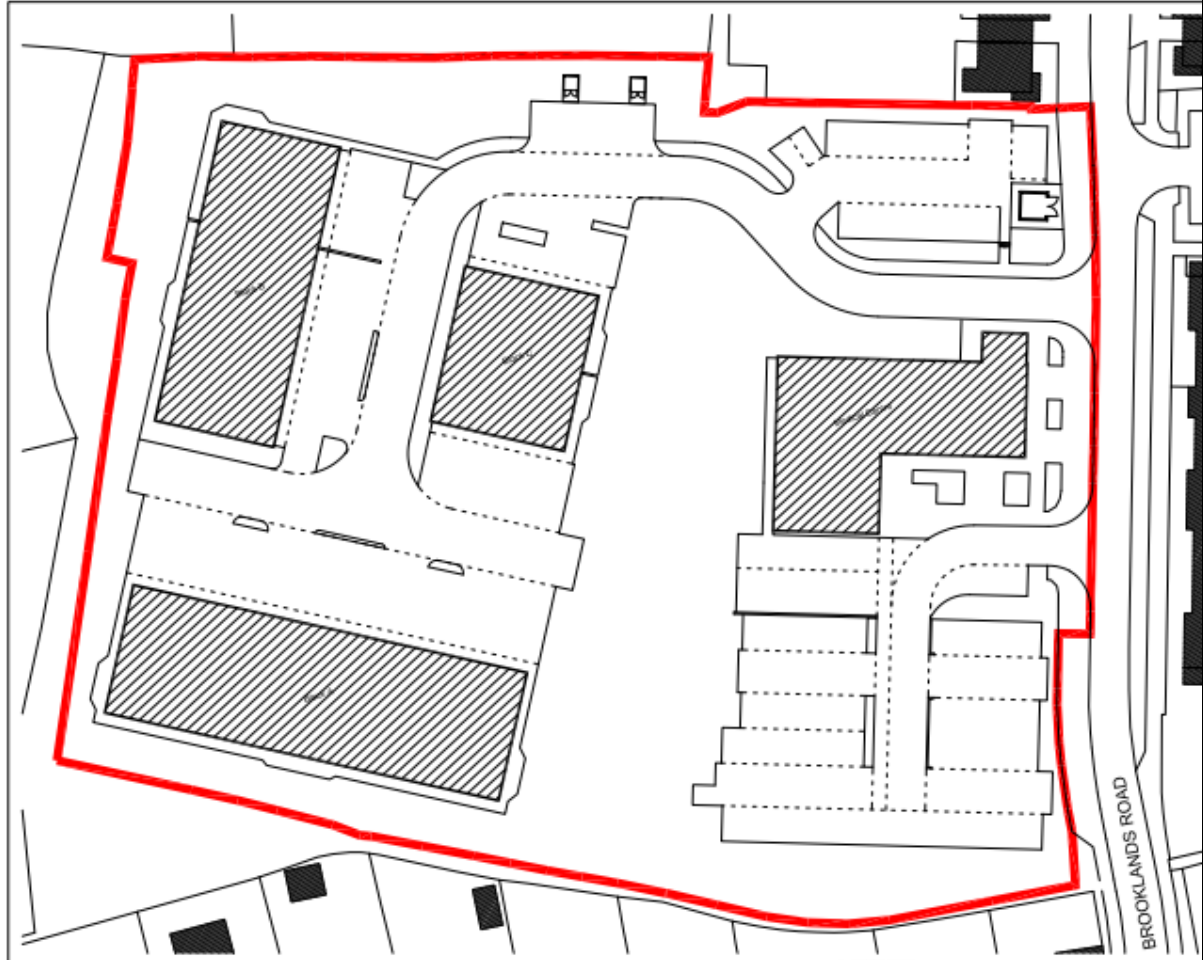


SITE PLAN

BEXHILL

RR/2022/3018/P

Brooklands Road – Land at,
Bexhill.



Rother District Council

Report to: Planning Committee
Date: 22 June 2023
Report of the: Director – Place and Climate Change
Subject: Application RR/2022/3018/P
Address: Brooklands Road – Land at BEXHILL
Proposal: Construction of a new 3-storey medical centre with associated landscaping, parking and cycle parking. Proposals also include the construction of three light industrial buildings offering flexible business space and a new site entrance from Brooklands Road.

