Framework Paragraph 129 – thus forming a material consideration) defines the Ten Characteristics for good design as follows: context; identity, built form, movement, nature, public space, uses, homes & buildings; resources; and lifespan. These should be seen as guidance notes on National Planning Policy Framework Paragraph 130.
- 8.4.4 Policy EN3 (Design Quality) of the Core Strategy requires that *‘new development...contributes positively to the character of the site and surroundings, including taking opportunities to improve areas of poor visual character or with poor townscape qualities’*. It sets out eight Key Design Principles which will be consolidated with those of the National Planning Policy Framework to review the design resolution of the application.
- 8.4.5 We note that the application has been subject to a PreApp and several PPA Design Workshops with related comments, and subject to discussions with Bexhill Heritage regarding heritage. These comments contribute to this review.
- 8.4.6 We reference to the Rother District Council web site ([Town Hall Renaissance – Rother District Council](#)) video – Town Hall Renaissance as this illustrates the overall massing, layout, materiality of the new building in the context of the Town Hall, Council Chamber and extension to be retained, set within a newly created rear landscaped courtyard and renovated forecourt to the Memorial Gardens. The video, as illustrative only, does not form a material consideration.

Ten Characteristics for Good Design

(1) Context (EN3(ii)f Understanding site and wider setting)

- 8.4.7 The site is part of a **designated Town Centre** comprising predominantly two and three-storey buildings, with the tallest building in the area being the Amherst building, within the curtilage of the application, at four storeys (three plus mansard). In terms of a town centre character, the majority of buildings are traditional Victoria terraces that have been extended to the rear to accommodate commercial activity. The only large-footprint building is the Sainsbury store facing the site to the south. Streets extending from the historic centre are mostly Victorian and Edwardian terraces-lined streets with some 1960's three to five-storey infill apartment buildings along the Buckhurst Road and London Road.
- 8.4.8 It is worth noting that on close review of the Amherst building, as evidenced in Fig.3, the height of the building appears to be purposefully restricted/ designed with a mansard roof to ensure that when viewed from the Memorial Gardens, its roof would not intrude on the fine-detailed roofline of the Town Hall building.
- 8.4.9 Other buildings of height within the designated Town Centre are the cluster of buildings at Devonshire Square (Historic Post Office c.1931 etal at four-storeys), and the two modern apartment buildings at the end of Sackville Road at eight-storeys south of the railway line; all within the Bexhill Conservation Area (1992).
- 8.4.10 It should be noted that there is a strong fall across the land towards the railway line, with buildings further north away from the Town Hall having some theoretical impact on the roofline of the Town Hall building. In reality, most streetviews from the south are looking up towards the Town Hall, foreshortening any impact of more distant building's roof profiles; i.e. The Town Hall and proposed building sit on an elevated position.
- 8.4.11 It is considered that in terms of context, the application retains, and by extending the development across the two villa's footprint, (re)asserts the pre-dominance of the civic function/use of the buildings as they face onto the historic Town Centre Square (Memorial Gardens) and is reflective of a designated Town Centre destination.

Fig1: Illustrative Aerial View (ID63)



(2) Identity (EN3(ii)a Character, Identity, Place-making and Legibility)

(3) Movement (EN3(ii)c Ease of movement)

(4) Nature (EN3(ii)e Landscape setting)

(5) Public space (EN3(ii)c Quality of public realm)

(6) Uses (EN3(ii)d Diversity)

8.4.12 While the designated Bexhill Town Centre Primary Shopping Area along Devonshire, Western and Sackville has a very strong Victorian 'High Street' identity, the civic Town Centre is more fragmented. The historic Town Centre square is framed by buildings of different periods and architectural merit, is functionally dominated by the vehicle gyratory, and lacks any cohesion or strong identity. The most memorable buildings being the Town Hall and attached Council Chamber, the Bank Chambers building, Warburtons, and the Town House pub all acting as isolated set pieces to the central town centre square. Overall, it is suggested that the area has considerable place-making potential, but currently lacks civic or urban character.

8.4.13 Identity: in terms of overall identity as a Town Centre with civic and community uses serving the entire Rother District Council, Bexhill Town Centre lacks intensification of activity, commercial response and visual presence within the broader residential fabric. The overall massing of the built form and expanded commercial floorspace afforded by this application presents the opportunity to reinforce the civic and community identity of the Town Centre.

8.4.14 Movement: we note that current ease of pedestrian and cycling movement and overall legibility is problematic; the area is dominated by vehicles both within the road space and at nearly all pedestrian junction point.

8.4.15 Nature: the Memorial Gardens, framing the Lane Memorial, is the only landscaping within the square; the Applicant site has several trees that contribute some green to the setting.

8.4.16 It is consequently suggested that the application should be read in the wider context of the ESCC masterplan proposals to improve the Memorial Gardens. While the Applicant has consulted with ESCC in this regard, it is considered that this application allows for on-going dialogue regarding the collective place-making potential of this important civic space in Rother. The intent of this application to reaffirm the civic identity of the square and place, improve pedestrian and cycling movement, improve the landscape setting, and improve the overall functional and visual quality of the square and surrounding setting is therefore welcome and strongly supported.

Fig 2. Architectural Revit Model

(BEX-ASL-00-ZZ-M3-A-0001 S0 P02; June 2022)



(7) Built form (EN3(ii)b Continuity and Enclosure): scale and massing

(8) Buildings (EN3(ii)g Building appearance and architectural quality)

8.4.17 As noted, the application sits within a diverse urban environment in terms of uses, building heights, degrees of enclosing space, and appearance. Consequently, the Applicant will need to evidence their design with a building that both present a considered response to context, while ensuring a coherent identity.

8.4.18 Continuity and Enclosure: The overall layout of the new buildings, along with the Town Hall, Council Chamber, the 1930's extension, and the Amherst building collectively creates a strong sense of enclosure and framing to the newly created central landscape courtyard.

8.4.19 The central courtyard is enclosed by a neutral façade of the new building, and similarly detailed renovated façade of the 1930's extension facing the courtyard, which does not distract from the more elaborate detailing of the historic buildings; this neutrality allows for the historic buildings to reaffirm their dominance. The tiered landscaped nature of the courtyard adds additional enclosure to the space. The courtyard is overlooking from nearly all sides with commercial/ office space creating animation and natural surveillance. Overall, the proposal's layout as described and evidenced is supported.

8.4.20 Scale and Massing: In response to surrounding context, the Applicant's design response has been to create a series of building 'blocks' varying in scale and massing, namely, a rear three-storey pavilion building (sunk into the ground to read as two-storey from the rear car parking); an inter-connecting two-storey building along the boundary with the Social Club; a four-storey front building positioning itself on the town square (civic

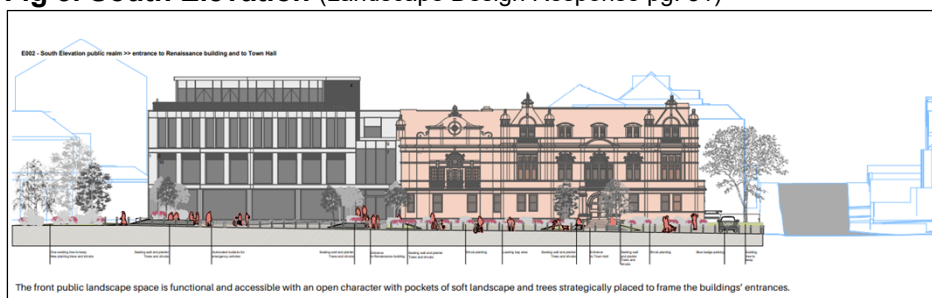
statement); and, a two-storey atria linking the new building to the Council Chamber building and acting as the new arrival point to all Civic buildings.

8.4.21 The rear and inter-connecting building: it is considered that these buildings are respectful of surrounding context and is evidenced as not affecting the amenity value of surrounding properties. The building height is reflective and/or sympathetic to the Town Hall, the 1930's extension, the Amherst building, and surrounding residential properties. While the application does not reference views from the rear parking towards the (now opened and restored rear elevation of the Town Hall and Council Chamber), it is envisaged that they will frame the view. It is considered that the layout, scale and massing of these two buildings is resolved and supported.

8.4.22 The 1930's extension: the design approach of renovating the façade of the 1930's extension facing the courtyard to be reflective of the new building is supported. However, it is suggested that the window bays are too 'brutal' next to the finer detailed Town Hall staircase window and that the bay proportions should be reflective of the new buildings third-floor front façade. We suggest that this is resolved with the Applicant at detailed submission.

8.4.23 The proposed atria: the application proposes creating an intermediate building between the historic and new building to allow the western, external facade of the Council Chamber to be internalised to form a key feature wall to the atria space. This design approach is supported. It is however considered that further detailed technical resolution between the proposed atria and the Council Chamber (Dwg. BEX-ASL-00-ZZ-A-SK01/P02) is required, namely: a) pulling the atria building back/in to allow both west corners of the Council Chamber building to be expressed; b) the proposed internal wind lobby doors should not be located on the polygonal tower but located external of this to retain the verticality of this important architectural element; c) the external lobby roof should be set away from the Council Chamber to not distract; and, d) the roof light should be located centrally to the historic gable between the two polygonal towers for same reason above. It is suggested that these amendments can be secured by Condition.

Fig 3. South Elevation (Landscape Design Response pg. 31)



8.4.24 The front building: we note that there has been consistent concern raised during the PreApp, DSE Workshop and responses from the Bexhill Heritage regarding the scale and massing of this building as viewed juxtapositioned adjacent to the Town Hall and Council Chamber. In addressing these concerns, the application reduced the original five-storey PreApp massing to four-storey and set back the fourth floor to reduce visual impact.