[View application/correspondence](#)

RECOMMENDATION: It be **RESOLVED** to **GRANT (FULL PLANNING) DELEGATED [SECTION 106 TO SECURE 1) TRANSPORT CONTRIBUTIONS AND OFF-SITE WORKS; 2) LOCAL EMPLOYMENT AND SKILLS PLAN; AND 3) OFF-SITE ENVIRONMENTAL MITIGATION WORKS]**

Director: Ben Hook

Applicant: Rother District Council
Agent: RH Partnership Architects
Case Officers: Rossella De Tommaso
(Email: Rossella.DeTommaso@rother.gov.uk)

Parish: BEXHILL ST. MARKS
Ward Members: Councillors J. Stanger and C.J. Winter

Reason for Committee consideration: Council Own Development.

Statutory 10 - week date: 7 April 2023
Extension of time agreed to: 30 June 2023

This application is included in the Committee site inspection list.

1.0 SUMMARY

- 1.1 Full planning permission is sought for a three-storey medical centre fronting Brooklands Road and three light industrial buildings behind containing nine units to the rear of the site.
- 1.2 The key points raised by the proposal is the impact of the development on European Protected Sites (SAC) and Ramsar Site (Pevensy Levels), the reduction of employment floor space deliverable compared to outline

permission RR/2012/1978/P, the principle of the development and land use established by the site being within the development boundaries for Bexhill and from outline permission RR/2012/1978/P. The layout and design of the development and its impact on neighbouring residential amenities and lastly the impact on highways safety.

- 1.3 Each of these points are assessed in detail in this report and on balance it was concluded that the proposal is considered acceptable subject to the recommended planning conditions and Section 106 obligations to require transport works and contributions, training and skills provision and off-site ecological mitigation.
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2.0 SITE

- 2.1 The site is located on the west side of Brooklands Road within the development boundary for Bexhill. It comprises 1.54 hectares of sloping grassland dissected by a belt of mature trees with hedgerows and trees intermittently around the edge, including two trees subject to a Tree Preservation Order just to the north of the site. There is currently hoarding along the Brooklands Road frontage.
- 2.2 Historically, the site formed part of a larger mixed use development site (RR/2012/1978/P) now known as 'Rosewood Park'. The application site lies opposite the three-storey nursing home (Earlsfield Court) and to the south of a three-storey block of flats that have been recently constructed as part of the approved development. To the south of the application site runs a public footway beyond which are two storey detached residential properties fronting Barnhorn Road (A259). To the west are the rear of properties in Sandhurst Lane, including the Grade II listed Sandhurst Lodge.
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3.0 PROPOSAL

- 3.1 Planning permission is sought for a medical centre (1,775sqm) and nine light industrial units (2,025sqm) with landscaping, parking and associated infrastructure, including an electric sub-station and electric kiosks. The Medical Centre would be accessed from an existing bell mouth on Brooklands Road and the light industrial units from a newly created entrance further north within the site. The two main elements of the proposed development can be described as follows.

Medical Centre:

- 3.2 The proposed new three storey medical centre (Use Class E (e)) would provide General Medical Service (GMS) and Primary Care Network (PCN) services to the patient population of Little Common and Old Town Surgery. The proposed medical centre would be a modern facility to provide medical care for the patients for these local surgeries with the Old Town Surgery continuing to have a satellite presence from the existing surgery.
- 3.3. The proposed accommodation would have 19 consulting rooms, eight treatment rooms, practice officers and related facilities as follows:

Ground floor: Main entrance with waiting area and reception, staff facilities, six treatment rooms, one consultation room, phlebotomy rooms, WC facilities, plant room and waste/recycling facilities within an addition in the north-west corner of the building.

First floor: Thirteen consultation rooms, two treatment rooms, WC facilities, patient room and waiting area.

Second floor: Five consultation rooms, open plan office, GP meeting room, offices, staff rest room and waiting area.

Overall, there would be 63 full-time employment positions provided in the Medical Centre.

3.4 The roof would be used for a mechanical plant along areas for a 'green roof' and PV system. The north and west elevations would be predominantly red facing brickwork. The south elevation would comprise a mix of red facing brickwork and curtain walling. The east elevation that would front Brooklands Road would be predominantly curtain walling with red facing brick work.