8.4.25 In reviewing a response to height in this location, we have considered a) the heritage 'value based' assessment (i.e. evidential, historic, aesthetic and

communal) of the Town Hall and Council Chamber; b) the potential heritage harm in terms of setting to the Town Hall and Council Chamber; c) the harm caused by the building projecting beyond and effecting the highly detained roofline of the Town Hall and Council Chamber buildings and note that for the majority, reading this roofline is retained; d) the broader spatial setting of Memorial Gardens and gyratory; and, consider that the collective setting is sufficiently expansive that a larger building in this location would cause less than substantial harm to the heritage asset and would be complimentary to a designated Town Centre setting and is consequently supported in terms of both height and massing.

8.4.26 In terms of articulation of the massing, we would suggest that the fourth floor appears unresolved and distracts from the overall simple block form of the composite building. The terrace setbacks, roof service yard, and external expression of the staircore creates a visual complexity to the overall form that is not evident in the more well-mannered façade treatment and form of the lower three-storeys. This issue of resolution is further evidenced in the internal stepped emergency staircore. The opportunity to use the roof profile to either express the amenity value of an upper floor viewing terrace, or to make a polite statement regarding a new civic building is not explored. We would suggest that extending the overall box form of the building, replication the window rhythm into square opening to all elevations, and incorporating the roof service yard into this frame would consolidate the massing of the building into a strong singular form. This singular form, along with the well detailed facades and materials as evidenced would create a stronger, 'quieter' response allowing the more detailed, articulated Town Hall and Council Chamber to retain their visual interest and prominence.

8.4.27 Materials: the application is accompanied by a D&AS (Chp6 Appearance) which indicates that the new building will comprise fluted metal panels (fourth-storey roof and walls); red pigmented concrete banding, Bexhill Red bricks, clay tiles as window headers, glazed fluted red tiles (groundfloor and courtyard staircore), and PPC Aluminium framed glazing (grey to be confirmed). The atria frame is assumed as PPC Aluminium framed glazing but is not specified.

8.4.28 The contemporary materiality is considered to be appropriate for this location and sympathetic to local character (heritage assets), although some concern is expressed regarding the use of red pigmented concrete to maintain aesthetic consistency. Full technical details, specifications, and a work sample to be secured by Condition.

(9) Resources (EN3(ii)h Sustainable design and construction)

8.4.29 The Applicant has evidence their approach (as set out: Key Project Drivers) to sustainable design, construction and in-occupation to address the intent in the National Planning Policy Framework and EN3 regarding Good Design. It is considered that the application addresses this issue and the resolution to the Energy Statement to be secured by Condition.

(10) Lifespan

8.4.30 One of the client's brief Key Project Drivers was both to refurbish and retrofit the Town Hall eta buildings to ensure '*continued use of [the buildings] in line*

with the 21st century civic operations' and the Council's Climate Emergency objectives to ensure that the new building would 'reduced carbon footprint, improved energy performance, and long-term operational savings' to contribute to the lifespan usage of the development. It is considered that the application addresses this issue and the resolution to the Energy Statement to be secured by Condition.

Assessment: Design – layout and appearance (scale and massing)

- 8.4.31 It is considered that in terms of Design- layout and appearance, the application accords with the intent of Good Design as set out in the National Planning Policy Framework Chp12, National Design Guide (2021) and National Model Design Code (2021) (as referenced in National Planning Policy Framework Paragraph 129), and the Rother Local Plan Core Strategy (2014) Policy EN3.
- 8.4.32 It is considered that as submitted, the issue of scale and massing is appropriate in this designated Town Centre location and is supported.
- 8.4.33 It is considered that as currently submitted the design of the fourth floor is **not supported** and the Local Planning Authority would require an amended proposal to be submitted to address the issues raised.

Landscaping

- 8.4.34 Policy EN2 (Historic Built Environment) requires that development should *reinforce the special character and improve ...poor townscape qualities;* and, Policy EN3 (Design Quality) sets out eight Key Design Principle that should be used to inform design and be used in determining design quality.
- 8.4.35 The application is accompanied by a Landscape Design Statement and a Proposed Landscape Plan. The Statements notes that *'discussions with key stakeholders have focussed on the comparison between front facing public realm spaces and being an inviting building for all whilst also having a requirement for private space for security and confidentiality. A design ethos of creating private, semi-private and public space will become the driver in the design development with clear demarcations to aid navigation, passive and physical security measures without creating a foreboding or institutional feel'.*
- 8.4.36 The landscape masterplan creates three public realm areas to address the brief, namely, Semi-public car parking area; Private or semi-private garden courtyard; and, Public frontage. The Semi-public car parking area (rear parking) is a hard-standing parking area with narrow boundary planting; the Garden Courtyard is a newly created landscaped courtyard framed by both heritage and new buildings and has the potential to become a treasured space within the civic building cluster; and, the Public Forecourt which is the civic setting to the Town Hall buildings and should retain a relationship with the Memorial Gardens.
- 8.4.37 While we are in agreement with the landscape strategy that is considered to be in support of policy, we express concern regarding the resolution of the landscape design at a detailed level, namely:

- a) Rear parking: (design) movement turning circles (see Access); very narrow, single-width access route into rear parking court which must also act as a shared surface for visitors to the building – management of movement to be evidenced; central planting bed in rear parking unresolved; access to generator for maintenance works unresolved; we question if it is best practice to place the EV parking bays (with related underground service runs) over the attenuation tanks that may require maintenance and disruption; (detail) hard standing within Tree Root Protection Zone (trees in neighbouring properties); permeable block paving to rear parking, no specification – is this a walkable surface?; protection to bicycle and refuse doors opening into vehicle route.
- b) Garden Courtyard: (design) the landscape design of the courtyard is unresolved – it appears as a through-space, rather than a potential civic heart of gathering and, using the height differences, creating an informal amphitheatre event space (fall across the site five meters); the cluster of trees to the rear of Town Hall distracts from heritage asset's façade; planter beds restrict means-of-escape; (detail) drainage strategy to courtyard not illustrated; potential embellishment of art in courtyard not suggested; details of new and remedial works to boundary, Amherst Building, and/or new retaining walls not stated; preferable that seating has backrest for elderly community.
- c) Town Hall Forecourt: (design) the design reflects no relationship with the formal nature of the heritage buildings and civic-ness of the space, it does not aid legibility, way-finding, and does not create any place-making. It does not direct the public to the entrances of the buildings. Critically, the fragmented placement of landscape elements distracts from the architectural setting when viewing the building from across Memorial Gardens; vehicle turning movement appears very tight, which could cause harm to the Town Hall stairs (heritage asset); the total removal of the non-designated heritage asset **boundary wall** is not acceptable in terms of harm to setting - this removes a perceived defensible space to the Town Hall, and causes concern should the ESCC Memorial Garden's proposals not be secured (i.e. London Road would remain); the semi-raised planter 'horse-shoes' are neither reflective of the historic architecture, nor of the modern new building – appear totally incongruous; the location of attenuation tanks are not indicated (provision for maintenance access?); the disabled bays to Amherst Road do not reflect an understanding of movement route from parking area to entrance of building for persons with disabilities – this is not supported; it appears that the sub-station (on adjacent land) may have an right-of-access across the site - allowing for long-term maintenance access (not illustrated); the soft landscape setting to the civic buildings is highly fragmented (typically the soft landscaping would extent upto the staircase piers for the length of the frontage); (detail) sandstone slabs – the Applicant will need to evidence that they can take circa 10ton vehicle loading and point turning pressure (this may need to be upgraded to granite).
- d) We note that the Drainage Schematic Plan (Dwg 81344-IWD-XX-XX-DR-C-6000/P1) proposes several new underground service routes beneath the non-designated heritage asset boundary wall – this would cause structural and potentially aesthetic harm to the wall and is not supported. All such infrastructure alignments should take route through existing openings in the boundary wall.

- e) It is assumed that visitors can enter the building from the rear, but the Ground Floor Plan shows that the building's rear entrance sits behind the security line which is considered an unresolved access arrangement.
- f) Memorial Gardens: while it is acknowledged that any design and redevelopment of the Town Hall forecourt should be presented as a stand-alone proposal for planning determination, this should potentially be seen as part of an on-going discussion with ESCC regarding the landscape and road redevelopment proposals for the Memorial Gardens to create a singular civic space for Rother.

8.4.38 The Landscape Strategy as currently submitted it is **not supported** and the Local Planning Authority would require an amended proposal to be submitted to address the issues raised.

8.5 ENVIRONMENTAL MATTERS

8.5.1 The application contains various surveys, technical information, drawings and reports which are submitted to address environmental/ habitat and technical policy requirements. These are reviewed below.

Land contamination

8.5.2 Policy OSS3 (viii) of the Core Strategy sets out that in assessing the suitability of a particular location for development consideration will be given to any constraints including contamination. Policy DEN7 of the Development and Site Allocations Local Plan states that development will only be permitted where it is demonstrated that there will be no significant adverse impacts as a result of land contamination and hazardous and non-hazardous substances.

8.5.3 The application is accompanied by a Site Ground Investigation Report and additional report(2021); a Gas Monitoring Investigation (2022); and, a Remediation Strategy and Verification Plan (2022) which found '*relevant pollutant linkages...within proposed areas of soft landscaping. The results... will have implications for the waste classification of soils that are removed from the site....classified as "hazardous" waste*'. Consequently, any site pollutants identified on site during the pre-construction, demolition and earthworks of the development would need to be addressed as part of an on-going site investigation and monitoring strategy and is to be secured by Condition.

Biodiversity and ecology

8.5.4 Policy EN5 (Biodiversity and Green Space) of the Core Strategy requires developers to integrate biodiversity in development schemes. Policy DEN4 of the DaSA requires all development to retain and enhance biodiversity. To address policy, the application is accompanied by:

8.5.5 Preliminary Ecological Appraisal (July 2021) (PEA), Ecological Impact Assessment (2021): – Recommendations:

- a) '*Incorporation of native flora within soft landscaping proposals.*
- b) '*Consideration of creation of new urban habitats within scheme proposals.*

- c) *Retention and protection of existing trees in line with standard tree protection measures (BSI, 2012).*
- d) *Further presence / absence survey of buildings with identified bat roosting potential to scope in / out a bat roost.*
- e) *Any nocturnal lighting should be avoided in the first instance. If nocturnal lighting is required proposals should be compliant with best practice guidance (BCT & ILP, 2018).*
- f) *Clearance of vegetation outside of the main bird nesting season (given to run March – August inclusive) or following inspection from a suitably qualified ecologist to ensure no active nests are present.*
- g) *Incorporation of ecological enhancements in line with local plan Policy EN5: Biodiversity and Green Space, part xi) (Rother District Council, 2014)'.
The above are to be secured by Condition.*

8.5.6 Biodiversity Net Gain Assessment (2022):

- a) (4.1) *'The assessment provided herein details how Native Species Shrubs and Proposed Trees would conform to the UKHab category of 'Mixed Species Scrub', how Wildflower Meadow would conform to the category of 'Lowland Calcareous Grassland', and how Species Rich Grassland including Scattered Bulbs would conform to the category of 'Other Neutral Grassland', and appropriate habitat condition assessment criteria have been assumed'. This application recommendation is set out as a Condition.*
- b) Biodiversity Net Gain: the current Habitat Unit score of the site is 0.25; the proposals are anticipated to result in the delivery of 0.46 Habitat Units, resulting in a Biodiversity Net Gain of +108.2% which accords with Policy EN5 (Biodiversity).

Trees

- 8.5.7 An Arboricultural Impact Assessment and Tree Condition Survey (2022) accompanies the application, which identifies 15 individual trees and two group of trees. The development identified that two C1 and one U category tree are to be removed to facilitate development and the remaining trees to be protected and maintained as indicated on the Tree Survey Plan (Dwg. 0422-10048/TRP-01; May 2022). The loss of these trees would be compensated for with landscaping and new tree planting as part of the landscape proposals for the site.
- 8.5.8 In principle, the removal of trees as identified to facilitate the development is acceptable.
- 8.5.9 A strategy to undertake all works to areas within the Root Protection Zone of retained trees, as referenced on the Applicant's drawing (Landscape Design Plan & Tree Survey Overlay; Dwg. asl-00-00-DR-L-90-0011, April 2022) should be submitted as currently such works, specifically regrading the rear car parking area, does not evidence existing and proposed levels; changes of greater than 250mm could cause irreparable damage to the trees and will not be supported. Protection of existing trees during development to be secured by Condition.

Sustainability and resource management

- 8.5.10 This application should accord with policy that addresses resource management within the proposed development and occupation:
- Rother Local Plan Core Strategy Policy SRM (Towards a low carbon future) requires proposed developments should demonstrate that due regard has been had to energy efficient, including through the use of renewable and local carbon technologies.
 - DaSA Policy DRM1 (Water efficiency): no more than 110 litres/person/day. This policy is implemented through the Building Regulations.
 - DaSA Policy DRM2 (Renewable energy developments): low carbon and renewable energy – solar energy.
- 8.5.11 Sustainability and Energy Statement (2022): the Applicant has submitted the Statement to review the potential energy and carbon savings that can be achieved by the proposed development for Rother District Council (as owner and main occupant), defined in the application as a key public benefit in undertaking the development. The Statement outlines the sustainability specification required for the proposed development to achieve compliance with Building Regulations Part L 2021 Volume 2. We draw out the pertinent statements/ issues:
- (Executive Summary) *'The new building will be designed with the principles of the energy hierarchy, whereby energy and carbon are minimised through passive means such as fabric efficiency, thermal mass, and natural ventilation. Thereafter, low-zero and renewable technologies are implemented where appropriate. There is an aspiration that the new [building] will be designed on the path to [Net Zero; Ref. UK Green Building Council's] "Net Zero Carbon in Operation"'. The supporting technical information states that the new building will produce an estimated 41,750 kgCO₂ per annum.*
 - 'The existing town hall [Town Hall, Council Chamber and 1930's extension] shall be retrofitted to significantly reduce its CO₂ beyond its current emissions rating. A separate decarbonisation analysis has been carried out for the ...town hall which reports the current CO₂ emissions and summarises the strategy by which emissions can be reduced by **up to 50%**. The strategy by which this is achieved is to thermally upgrade the fabric of the townhall, design and install new efficient services and incorporate a heat pump to provide space heating. Given the ...town hall is of heritage significance, it should be noted that the extent by which the ...town hall is thermally upgraded is dependent on approval from the heritage officer. This in turn will have implications on the level of carbon reduction that can be achieved within the ...town hall'.*
- Decarbonisation Assessment (April 2022)
- Existing town hall (Baseline results): total energy demand 128.45kWh/m²/annum and total carbon emissions 41.70 kgCO₂/m²/annum; 96% of the regulated energy demand attributed to heating and lighting. (Para 5.3). It is suggested that these figures are set as the baseline against which any proposed, amended and in-occupation strategy is reviewed.
 - (Results) *'By incorporating a combination of Be Lean and Be Clean measures (Options 09) and using the current carbon emission factor for electricity of 0.519 kgCO₂/kWh, the ...town hall can effectively reduce its*

carbon emissions by approximately 47.24% beyond current consumption levels'. For the purposes of planning determination, the criteria as set-out in Option 9 are assumed to be adopted and implemented by the Applicant.

- e) Supporting letter, dated 20 September:
- i. Improvement in Thermal Efficiency of Existing Buildings: it has been calculated that the operational energy demand of the buildings to be retained onsite, as they currently exist, is some 128.45kWh/m²/annum. As part of the scope of works, demand would be reduced to some 59.47kWh/m²/annum (46% reduction).
 - ii. High Thermal Efficiency of New Building: operational energy demand of the new build floor area would be some 22.37kWh/m²/annum.
 - iii. The proposed extent of PV has been maximised on the site. It is estimated the array would generate some 42,349.99kWh/annum each year. The 'gap' to net zero would require an additional 84,500kWh/annum of electricity to be generated from renewable, non-carbon sources.
 - iv. The Applicant notes that the development would not attain net zero but would *'achieve an improvement of over 50% in the operation of the existing buildings'*.

While this Statement and supporting information is presented that we would suggest that it accords with the requirements of a typical Energy Statement (say Part L), we note that as planning officers we do not have the expertise to assess such and consequently we have read the Statement at face value with an expectation that the Applicant prepares an Energy Statements, to clarify strategy, objectives and measurable targets, etc, secured by Condition.

Noise

- 8.5.12 The application is accompanied by an Acoustic Planning Report (2022) which (1.3) *'sets out external plant sound emission criteria and façade sound insulation requirements to demonstrate that the relevant industry standard design guidance and local authority planning policy are achievable'*. The summary issues as raised to be secured by Condition.

Air quality/ Ventilation

- 8.5.13 The application is accompanied by a Ventilation Planning Statement (2022) which sets out the Applicant's address in terms of general ventilation to all rooms which are to be secured by Condition.

Daylight and Sunlight

- 8.5.14 The application is accompanied by a Daylight and Sunlight Assessment for the Development, two reports (2022) which assess *'i) the baseline conditions at the site; 2) analyse the potential impacts of the development on the daylight and sunlight received by the neighbouring buildings; and 3) assess these impacts in line with any relevant planning policy and best practise guidance'*. The report identified that *'the magnitude of reduction ...be within acceptable limits set out within the BRE Guideline'*.

Flood risk and drainage

- 8.5.15 Core Strategy Policy EN7 (Flood risk and development) and DaSA Policy DEN5 (Sustainable drainage) sets out that in assessing the suitability of a particular location for development consideration will be given to any constraints including flood risk and drainage.
- 8.5.16 The application is accompanied by a Drainage Schematic Plan (Ref. 813144 IWD XX XX DR C 6000/P1; July 2022) which indicates attenuation tanks in the rear parking and Town Hall forecourt, and a blue roof system to the entirety of the new building. No further supporting information has been submitted.
- 8.5.17 The ESCC as Lead Local Flood Authority have responded to say that insufficient information has been submitted to assure them that surface water and related flood risk will be managed appropriately. A subsequent clarification email by the Applicant (dated 14Sept) dealing with Management of Surface Water would suggest that there remains an on-going discussion with ESCC. Resolution to be secured by Condition.

Sewerage Network

- 8.5.18 The proposed development would require improvements to facilitate connection to the sewerage network. Southern Water have submitted comments on the application. All such matters to be secured by Condition.

Assessment: Environmental matters

- 8.5.19 It is considered that there no unacceptable environmental issues or impacts which have not been identified and addressed as part of this application; where applicable, recommendations and/or identified matters will be secured by Conditions.
- 8.5.20 In addition to the Local Plan requirement, the Council has declared a Climate Emergency and its adopted Environment Strategy 2020-2030 pledges to act where existing Council office accommodation does not meet environmental standards and to ensure that the Council is meeting its carbon neutral commitment. It is also relevant that the Council, as a whole, is expected by the Climate Change Act 2008 to deliver climate action across its own estate and the wider local authority area:
- a) *'our estate – an audit of all Council owned assets to understand where retrofitting will produce reduced carbon benefits and to undertake actions to ensure all assets meet the carbon neutral standard'*.
 - b) Construction and existing buildings, the Council's pledge: *'We will ensure all Council-led developments are assessed for environmental impact and these assessments form part of the business case and decision-making process'*.
 - c) Environmentally friendly Council: *'We will undertake a review of existing office accommodation to ensure the Council is meeting its carbon neutral commitment'*.
- 8.5.21 National planning policy also requires policies and decisions to be in line with the Climate Change Act 2008 and National Planning Policy Framework

paragraph 152 expects the planning system to '*shape places in ways that contribute to radical reductions in greenhouse gas emissions*'

8.5.22 The application **accords** with Policies OSS3(v)(viii), OSS4(ii), SRM1 (Towards a low carbon future), SRM2 (Water), EN7 (Flood Risk) of the Rother Local Plan Core Strategy (2014) and Policies DRM1 to 3, DEN5 and DEN7 of the Development and Site Allocations Local Plan (2019).