3.5 The Medical Centre is proposed to provide the following level of parking: - 85 vehicle parking spaces including 50 standard spaces and 21 staff - spaces, six disabled, eight drop off/taxi. Of the 85 vehicle spaces there will be nine active and 17 passive electric car spaces. Four motorcycle, one ambulance and one delivery space. 26 cycle spaces.

3.6 A lockable refuse/waste enclosure that could accommodate 8 x 770 litre 'Euro bins' would be provided on the north side of the Medical Centre.

Light Industrial Units:

3.7 The industrial units (Use Class E (g) (iii)) would be accessed from a newly created bell mouth and access road running along the northern part of the site and providing access to seven car parking spaces and electric kiosks, as well as staff parking for the Medical Centre. These units are indicated as shells to be adapted by future occupiers with only WC facilities shown inside. The size of the proposed units would be as follows:

- Block A Unit 1 – 240sqm
- Block A Unit 2 – 240sqm
- Block A Unit 3 – 240sqm
- Block A Unit 4 – 240sqm
- Block B Unit 5 – 225sqm
- Block B Unit 6 – 225sqm
- Block B Unit 7 – 225sqm
- Block C Unit 8 – 195sqm
- Block C Unit 9 – 195sqm

3.8 These units have been designed to reflect their function with limited fenestration (a high level window), access door at ground floor front, roller shutter and door to the rear. Roller shutters are shown to the front of the units with access doors. Doors are also indicated in the rear elevations. The roof would contain roof lights and areas for PV units.

- 3.9 Overall, it is anticipated that there would be 43 employment positions in the light industrial estate. Seven car parking spaces are indicated for each of the five larger units and five spaces for each of the two smaller units. Overall, 50 car parking spaces are proposed. Nine spaces are shown for larger vehicles. Three motorcycle bays and eight covered cycle parking space are proposed.
- 3.10 Waste storage areas have been allocated outside each light industrial unit that would be suitable for 2 x 1,100 litre 'Euro bins'.
- 3.11 A schedule of all the planning documents that is accompanying this application can be found on the [Council's website](#). The document is titled "Schedule of Planning Documents" and it is dated 6 June 2023.
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4.0 HISTORY

- 4.1 The site forms part of a larger development site now known as 'Rosewood Park' and following is the relevant planning history:
- 4.2 RR/2012/1978/P Mixed use development comprising 275 dwellings, up to 3,500sqm of employment floor space comprising up to 2,750sqm of B1(a) office and up to 750sqm of B1(c) light industrial, a nursing home (use class C2) of up to 60 beds, a doctors surgery (use class D1) for up to 10 GPs and a one form entry primary school, together with associated landscaping, drainage and highway infrastructure works (Outline) – CONDITIONAL APPROVAL
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5.0 POLICIES

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- 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
 - BX3: Development Strategy
 - SRM1: Towards a low carbon future
 - SRM2: Water Supply and Wastewater Management
 - CO2: Provision and Improvement of Healthcare Facilities
 - EC1: Fostering Economic Activity and Growth
 - EC2: Business Land and Premises
 - EC3: Existing Employment Sites
 - EC5: Support for Key Sectors
 - EN1: Landscape Stewardship
 - EN3: Design Quality
 - EN5: Biodiversity and Green Space
 - TR3: Access and New Development
 - TR4: Car Parking

- 5.2 The following policies of the [Development and Site Allocations Local Plan](#) are relevant to the proposal:
- DRM1: Water Efficiency
 - DRM3: Energy requirements
 - DOC1: Retention of Sites of Social or Economic Value
 - DEC3: Existing Employment Sites and Premises
 - DEN1: Maintaining Landscape Character
 - Den4: Biodiversity and Green Space
 - DEN5: Sustainable Drainage
 - DEN7: Environmental Pollution
 - DIM1: Comprehensive Development
 - DIM2: Development Boundaries
- 5.3 The National Planning Policy Framework and Planning Practice Guidance are also material considerations.
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6.0 CONSULTATIONS