8.6 **ACCESS, TRANSPORTATION AND HIGHWAYS SAFETY**

8.6.1 The proposed development will redevelop the current rear service yard and front courtyard to provide 48 car parking bays (a reduction from current provision of 96) including 4 EV bays, 6 disabled bays, and 32 internal, secured cycle storage on racks. Vehicle parking will be for both visitors, Council and other public sector organisations staff, and commercial-let staff. The reduction in parking numbers is compliant with Policy TR3 (Access and New Development) which seeks to ensure that new development prioritises the needs to pedestrians, cyclists and use of public transport.

8.6.2 Site access to the rear parking court, cycle and bin storage, and the provision of emergency and service vehicles is retained off current site access routes off Amherst Road. Limited parking will be provided to the front of the building, with changes to site access points (it is noted that this may be subject to minor changes to potentially reflect on-going discussions with ESCC regarding masterplan changes to Memorial Gardens; not subject to this application).

8.6.3 ESCC response notes '*We have ...sought an update from the ESCC Infrastructure Planning & Place team on the current status regarding the [Memorial Gardens] schemes and once we have this, we will be able to comment on this element of the proposal in greater detail. If a decision on the scheme has not yet been made, then [ESCC] will at least be aware that the new layout will need to incorporate the new access arrangement now proposed [by the Applicant].*'

8.6.4 The Landscape Plan makes provision to maximise pedestrian movement and permeability through the site allowing for the spatial connection of the Memorial Gardens, through the new building, into the rear landscape courtyard. Provision for elderly and disabled movement is addressed in the Plan.

8.6.5 The proposals accord with Policy TR3 (Access and New Development) of the Core Strategy which requires new development to minimise the need to travel and support good access to employment, services and community facilities as well as ensure adequate, safe access arrangements. The site is well located in terms of bus and rail services; the Applicant will be required to submit a Travel plan to promote sustainable means of movement; to be secured by Condition.

8.6.6 A Stage 1 Road Safety Audit was undertaken of the new access onto Amherst Road. Any highway safety concerns identified which will need to be resolved with the Highway Authority can be addressed as part of the Section 184 Agreement.

- 8.6.7 We note that (issues raised):
- a) The vehicle tracking plans (Landscape Design Plan with Vehicle Tracking Overlay, Dwg asl-00-00-DR-L-90-0012) does not demonstrate full circular movement around rear car parking court;
 - b) Assumes reverse movement of service and emergency vehicles to the refuse store, rear building and rear courtyard – address for pedestrian and cyclist safety to be evidenced (we note that in principle, ESCC have no major concerns regarding the reversing movement).
 - c) The vehicle movement to the front of the building appears very tight between the Town Hall entrance stairs and boundary wall (both non-designated heritage assets which could be damaged in the long-term); and,
 - d) The disabled bays to Amherst Road do not reflect an understanding of movement route from parking area to entrance of building for persons with disabilities (refer to DfT Traffic Advisory Leaflet 5/95, April 1995 as amended) – this location is not supported.

It is considered that the above issues need to be further evidenced/ resolved and are to be secured by Condition.

8.6.8 In terms of current ESCC Car Parking Guidance (B1 Offices requires 144 bays) there is an underprovision of parking bays which has been justified in terms of being a Town Centre location with high accessibility to public transport options. It is considered that this approach would support the intent of Policy SRM1 (Towards a low carbon future) and Paragraph 8 of the National Planning Policy Framework (sustainable development) and is to be secured as a Condition to prepare a Travel Plan.

8.6.9 ESCC provisional response note that *'whilst we have some concerns that overspill parking could have an impact on existing parking pressures both on-street and in public car parks in the local area, the site is in a central and accessible location and with this in mind an objection based on the lack of parking provided within the site would be difficult to justify.....subject to the provision of a robust travel plan.'*

8.6.10 It is noted that the ESCC have made a provisional response, detailed matters arising can be secured by Condition.

8.6.11 The parking strategy as currently submitted it is supported and the issues as raised can be secured by Condition.

8.6.12 As submitted, the application accords with transport and highway issues.

8.7 **LEGAL MECHANISM (Heritage asset)**

8.6.13 In order to ensure that the measures as proposed to mitigate harm, conserve and enhance to the retained non-designated heritage asset are secured, as required by National Planning Policy Framework Paragraph 204 (*all reasonable steps to ensure development will proceed after the loss*) and ensure the delivery of associated public benefit to the retained non-designated heritage asset as identified by the Applicant, the Applicant (Rother District Council) will be subject to a legal mechanism as so agreed to enact the sum circa £2M (Two million pounds) against the Scope of Works (Heritage) and related Cost Plan to enable the Works.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 In determining this application, the issues appraised were a) Planning policy: Principle of Development; b) Heritage and conservation; c) Design: layout, appearance and landscaping; d) Environmental matters; and, e) Access, transportation and highways safety.
- 9.2 Planning Policy - Principle of Development: it is considered that the application accords with planning policy. It would contribute to the Council's objectives of regeneration, enabling inward investment, and securing long-term employment within the designated Town Centre as identified in the Local Plan.
- 9.3 Heritage and Conservation: the key consideration is whether the total demolition of the two villas and the construction of the new building will have a less than substantial harm on the setting of the retained Town Hall (heritage asset) and that the cumulative impact will not materially affect the key element for which the Town Hall attains/ retains its heritage value and that the public benefits outweigh such affect as to be supported in planning policy allowing the Local Planning Authority to discharge its obligation in terms of Chp16 'Conserving and enhancing the historic environment' (National Planning Policy Framework 2021). In reviewing the application, it is considered that the public benefits outweigh any heritage harm and consequently this application is supported.
- 9.4 The National Planning Policy Framework requires that the *less than substantial harm* be weighed or mitigated by public benefits. In assessing the application, the public benefits are identified as 1) securing capital works to enable the renovation of the heritage Town Hall etal to secure its long-term *optimum viable use* (National Planning Policy Framework 202); 2) reducing the carbon footprint of the Town Hall (Council's policy and Climate Emergency Statement); 3) creating new office space to serve the District Council and associated providers in delivering a service to the community (employment retention); 4) creating additional rental commercial space to attract inward investment into Bexhill's designated Town Centre (employment creation); 5) creating a community café and event space; 6) improving the setting of the Memorial Gardens; and, 7) using the investment to act as a catalyst and create market confidence in attracting private sector investment into the Town Centre to enable regeneration (enabling growth). It is considered that the public benefits weigh favourably in determining and mitigating against adverse effect on the heritage assets.
- 9.5 Design: layout, appearance and landscaping: the application accords with Policies EN3 (Design Quality) and EN4 (Public Realm) subject to amendments as set-out below. It is recommended that these are approved through Officer's Delegated Authority.
- 9.6 Environmental Matters: the application accords with Policies OSS3(v)(viii), OSS4(ii), SRM1 (Towards a low carbon future) and the objectives of the Council's Climate Emergency statement.
- 9.7 Access, transportation and highways safety: the application accords with Policies TR3 (Access and New Development), SRM1 (Towards a low

carbon future), Paragraph 8 of the National Planning Policy Framework (sustainable development), and, is supported by ESCC Highway Authority.

- 9.8 It is considered that the application accords with the Rother Local Plan Core Strategy (2014), the Development and Site Allocations Local Plan (2019), Section 38(6) of the Planning and Compulsory Purchase Act (2004), and the National Planning Policy Framework (2021).

AMMENDMENTS:

- A1. Design (Fourth-floor):** It is considered that as currently submitted the design of the fourth floor is **not supported** and the Local Planning Authority would require an amended proposal to be submitted to address the issues raised

Reason: To ensure the creation of a high-quality architectural building respectful of its setting in accordance with Policies OSS4 (iii) and EN2 and EN3 of the Rother Local Plan Core Strategy (2014).

- A2. Hard and Soft Landscaping:** the landscape strategy as currently submitted it is **not supported** and the Local Planning Authority would require an amended proposal to be submitted to address the issues raised in this report.

Reason: To ensure the creation of a high-quality public realm and landscape setting in accordance with Policies OSS4 (iii) and EN3 and EN5 of the Rother Local Plan Core Strategy (2014).

RECOMMENDATION: It be **RESOLVED** to **GRANT (FULL PLANNING) – PLANNING COMMITTEE (SUBJECT TO THE SATISFACTORY RESOLUTION OF AMENDMENTS AND CONDITIONS AND THE COMPLETION OF A SECTION 184 (Public Highway) AGREEMENT THROUGH DELEGATED AUTHORITY).**

CONDITIONS:

1. **Time limit:** the development hereby permitted shall be begun before the expiration of three-years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Approved plans and details:** the development hereby permitted shall be carried out in accordance with the following approved:

Drawings

- a) Site Plan, 2012482, dated April 2020
- b) Site Location Plan, BEX-ASL-00-ZZ-DR-A-0001 Rev P04, dated 14/07/22
- c) Proposed Site Plan, BEX-ASL-00-ZZ-DR-A-0006 Rev P04, dated 14/07/22
- d) Demolition Site Plan for Enabling Works, BEX-RDC-00-ZZ-DR-A-0025 Rev P01, dated July 2022