- 6.1 National Highways – **NO OBJECTION**
- 6.2 ESCC Highways – **NO OBJECTION** subject to conditions and the completion of a legal agreement for transport works and highway improvements.
- 6.3 County Landscape Architect – No comments received.
- 6.4 Pevensey and Cuckmere Water Level Management Board and the Local Lead Flood Authority – **NO OBJECTION** subject to conditions.
- 6.5 Southern Water Services – **NO OBJECTION** subject to a condition requiring the submission of details of foul sewerage and surface water disposal.
- 6.6 South East Water Ltd – No comments received.
- 6.7 ESCC Planning – No comments received.
- 6.8 Natural England – **NO OBJECTION** Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 6.9 County Ecologist – **NO OBJECTION** subject to a condition requiring a mitigation strategy.
- 6.10 Sussex Newt Officer – **NO OBJECTION** subject to a condition requiring a mitigation strategy.
- 6.11 Tree Officer – **NO OBJECTION**
- 6.12 County Archaeologist – **NO OBJECTION**
- 6.13 Environment Agency – **NO COMMENT**

- 6.14 Head of Environmental Health – **NO OBJECTION** but have commented that the plant (condenser unit) on the roof of the Medical Centre shall be enclosed and the hours of operation of the light industrial units should be limited to 8am-6pm.
- 6.15 East Sussex Fire & Rescue Service – No comments received.
- 6.16 Sussex Police – **NO OBJECTION** but have identified site-specific design measures that should be considered and suggest that due to the proximity to existing dwellings consideration should be given to restricting the hours of operation.
- 6.17 Ambulance service – No comments received.
- 6.18 Planning Notice
- 6.18.1 Eight representations of **OBJECTION**, which raise concerns that can be summarised as follows:
- Generate more traffic on the already congested Barnhorn Road.
 - Already significant traffic as a result of the construction of 342 houses and 72 bed care home in Rosewood Park and this will be made worse by the Spindlewood development of 160 houses and 29 houses next to Ashridge Court Care home.
 - Queuing traffic increases air pollution, particularly from the brakes and tyres of stop-start vehicles.
 - Reference is made to the Planning Inspector's decision for RR/2016/3206/P that commented the road was heavily trafficked and the traffic was often relentless.
 - Surprised that National Highways has raised no objection to the proposal
 - Impact existing residents by way of loss of views and noise.
 - Industrial units will impact the rear of properties in Sandhurst Lane and Barnhorn Road.
 - There is potential for the industrial units to have a mezzanine floor that will raise visual, security and privacy issues.
 - Site is not easy to access if you do not drive.
 - Inadequate access.
- 6.18.2 Five representations of **SUPPORT** and express comments which can be summarised as follows:
- Good access to bus services.
 - Parking on site, which is better than existing facility in Little Common.
 - Required to meet need generated by new development.
 - Perhaps a pharmacy facility can be incorporated by way of a planning condition.
- 6.18.3 Three representations making **GENERAL COMMENTS**, including querying how the increased congestion along Barnhorn Road will be dealt with, whether a pre-school could be provided instead of the industrial units and closeness of the properties on Barnhorn Road.
- 6.18.4 Bexhill-on-Sea Town Council – **NO OBJECTION** but raise concerns about the traffic congestion already being experienced on the road and the size of the industrial units overlooking neighbouring properties.

7.0 LOCAL FINANCE CONSIDERATIONS

- 7.1 The total amount of Community Infrastructure Levy money to be received is subject to change but the development could generate approximately £646,000.
- 7.2 The proposal is not one that would provide New Homes Bonus.
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8.0 APPRAISAL

8.1 The key issues for consideration are as follows:

- Designated Sites
- Principle of development and land use
- Design and layout
- Impact on residential amenity
- Environmental Matters
- Access, Transportation and Highways Safety

8.2 Designated Sites

8.2.1 The site is not designated for its nature conservation interest and is outside the High Weald Area of Outstanding Natural Beauty (AONB) which lies c. 4.7km north east. The Pevensey Levels Site of Special Scientific Interest (SSSI) lies c. 495m south, High Woods SSSI lies c. 1.66km north east, Combe Haven SSSI lies c. 5.3km north east and Ashdown Brickworks, Bexhill Local Geological Site (LGS) lies c. 1.8km north east. There are four Local Wildlife Site (LWS) with a 2km radius; Little Common LWS 1.18km east, Gilham Wood LWS 1.35km south east, High Peartree, Smiths & High Woods LWS 1.37km north east and Cooden Cliffs LWS 1.52km south east. Given the nature of the proposed development and its distance from these sites, there are unlikely to be any significant effects on the nature conservation interest of the AONB, or the SSSIs, LGS or LWSs.

8.2.2 Pevensey Levels Special Area of Conservation (SAC) and Ramsar site lies c. 495m south. Natural England has raised no objection and considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

8.2.3 Policy SRM2 of the Rother Local Plan Core Strategy requires Sustainable Drainage Schemes (SuDS) for all developments that would create impermeable surfaces in the catchment area. Policy DEN5 of the DaSA states that within the Pevensey Levels Hydrological Catchment Area, SuDS should be designed to incorporate at least two stages of suitable treatment.

8.2.4 A shadow 'Habitats Regulations Assessment' (sHRA) accompanies the application and informs the Council's assessment of the impact of the development on the hydrological catchment of the Pevensey Levels. The sHRA states that the proposed development would be served by existing off site foul and surface water sewers that have been constructed to serve 'Rosewood Park' and so would not have any hydrological connection to the Pevensey levels. The Drainage Strategy accompanying the application also sets out that the foul drainage infrastructure would be provided and connect

to the existing offsite sewers and there would be a dedicated below ground surface water drainage network to serve the buildings and hardstanding areas that would connect into the existing surface water sewer serving 'Rosewood Park'. Both networks are operated and maintained by 'Icosa Water'. Also permeable paving would be used into parking areas that are not subject to 'heavy traffic loading'.

- 8.2.5 The sHRA concludes that the proposed development is unlikely to have a significant effect on Pevensey Levels SAC/Ramsar site, either alone or in combination. The county Ecologist agrees with this conclusion, and it is therefore recommended that RDC adopts the sHRA.

8.3 Principle of development and land use

- 8.3.1 The site is not allocated in the 2019 DaSA, however, it does fall within the development boundary for Bexhill. Rother Local Plan Core Strategy Policies OSS2 and OSS3 and DaSA Policy DIM2 set the spatial strategy for the district and collectively set out that development should be focussed within the development boundaries. Accordingly, the development is acceptable in principle subject to meeting relevant planning policies.

- 8.3.2 It is relevant that a mix of medical and employment floorspace (including 2,750sqm of B1 office and up to 750sqm of B1 light industrial) was approved on the application site as part of an outline planning permission (RR/2012/1978/P) for a wider site that also included 275 dwellings, a nursing home and primary school with associated landscaping, drainage and highway infrastructure works. A subsequent permission on the larger site omitted the primary school and replaced it with 83 additional dwellings. The residential development, known as 'Rosewood Park' has largely been constructed. Reserved matters for the employment floorspace and doctors' surgery were not submitted, and this permission has expired. Hence the submission of this full planning application.

- 8.3.3 The current proposal would involve 1,475sqm less employment floorspace than compared with the outline permission (RR/2012/1978/P). This reduction in proposed employment floorspace needs to be considered in relation to the Rother Local Plan Core Strategy target of an additional 60,000sqm of employment floorspace in Bexhill for the plan period up to 2028. Figure 12 in the Council's latest Employment Land Supply Position Statement (April 2022)¹ records completions, development that is currently being built out, permitted development, lapsed permissions and allocations, which amount to a total of 64,554sqm of potential employment floorspace. Within this context, the loss of 1,475sqm against RR/2012/1978/P is acceptable and would still leave a figure of 63,079sqm for Bexhill as per the Employment Land Supply Position Statement, which exceeds the Rother Local Plan Core Strategy target. Also, the latest version of the Housing and Economic Development Needs Assessment (HEDNA) indicates that the employment land need for the whole of Rother up to 2039 is 87,000sqm and that the existing commitments (permission and allocations) for 100,000sqm are adequate to meet that need. Overall, the provision of employment floorspace is welcomed and only represents a marginal decrease on that approved as part of the outline permission. A condition is proposed to accompany this recommendation that

¹ [Employment-Land-Supply_2022_Final.pdf \(windows.net\)](#)

limits the use of the units to light industrial only as specified within the application form i.e., light industrial buildings (CLASS E) (as opposed to retail etc), of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and removes any rights contained within Class E of the same Order (as amended) that would result in a change to non-industrial use.

- 8.3.4 The new medical centre is in line with Policy CO2 of the Rother Local Plan Core Strategy that supports the provision of primary healthcare facilities and would realise the intention of the outline permission (RR/2012/1978/P).