- e) Demolition Site Plan, BEX-ASI-00-ZZ-DR-A-0008 Rev P04, dated 14/07/22
- f) Proposed Ground Floor Demolition- Town Hall and Villas, BEX-ASL-00-00-DR-A-0020 Rev P03, dated 14/07/22
- g) Proposed First Floor Demolition- Town Hall and Villas, BEX-ASL-00-01-DR-A-0021 Rev P03, dated 14/07/22
- h) Proposed Second Floor Demolition- Town Hall and Villas, BEX-ASL-00-02-DR-A-0022 Rev P03, dated 14/07/22
- i) Proposed Ground Floor Plan- Town Hall and New Building, BEX-ASI-00-00-DR-A-0100 Rev P07, dated 14/07/22
- j) Proposed First Floor Plan- Town Hall and New Building, BEX-ASI-00-01-DR-A-0101 Rev P06, dated 14/07/22
- k) Proposed Second Floor Plan - Town Hall and New Building, BEX-ASL-00-02-DR-A-0102 Rev P06, dated 14/07/22
- l) Proposed Third Floor Plan- Town Hall and New Building, BEX-ASL-00-03-DR-A-0103 Rev P06, dated 14/07/22
- m) Proposed Roof Plan- Town Hall and New Building, BEX-ASL-00-04DR-A-0104 Rev P04, dated 14/07/22
- n) Existing and Proposed Entrance Link, BEX-ASL-00-ZZ-DR-A-SK01 Rev P02, dated 14/07/22
- o) Proposed Site Sections, BEX-ASL-00-ZZ-DR-A-0007 Rev P03, dated 14/07/22
- p) Proposed Sections, BEX-ASL-00-ZZ-DR-A-0110 Rev04, dated 14/07/22
- q) Proposed Sections, BEX-ASL-01-ZZ-DR-A-0111 Rev P02, dated 14/07/22
- r) Proposed Site Elevations, BEX-ASL-00-ZZ-DR-A-0009 Rev P01, dated 14/07/22
- s) Proposed Elevations 1, BEX-ASL-10-ZZ-DR-A-0180, dated 14/07/22
- t) Proposed Elevations 2, BEX-ASL-00-ZZ-DR-A-0181 Rev P04, dated 14/07/22
- u) Proposed Elevations 3, BEX-ASL-00-ZZ-DR-A-0182, dated 14/07/22
- v) Proposed Southern Elevation and East West Section, ASL-00-00-DR-L-0020, dated 15/07/22
- w) Proposed Landscape Design Plan, ASL-00-00-DR-L-0010, dated 15/07/22
- x) Landscape Design Plan & Tree Survey Overlay, asl-00-00-DR-L-90-0011, dated 05/04/22
- y) Proposed Plan with Vehicle Tracking Overlay, asl-00-00-DR-L-90-0012, dated 05/04/22
- z) Proposed Plan Overlay with East Sussex Public Realm Preferred Proposal, asl-00-00-DR-L-90-0013, dated 05/04/22

Reports

- aa) Acoustic Planning Report, 21268/003/gw, dated 8/07/22
- bb) Arboricultural Impact Assessment Tree Condition Survey, 0722-10082, dated July 2022
- cc) Archaeological Desk Based Assessment and Statement of Significance of Heritage Assets, CBAS1286, dated October 2021
- dd) Assessment for the Provision of Daylight and Sunlight within the Development Rev 01, dated 19/07/22
- ee) Biodiversity Net Gain Assessment Report, LLD2369, dated July 2022
- ff) Contamination Investigation Report (Additional), J14901, dated 23/02/22
- gg) Daylight and Sunlight Assessment for the Development, Rev 01, dated 18/07/22

- hh) Design and Access Statement, BEX-ASL-00-ZZ-RP-A-0017 Rev P01, dated 15/07/22
 - ii) Desk Study and Preliminary Site Investigation Report, J14901- Report Issue 2, dated 13/12/21
 - jj) Drainage Schematic Plan, 813144-IWD-XX-XX-DR-C-6000 Rev P1, dated 14/07/22
 - kk) Ecological Impact Assessment, LLD2369, dated October 2021
 - ll) External Utilities Services Layout, 21339-DLW-ZZ-ZZ-DR-ME-0305 Rev P01, dated 14/07/22
 - mm) Gas Monitoring Investigation, dated 16/03/22
 - nn) Heritage Impact Assessment, BEX-ASL-00-ZZ-RP-A-0018, dated 11/07/22
 - oo) Landscape Design- Stage 1 and 2 Report, 1121025-ASL-00-00-RP-L-1000 Rev P01, dated 15/07/22
 - pp) Photomontages, received 27/07/22
 - qq) Planning Statement, 829-01-050, dated July 2022
 - rr) Preliminary Ecological Appraisal, LLD2369, dated July 2021
 - ss) Remediation Strategy and Verification, J14901, dated 22/03/22
 - tt) Statement of Community Involvement and Appendices, 829-01-060, dated July 2022
 - uu) Sustainability and Energy Statement, 21-339, dated 14/07/22
 - vv) Transport Assessment, 11640, dated July 2022
 - ww) Ventilation Planning Statement, 21-339, dated 13/07/22
- Reason: For the avoidance of doubt and in the interests of proper planning.

PRE-COMMENCEMENT CONDITIONS:

3. **Contaminated Land Assessment:** no development shall take place prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being undertaken and been submitted to and approved in writing by the Local Planning Authority and all works shall be completed in accordance with the approved details. The assessment shall include, inter-alia:
 - a) Desk-top study include the history of the site's uses and a walk-over survey. It shall as identified propose a site investigation strategy based on the relevant information discovered by the desk-top study.
 - b) Assessment of the soils beneath the floor slabs of all buildings that are to be demolished, post demolition.
 - c) Site investigation, including relevant soil, soil gas, surface and ground water sampling, in accordance with a quality assured chemical sampling and analysis methodology.
 - d) Details of all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy. The remedial strategy shall so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.
 - e) Issues as identified in the Remediation Strategy and Verification Plan (Southern Testing Lab Ltd; Ref. J14901, Issue 1; 2022) as submitted.
 - f) The strategy shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.
 - g) If during any works contamination is encountered which has not previously been identified then the additional contamination should be fully assessed, identify what methods of address to be used and what is to be achieved,

an appropriation remediation scheme is to be prepared, and the remediation strategy reviewed/ updated accordingly. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.

- h) Upon completion of the works, this condition shall not be discharged until a validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology has been submitted prior to first occupation of the development. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.
- i) The assessment should be undertaken to accord with BS10175 Investigation of Potentially Contaminated Sites – Codes of Practice, or similar.

Reason: A pre-commencement condition is required as previous uses of the site may have left the land contaminated and in order to avoid risks to health of future occupiers of the site from any possible effects of contaminated land, in accordance with Policy OSS3 (viii) of the Rother Local Plan Core Strategy (2014) and Policy DEN7 of the Development and Site Allocations Local Plan (2019) and Paragraphs 183 and 184 of the National Planning Policy Framework.

- 4. **Archaeological Works:** no development shall take place until the Applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Works shall be carried out in accordance with the programme set out in the approved Written Scheme of Investigation. A written record of any archaeological works undertaken shall be submitted within three-months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

Reason: A pre-commencement condition is required to ensure that the archaeological and historical interest of the site below ground is safeguarded and recorded to comply with Policy EN2 (vi) of the Rother Local Plan Core Strategy (2014) and the National Planning Policy Framework.

- 5. **Scope of Work (Heritage):** no development shall take place until detailed drawings, technical specifications, and samples of the materials to be used for any building works/alterations or repairs to the heritage assets (to conserve, upgrade, and enhance the internal and external structure and fabric of the heritage asset defined as the Town Hall, Council Chambers, 1930's extension, and the boundary wall to London Road) as hereby approved, has been submitted to and approved in writing by the Local Planning Authority in consultation with statutory consultees. The works shall be undertaken in strict compliance with the details and materials as approved.

Drawings shall not be limited to:

- a) 1:50 scale survey drawings for all existing timber framing to wall and roofs including studs and rafters showing which are to be retained, replaced, removed or repaired and including methods of repair where applicable.
- b) 1:50 scale survey drawings and annotated photographs showing all areas of brickwork, stonework, other masonry, and windows which are proposed

to be repair/remedial, demolish and/or rebuild, including methods of repair where applicable.

- c) 1:20 scale plan sections and elevations of all remedial and proposed new internal floor structures, floor supporting structures, and internal partitions, including details of their relationship to historic structure, and junctions with historic fabric.
- d) 1:20 scale section through all external walls (masonry or timber framed), where it is proposed to alter the existing details to achieve better insulation and/or weatherproofing or for other purposes.
- e) 1:20 scale sections and elevations of all new openings in masonry and timber framed external walls and roofs including details of heads, jams and sill openings to be created in the structure, and details of windows, doors or roof lights to be inserted therein.
- f) 1:20 scale elevations of external wall heads, corners and bases in timber frame walls where these are to be entirely re-clad in new materials to show how external details are to be reinstated.
- g) Details of the flexible joint to be provided between the proposed new structure and the existing listed building.
- h) 1:50 scale plans indicating areas of floorboarding that is proposed to be replace.
- i) 1:20 scale elevational drawings indicating proposed areas of brick or stone walling and stone detailing where it is proposed to carry out re-placement, making-good and re-pointing works.
- j) 1:10 scale drawings illustrating proposed eaves and ridge detailing, indicating the provision of eaves and ridge level ventilation and the specification of any roofing felt and insulation where proposed.
- k) 1:20 scale plans and sections illustrating details of any proposed new infilling of existing historic external and/or internal walls, framework partitions, together with proposed materials for such infilling.
- l) A fully detailed schedule, including drawings to a scale of 1:20 and annotated photographs, for each and every window and door it is proposed to repair, restore or replace, including methods of repair where applicable.
- m) Details of all proposed external flues and vents, including their method of fixing and interface with the existing structure.
- n) Details of all rainwater goods and other external pipework, drawn to a scale of 1:10, indicating section sizes and profiles.
- o) Details of all new joinery, including windows, doors and partitions, with elevations at a scale of 1:10 and with full size sections through cills, frames and opening lights, including glazing bars and mullions, and showing the relationship to the existing structure.
- p) Details/samples of new bricks, roof tiles, sandstone details (string coursing etc) to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed utilising the approved materials only.

Technical specifications and reports shall not be limited to:

- a) Survey of heritage asset (not limited to foundation, walls, windows and internal panelling, roof) to ascertain their structural integrity.
- b) Clear marking of heritage asset sections to be removed to be submitted to the Local Planning Authority for written approval prior to removal.
- c) Undertaking of demolition and removal work by suitably qualified contractors who have received appropriate on-site briefing.
- d) Use of hand tools only to remove fabric adjoining or attached to the heritage asset structure.

- e) Following demolition of the modern elements of buildings attached to the heritage asset, or new openings, an appropriate scheme of cleaning and repair to be put in place. This should include removal where appropriate of internal and external infrastructure services and making safe damaged elements of the heritage asset.
- f) Repair and making good of damaged heritage asset sections to be undertaken to an approved methodology, securing the use of hand tools only, appropriate materials and mortars which shall be specified.
- g) Strategy of 'making-good' to weather-proof the heritage asset while exposed during the demolition and construction works.

Reason: A pre-commencement condition is required in the interests of visual amenity, to ensure an appropriate design for the area, and to ensure that special regard is paid to the interests of protecting the architectural and historic character of the non-designated heritage assets in accordance with Policy EN2 and EN3 of the Rother Local Plan Core Strategy (2014); and, with reference to section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004) in light of possible Listing of the Town Hall building and curtilage.

6. **Cost Plan:** prior to the commencement of works on site including demolition, a detailed cost plan of the Scope of Works to identify overall spend committed for the works (circa £2M (Two million pounds)) shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority may at their sole discretion appoint a cost consultant to verify the cost plan, fees for such will not be unreasonable and will be to the Applicant.

Reason: A pre-commencement condition is required in the interests of visual amenity, to ensure an appropriate design for the area, and to ensure that special regard is paid to the interests of protecting the architectural and historic character of the non-designated heritage assets in accordance with Policy EN2 and EN3 of the Rother Local Plan Core Strategy (2014); and, with reference to section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004) in light of possible Listing of the Town Hall building and curtilage.

7. **Construction Management Plan:** no development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire development period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- a) The anticipated number, frequency and types of vehicles used during development.
- b) The method of access and egress and routing of vehicles during development (including unfettered use and access by occupants of the Jobcentre Plus building (Amherst Road).
- c) The method of emergency access and evacuation relating to the safety of occupants within the Jobcentre Plus building and Town Hall.
- d) The parking of vehicles by site operatives and development-related visitors.
- e) The loading and unloading of plant, materials and waste.
- f) The storage of plant and materials used in construction of the development.
- g) The erection and maintenance of security hoarding.

- h) The provision and utilization of wheel washing facilities and other works required to mitigate the impact of development upon the public highway (including the provision of temporary Traffic Regulation Orders).
- i) Details of public engagement both prior to and during the development works.

Reason: To ensure highway and environmental safety, to protect the amenities of adjoining occupiers and residents, and to occupants on site during development in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy (2014) and the Construction (Design and Management) Regulations 2015 (CDM 2015).

8. **Site Access:** no development shall take place until changes to existing and/or new site access/egress shall be provided in the position shown on the approved plan (Vehicle tracking: Dwg No. 11640/2200/P5, March 2022; Access plan: Dwg No.11640/100/P1, June 2022; gta) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway's Authority.

The Applicant is to submit detailed vehicle tracking plans for the rear parking area and to the front of the building to ensure suitable vehicle manoeuvrability, safety of persons, and adequate protection to non-designated heritage assets.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR2 of the Rother Local Plan Core Strategy (2014).

9. **Air Quality Assessment:** no development shall take place until an air quality assessment shall be carried out by a suitably qualified person for the proposed development. The assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment should consider the impact of the proposed development on the air quality objectives described in the National Air Quality Strategy with respect to nitrogen dioxide, PM₁₀ and PM_{2.5} particulates.

For the development, an assessment should be undertaken of the potential for dust nuisance, using the Institute of Air Quality Management (IAQM) 'Guidance on the assessment of dust from demolition and construction'.

For a quantitative assessment of the operational phase detailed modelling using ADMS – Roads or other appropriate dispersion modelling platform to determine the impact of the development on existing air quality is required. This should include assessment of the cumulative impacts from the development itself and other committed developments in the vicinity, on existing air quality.

Where possible, verification of the model output should be made through a comparison of the results of any publicly available monitoring data in the study area.

To inform the background concentrations used within the model, the results of local monitoring and the available DEFRA maps should be used. Reductions in background concentrations and emissions in future years should not be used, to reflect the findings of recent research.

The significance of impact should be described with reference to the EPUK/IAQM (January 2017) 'Land-Use Planning & Development Control: Planning for Air Quality' documents and the 'Air quality and emissions mitigation guidance for Sussex authorities' (2021).

A scheme for protecting future and existing residential occupiers in the vicinity from the effects of nitrogen dioxide (NO_x) and airbourne particulate matter (PM_{2.5}) arising from the development and mitigation measures to alleviate the impact of the development equivalent to the calculated damage costs shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed prior to the occupation of the buildings hereby approved and thereafter maintained for the lifetime of the development.

The café/servery ventilation strategy described briefly in the Ventilation Planning Statement prepared by Delap & Waller Ltd. (Ref: 21-339, 13/07/2022) refers to the HVCA publication DW/172 'Specification for Kitchen Ventilation Systems' and currently is based on a discharge 1m above roof level (although which roof is not specified) to minimise odour. If this strategy should change, as the Statement seems to anticipate may happen, and the discharge need to be at a lower level then the requirements of the EMAQ+ publication 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems should be followed'.

Reason: To safeguard the amenities of the occupiers of the proposed development and other occupiers in the neighbourhood in respect of atmospheric pollution and the air quality in the area having regard to 'Air quality and emissions mitigation guidance for Sussex (2021)' and in compliance with Policy OSS3 of the Rother Local Plan Core Strategy (2014) and paragraph 186 of the National Planning Policy Framework.

10. **Energy Statement:** no development shall take place until a comprehensive written Statement shall be submitted to and agreed in writing by the Local Planning Authority. The approved Statement shall be implemented and maintained for the lifetime of the development including occupation and shall not be altered without the prior written approval of the Local Planning Authority. This Statement should address, inter-alia:
- a) New building: the approach, details and technical specifications as set out in the Sustainability and Energy Statement (2022) and Decarbonisation Assessment (April 2022) for the building to attain, as a minimum, compliance with Building Regulations Part L 2021 Volume 2, and address wider national objectives post-2025 as set in Part L; and, the UK Green Building Council's 'Net Zero Carbon Buildings: A Framework Definition' (2019) and 'Net Zero Carbon: Energy Performance Targets for Offices' (2020) defined by the Applicant as "*Net Zero Carbon in Operation*".
 - b) Town Hall, Council Chamber and 1930's extension: the approach, details and technical specifications as set out in the Sustainability and Energy Statement (2022) and Decarbonisation Assessment (April 2022) for the refurbishment and/or retrofitting of measures to reduce the energy usage and CO₂ emissions of the buildings by a minimum of 48%. All such works should have due care and attention to the heritage asset's value and will require the prior written approval of the Local Planning Authority in consultation with statutory consultees Historic England.
 - c) The Applicant will need to undertake a review every three-years to ensure that the building-in-use conforms with the Statement and where targets are

not been attained put in place actions and/or remedial works to address such shortfalls and submitted to and be agreed in writing by the Local Planning Authority.

- d) Due to the technical nature of the Statement, the Local Planning Authority may at their discretion instruct a qualified third-party, costs of such to the Applicant as to be agreed with the Applicant, to review the Statement to ensure compliance and attainment of the application's sustainability and energy objectives. Recommendations arising to be addressed in the development detailed specifications and resolution.

Reason: A development and on-going operations condition to provide a sustainable development including high levels of energy performance and carbon reduction in accordance with Policy SRM1 (Towards a low carbon future) of the Rother Local Plan Core Strategy (2014) and paragraph 8©, 152, 155 to 158 of the National Planning Policy Framework.

11. **Earthworks:** no development shall take place until details of an earthworks strategy shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding neighbouring properties. Where retaining walls of in excess of one-meter in height are required the submitted construction details shall be certified by a 'Competent Person' and all development shall be carried out in accordance with the approved details.

Where earth spoil is to be taken off site this should be address including receptor site for such spoil within the Construction Management Plan.

Reason: To ensure that the proposed development takes proper account of and does not prejudice the appearance of the locality in accordance with Policies OSS3 (viii) and OSS4 (iii) of the Rother Local Plan Core Strategy (2014).

12. **Sewerage Network Drainage Strategy:** no development shall take place until a scheme for the provision of sewerage/ foul network drainage works shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Southern Water) and none of the development shall be occupied until the drainage works to serve the development have been provided in accordance with the approved details.

Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development.

Reason: To ensure the satisfactory drainage of the site and to prevent water pollution in accordance with Policies OSS4 (ii)(iii) and EN7 of the Rother Local Plan Core Strategy (2014).

13. **Surface Water Drainage Strategy:** no development shall take place until a scheme for the provision of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority (LLFA) and Southern Water, and the development shall thereafter be completed and maintained in accordance with the approved details.

The scheme should address, but is not limited to:

- a. Evidence should be provided that demonstrates that the application has explored all options for the disposal of surface water in accordance with the LLFA's hierarchy.
- b. Details to be provided to demonstrate how the proposed discharge rates have been selected or calculated. The LLFA would encourage the Applicant to explore restricting discharge rates from the site to the existing Qbar rate as far as reasonably practicable. However, given that the site is currently brownfield, it would also be accepting of restricting discharge rates to a minimum of 50% of the existing rate, to ensure that a significant betterment from the existing scenario has been achieved. Considering this, the Applicant should therefore provide further information on the proposed discharge rates, and calculations to support this.
- c. Hydraulic calculations to be submitted with the drainage strategy drawing. The LLFA require that hydraulic calculations are provided to assure that the proposed system can store and manage surface water without increasing flood risk on or off site. The hydraulic calculations should take into account the connectivity of the drainage system to assure that surface water runoff can be discharged at the approved rates without increasing flood risk on or offsite. Calculations should be provided for 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events.
- d. The proposed Drainage Strategy relies on some of the existing drainage network; however, there is no information on their condition and capacity to demonstrate that it is suitable to manage surface water runoff. Therefore, the application should carry out further investigations and provide a better understanding of the existing drainage features that are to be used.
- e. Any connections to existing surface water assets should have the principle of the connection agreed with the asset owner before the planning application is submitted. If it is proposed to re-use existing connections, the Applicant should investigate its condition and carry out any required improvements.

Reason: To control the quality and rate of run-off in relation to surface water drainage thereby protecting water quality and reducing local flood risks in accordance with Policies SRM2 (iii)(v) and EN7 (iii) of the Rother Local Plan Core Strategy (2014) and paragraphs 161© and 167© of the National Planning Policy Framework.

14. **Hard Landscaping:** no above-ground development shall take place until public realm and hard landscaping details and technical specifications have been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out as approved and in accordance with an agreed implementation programme.
 - a) Proposed finished levels or contours (to evidence compliance with the Equality Act 2010 or similar regarding disabled access).
 - b) Means of enclosure (fences, railings and walls).
 - c) Car-parking layouts (including disabled and EV bays).
 - d) Design of other vehicle and pedestrian access and circulation areas, (including internal route widths, pavements and cycleways where relevant, and other strategic public realm areas).
 - e) Hard surfacing materials (including road surfaces, cycleways, footpaths, parking spaces and other areas of hardstanding, kerbs and tactile paving).
 - f) An external lighting strategy, (including type and design of lighting equipment, and non-lighting zones). As recommended in the PEA, nocturnal lighting if required should be compliant with best practice guidance (BCT & ILP, 2018).

- g) A coordinated street furniture strategy (including benches, bollards, bins, planters, signage strategy, artwork).
- h) Minor structures (including generator enclosures, internal bike storage racks, etc).
- i) Proposed and existing infrastructure services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports).
- j) Changed historic landscape features, including methods of working with a heritage assets, materials and proposals for restoration and repair methods for inter-alia the boundary wall that is to be part demolished adjacent to Amherst Road to facilitate site access.

Condition to be read in conjunction with vehicle parking (layout) condition.

Reason: To ensure the creation of a high-quality public realm, landscape setting and design quality in accordance with Policy EN3 of the Rother District Local Plan Core Strategy (2014).

15. **Boundary Treatment:** no above-ground development shall take place until proposals indicating the positions, design, height, materials and type of boundary treatment/means of enclosure to be constructed and/or erected to the site have been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason: To enhance the appearance of the development in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy (2014).

16. **Soft Landscaping:** no above-ground development shall take place until soft landscaping details and technical specifications have been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out as approved and in accordance with an agreed implementation programme.

- a) Planting plans.
- b) Written specifications (including cultivation and other operations associated with plant establishment).
- c) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- d) Tree specification: all trees to be a minimum of Heavy Standard (12-14cmg).
- e) Detailed drawings and specifications of tree planting including inter-alia pit sizes, deadweight/ anchor ties, stated irrigation pipes, end caps and aeration tubes; tree collars; tree stakes; tree root barriers.

We would encourage the use of drought tolerant plant species and more robust plant species to address a low carbon/ resource approach in accordance with Policy EN3(v) and SRM1(vi) of the Rother Local Plan Core Strategy (2014).

We refer to the recommendation in the Preliminary Ecological Appraisal (2021) which should be evidenced:

- a) Incorporation of native flora within soft landscaping proposals.
- b) Consideration of creation of new urban habitats within scheme proposals.

Reason: To ensure the creation of a high-quality public realm and landscape setting in accordance with Policies OSS4 (iii) and EN3 and EN5 of the Rother Local Plan Core Strategy (2014).

17. **Protection to existing trees:** no development shall take place until proposals for the protection of existing trees to be retained on or immediately adjacent to the site as approved, including measures to protect the root

protection zone for the duration of construction works, shall be submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be provided in accordance with the approved details and be retained for the duration of the development.

The method statement shall be in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations. The Applicant is to evident level changes within the Root Protection Zone for approval accordingly.

Reason: To ensure the protection of trees during demolition and construction and the creation of a high-quality public realm and landscape setting in accordance with Policies OSS4 (iii) and of the Rother Local Plan Core Strategy (2014).

DEMOLITION OF BUILDING AND SITE WORKS:

18. **Hidden Historic Features:** any hidden historic features revealed during the course of investigative, demolition or remedial works to the heritage assets shall be retained in-situ and work shall be suspended in the relevant area of the building while the Local Planning Authority, in consultation with statutory consultees, is notified immediately and given the opportunity to inspect. Any such features shall be retained and/or properly recorded in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to the interests of protecting the special architectural and historic character of the heritage asset in accordance with Policy EN2 of the Rother Local Plan Core Strategy (2014).

19. **Demolition (Safeguarding measures):** prior to any demolition commencing as hereby approved, details of measures to be taken to safeguard neighbouring property and those parts of the building shown to be retained as approved shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be fully implemented and retained for the period of any demolition and construction works.

As recommended in the PEA:

- a) Further presence / absence survey of buildings with identified bat roosting potential should be undertaken to scope in / out bat roosts prior to demolition; and,
- b) Clearance of vegetation outside of the main bird nesting season (given to run March – August inclusive) or following inspection from a suitably qualified ecologist to ensure no active nests are present shall be undertaken and be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to the interests of protecting the special architectural and historic character of the heritage asset and habitat in accordance with Policy EN2 of the Rother Local Plan Core Strategy (2014) and with due regard to the Construction (Design and Management) Regulations 2015 (CDM 2015).

20. **Detailed Scheme of Demolition:** prior to any demolition commencing as hereby approved, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall address inter-alia phasing of demolition, method of demolition (Ref. Demolition Site Plan for Enabling Works, BEX-RDC-00-ZZ-DR-A-0025 Rev P01, dated July 2022), details of the possible reclamation of materials arising from the demolition of

non-designated heritage assets (internal and external works as hereby approved), protection of retained non-designated heritage asset, the removal and reclamation of all waste materials from the site off-site, the proposed boundary treatment to safe-guard neighbouring properties and retention of boundary heritage assets, and measures to protect the retained heritages assets during construction. The approved measures shall thereafter be fully implemented and retained for the period of any demolition and construction works.

Reason: To ensure that the site is managed in a tidy condition while demolition takes place and that the retained heritage assets are protected and that it is not detrimental to the character or appearance of the surrounding area, in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy (2014).

21. **Contamination (Asbestos):** prior to any demolition on site, a destructive asbestos survey of buildings to be demolished and a scheme to address the management and/or safe disposal of asbestos and asbestos containing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

The scheme shall include details of, where necessary, an asbestos identification survey by a qualified contractor, measures to be adopted to protect human health and the preferred asbestos disposal route, unless the Local Planning Authority dispenses with any such requirement specifically in writing.

Reason: To ensure that the risks from asbestos to the environment, future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy GD1 (xiii) of the Rother District Local Plan (July 2006), Policies OSS3(viii) and OSS4(ii)(iv) of the Rother Local Plan Core Strategy (2014), and with due regard to the Construction (Design and Management) Regulations 2015 (CDM 2015).

22. **Contamination (Validation Report):** the site preparation of the development hereby permitted shall adhere to the Remediation Strategy and Verification Plan prepared by Southern Testing Laboratories Limited (Project ID: J14901, Issue 1, 22/03/2022). Should further post-demolition investigative work reveal significant additional contamination or if during the development contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the Local Planning Authority.

A validation report to confirm an absence of contaminants including asbestos on the finished surface of the site, detailing the proposed remediation works and, providing the necessary quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that the site is left in a satisfactory condition and does not pose a risk to human health and the environment and to protect the health of

future occupiers of the site from any possible effects of contaminated land, in accordance with Policies OSS3(viii) and OSS4(ii)(iv) of the Rother Local Plan Core Strategy (2014) and with due regard to the Construction (Design and Management) Regulations 2015 (CDM 2015).

23. **Site Clearance (after demolition):** prior to the commencement of development, the building arisings, resultant rubble and spoil as hereby approved for demolished shall be disposed as per the Detailed Scheme of Demolition above and the site cleared accordingly, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the satisfactory development and appearance of the site in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy (2014).

DURING DEVELOPMENT (Demolition & Construction):

24. **Working hours:** no development shall take place other than within the hours Monday to Friday 08:00 to 18:00 hours, Saturday 08:00 to 13:00 and not at all on Sundays, Public or Bank Holidays. Deliveries and removal shall take place between 08:00 to 18:00 Monday to Friday only and not at all on Saturdays, Sundays, Public or Bank Holidays.
Reason: To protect the amenities of adjoining properties during construction in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy (2014).
25. **Historic Building (Raking out mortar):** all raking out of mortar is to be carried out with hand tools and not with mechanical or power-driven devices.
Reason: To ensure no damage occurs to the historic brickwork/stonework of the heritage asset in accordance with Policy EN2 of the Rother Local Plan Core Strategy (2014).
26. **Work sample (Exterior wall panel):** no above-ground development shall take place until a sample panel of the new build as hereby approved measuring not less than 1m x 1m shall be constructed to show the various brick bond, type and style of pointing, width of mortar joints and details of mortar mix of the new building works, for inspection and approval in writing by the Local Planning Authority and which shall be retained on site until completion of the works. The remainder of the walling shall be constructed in accordance with the approved panel.
Reason: In the interests of safeguard the historic fabric and the special architectural and historic character of the heritage asset in relation to the new building works in accordance with Policy EN2 of the Rother Local Plan Core Strategy (2014).
27. **Material samples:** no above-ground development shall take place until materials, as evidenced in the Design & Access Statement (Chp6: Appearance) to be used in the construction of the external surfaces of the new building and part restoration of the circa 1930's wing building (Amherst Road) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved materials and details.
Reason: To ensure that the development reflects the character and/or appearance of the existing building and to preserve the visual amenities of the area in accordance with Policy OSS4(iii) of the Rother Local Plan Core

Strategy (2014) and Policy DHG9(ii) of the Development and Site Allocations Local Plan (2019).

28. **Scheme for Control of Noise and Dust:** prior to the commencement of development, a Scheme for the control of noise and dust shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

The Scheme shall include details of all activities (including vehicle movements), machinery, plant and equipment to be installed, located or used on the site, which create noise that is noticeable outside of the site boundary when in use. (NOTE: for the purposes of this condition the site boundary shall be defined by a red line on the submitted site plan (Proposed Site Plan, BEX-ASL-00-ZZ-DR-A-0006 Rev P04)).

Details shall include the LAeq, T, L_{max} and octave band sound levels that each item of machinery, plant, equipment and activity produces, and noise mitigation measures proposed to limit its impact.

The rating level (L_{A,r}, T_r) of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed the plant noise rating limits in Table 4 of the Acoustic Planning Report by Applied Acoustic Design (AAD) (Ref: 21268/003/gw, 08/07/2022). For “emergency plant” the noise limit and routine testing regime shall be as recommended in paragraph 3.1.3 of the Acoustic Planning Report. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 ‘Method for rating and assessing industrial and commercial sound’ and/or its subsequent amendments. Where access to the worst affected sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the worst affected sound-sensitive property.

The approved mitigation measures shall be fully implemented, and all such machinery, plant, equipment and activity shall not be used or carried out except in accordance with the approved scheme.

The Scheme shall also include provision for post-installation noise monitoring to be undertaken by the Applicant at the reasonable request of the Local Planning Authority at locations agreed with the Local Planning Authority, in order to test that the noise levels emanating from the development hereby permitted have been reduced to a minimum and to the satisfaction of the Local Planning Authority. Any changes to the approved scheme shall first be submitted to and approved in writing by the Local Planning Authority.

All works shall ensure compliance with guidance found in British Standard ‘BS5228-1: 2009 +A1:2014- Code of practice for noise and vibration control on construction and open sites’ as amended. The Applicant should follow guidelines in BS 4142.

Reason: To ensure that unreasonably harm to the amenities of adjoining properties during development does not occur in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy (2014) and paragraphs 174€ and 185 of the National Planning Policy Framework.

29. **Waste Management Plan:** no development shall take place until a Waste Management Plan/Statement to include details of the measures to minimise and manage waste generated by the development and during occupation shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of seeking a sustainable development which minimises waste, in accordance with the Supplementary Planning Guidance on “Construction and Demolition Waste” (2006), by East Sussex County Council and having regard to amenity issues in accordance with Policies SRM1(viii) and OSS4 (ii) of the Rother Local Plan Core Strategy (2014).

ON-GOING CONDITION:

30. **Working hours:** (delivery and servicing) no deliveries, loading or unloading or other servicing activities shall take place at the site other than between the hours of 08h00 and 18h00 on weekdays; between 08h00 and 13h00 on Saturdays; and, at any time on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of neighbouring properties in accordance with Policy OSS4 of the Rother Local Plan Core Strategy (2014).

31. **Working hours:** (café and event space) these areas will be subject to a condition limiting their opening and/use hours between the hours of 08h00 and 20h00 on weekdays and Saturdays; and, at any time on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority. No amplified or other music shall be played in these areas outside these times.

Reason: To safeguard the amenity of neighbouring properties in accordance with Policy OSS4 of the Rother Local Plan Core Strategy (2014).

32. **Non-commercial use (café and event space):** prior to any non-commercial uses being brought into use, full details of the operational hours along with details of fume extraction, noise mitigation and waste storage management for the proposed uses shall be submitted to and approved in writing by the Local Planning Authority. The development shall be used in accordance with the approved details and any mitigation shall be retained and maintained thereafter.

Reason: In the interest of securing adequate amenity of neighbouring properties in accordance with Policy OSS4 of the Rother Local Plan Core Strategy (2014).

33. **Landscape establishment:** If within a period of five-years from the date of Practical Completion any soft landscaping, or any replacement, is removed, uprooted, destroyed or dies, (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective) the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. The Local Planning Authority at their sole discretion may require that the size of the replacement is an increase from that originally specified to ensure that it matches the instated landscape.

A schedule of maintenance of the trees until successfully established (defined as five-years) shall be submitted to and approved in writing by the Local Planning Authority and implemented. The schedule shall include provision for replacement planting should establishment fail, such measures having regard

to BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations.

Reason: To enhance the appearance of the development in accordance with Policy EN3 of the Rother Local Plan Core Strategy (2014).

34. **Drainage (as constructed):** the building shall not be occupied until evidence (including photographs) has been submitted showing that the drainage system has been constructed as per the final agreed detailed drainage design, to be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: To ensure the satisfactory drainage of the site and to prevent water pollution in accordance with Policies OSS4 (iii) and EN7 of the Rother Local Plan Core Strategy (2014).

FIRST OCCUPATION CONDITION:

35. **Vehicle Parking (Layout):** the development shall not be occupied until the vehicle access and car parking strategy, as set out in plan (Dwg No. ASL-00-00-DR-L-0010, Proposed Landscape Design Plan, July 2022, Austin-Smith Lord) as amended shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency and thereafter be retained for that use and shall not be used other than for the parking.

The proposed parking spaces shall measure at a minimum 2.5m by 5.5m, excluding disabled parking which will comply with national standards.

Reason: To provide adequate space for the parking of vehicles and disabled parking and to ensure the safety of persons and vehicles entering and leaving the site and proceeding along the highway in accordance with Policies TR3 and TR4 of the Rother Local Plan Core Strategy (2014).

36. **Electric Vehicle Parking (EV):** the development shall not be occupied until the specifications and strategy for electric vehicle charging inclusive of the Vehicle Parking (Layout) condition has been submitted to and approved in writing by the Local Planning Authority and the area shall be installed ready for use prior to occupation and thereafter be retained for that use and shall not be used other than for the EV parking.

Reason: In order that the development meets the objectives of sustainable development and carbon neutral objectives in accordance with Policies OSS4 (ii), TR3 and TR4 of the Rother Local Plan Core Strategy (2014).

37. **Pedestrians and Cyclists:** the development shall not be occupied until a means of access for pedestrians and cyclists has been constructed in accordance with details submitted to and approved in writing by the Local Planning Authority and the access shall thereafter be retained for that use acknowledging that some of these areas may be designed as 'shared-surfaces'.

Reason: To ensure the safety of persons and cyclists entering and leaving the site and in the interests of the visual amenities of the locality in accordance with Policy TR3 of the Rother Local Plan Core Strategy (2014).

38. **Cycle Storage:** the development shall not be occupied until specifications of the cycle storage racks have been submitted to and approved in writing by the Local Planning Authority and the area shall thereafter be retained for that use and shall not be used other than for the parking/storage of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with Policies OSS4 (ii) and TR3 of the Rother Local Plan Core Strategy (2014).

39. **Refuse and recycling bin:** the development shall not be occupied until the refuse and recycling bin storage areas in accordance with the approved plan (Dwg No. BEX-ASL-00-01-DR-A-0101/P06, Proposed First Floor Plan, April 2022, Austin-Smith Lord) have been provided and thereafter all areas will be retained and maintained for that use.

Reason: To safeguard the visual amenities of the locality and in the interests of providing a sustainable development in accordance with Policy OSS4 of the Rother Local Plan Core Strategy (2014).

40. **Light strategy:** no development shall take place until a written scheme shall be submitted to and agreed in writing by the Local Planning Authority that specifies the provisions to be made for the level of illumination of the site and to control light pollution. The approved scheme shall be implemented and maintained for the lifetime of the development and shall not be altered without the prior written approval of the Local Planning Authority.

The lighting strategy should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011 (or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

Reason: To protect the amenity of the locality, in terms of light pollution especially for surrounding properties, in accordance with Policies OSS4 (ii) and (iii) of the Rother Local Plan Core Strategy.

41. **Travel Plan:** the development shall not be occupied until a Travel Plan (live for five-years of occupation) detailing the provision of alternative transport arrangements to enable access to and from the site other than by car has been submitted to and approved in writing by the Local Planning Authority (in collaboration with ESCC Highways) including a timetable for the implementation and monitoring of the Plan and arrangements for its monitoring by the Local Planning Authority to ensure compliance and measures to be undertaken to ensure ongoing compliance.

The content of the Travel Plan can be set out as suggested in the Travel Assessment (July 2022; gta) Chp7 Travel Plan Framework, or similar.

Reason: To provide a sustainable development and to reduce the harmful effects of traffic upon the character, amenities and highway safety for the surrounding area, in accordance with Policy TR2 and TR3 of the Rother Local Plan Core Strategy (2014).

NOTES:

1. This permission is subject of an obligation under Section 106 of the Town and Country Planning Act 1990.
2. The local Highway Authority's requirements associated with this development will need to be secured through a Section 184 Agreement for work relating to access. The Applicant is requested to contact the ESCC Transport Development Control Team to commence this process. The Applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

3. It is noted that East Sussex Fire & Rescue Service may recommended the installation of a sprinkler system and further guidance is available in the British Standard, Codes of Practice BS EN 116925, BS 9251 & BS EN 12845.
4. The Applicant should enter into a formal agreement with Southern Water to provide the necessary sewerage and surface water infrastructure required to service this development.

NATIONAL PLANNING POLICY FRAMEWORK: In accordance with the requirements of the National Planning Policy Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.