8.4 **Design and Layout**

- 8.4.1 Policy EN1 (v) (Landscape Stewardship) of the Rother Local Plan Core Strategy expects protection and wherever possible enhancement of the open landscape between clearly defined settlements, including settlement edges and their rural fringes. Policy DEN1 (Maintaining Landscape Character) of the DaSA requires the siting layout and design development to maintain and reinforce the natural and built landscape.

- 8.4.2 Policy EN3 (Design Quality) of the Rother Local Plan Core Strategy requires new development to be of high design quality. This is echoed in Chapter 12 of the National Planning Policy Framework and in particular paragraph 126 expects '*high quality, beautiful and sustainable buildings and places*'. Paragraph 130 sets out the criteria that developments should meet including that they are '*visually attractive as a result of good architecture, layout and appropriate and effective landscaping*' and paragraph 131 suggests that existing trees are retained wherever possible, and decisions should ensure that new streets are tree lined.

- 8.4.3 The site under consideration exhibits an interesting and distinct context, defined by a contrast between its eastern and western boundaries. To the west, the site exudes a rural ambiance, reflecting the surrounding countryside with its open fields and scattered residential properties. On the other hand, the eastern side of the site experiences a completely different atmosphere, shaped by new residential development. Here, modern housing estates and commercial buildings have emerged, catering to the growing demand for urban living.

- 8.4.4 Several discussions have taken place between the Applicant and the Local Planning Authority in relation to the design, layout, and appearance of the development. One of the key points of this scheme was the retention of the existing trees on the site. These trees (in combination with those that sit immediately outside the site boundary) enclose the site to the north (which are also protected by a TPO), west and part south. Particularly important is the retention of the tree band that runs centrally, south to north, dividing the site into two parcels (the two fields). This is important for a number of reasons. Firstly, this tree belt forms an historic field boundary, they also create an opportunity to maintain some of the rural feeling of this area as well as creating a good amenity space for the end users of the development and a wildlife corridor between gardens and the surrounding countryside. Therefore, the layout of the development amongst other things was determined by the retention of these trees.

- 8.4.5 The proposed plans indicate a three storey medical centre as an 'L'-shaped form with the long arm of the 'L' running east/west and the short arm of the 'L' running north/south. It sits back from the road and there is approximately 61 m of distance between the care home (opposite building) and the proposed medical centre. Due to the nature of the building, this is slightly higher than the opposite care home and block of flats to the north. However, in setting the building back into the site, the perception of any differences in scale are mitigated.
- 8.4.6 The majority of the plant required to support the building's mechanical systems has been located centrally on the building roof top plan. These plants are mainly screened by the parapet wall and can only be partially seen by distance.
- 8.4.7 The Medical Centre is predominantly brick-faced building in keeping with the language of the newly built Rosewood Park development. However, a significant feature of the building is the living wall systems provided on three sections of the principal elevations.
- 8.4.8 The light industrial units will achieve a 6.3m clear internal height to allow for the installation of mezzanines by future tenants if required.
- 8.4.9 The units will be faced in a combination of brickwork and insulated metal-faced cladding typical of this type of unit. Specifically, it was indicated that Kingspan wall panel (AWP) louvre range would be used. The primary colour of these cladding panels is proposed as mid/dark grey.
- 8.4.10 It is considered that the overall scale, mass and siting of the structures proposed on this site is appropriately proportioned, ensuring that they do not overpower the site or impose a sense of heaviness. Instead, the design embraces the site's natural features and topography, allowing the buildings to blend into the existing context. The massing of the proposed buildings takes into account the site's capacity and purposefully creates a cohesive ensemble that feels organic and purposeful. By achieving this balance between maximizing site potential and avoiding an artificial aesthetic, the proposed development positively contributes to the overall character and quality of the site.

8.5 **Impact on residential amenity**

- 8.5.1 Policy OSS4 (ii) (General Development Considerations) of the Rother Local Plan Core Strategy requires development not to unreasonably harm the amenities of adjoining properties. Policy DEN7 (Environmental Pollution) of the DaSA 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 airborne particulates.
- 8.5.2 Conditions attached to the outline permission sought to safeguard the amenity of neighbouring residential occupiers by requiring an acoustic survey and any associated mitigation measures (condition 20), restricting the hours of construction (condition 21) and restricting the hours of operation (condition 22). As well as the existing neighbouring residential occupiers along Barnhorn

Road, clearly since these conditions were imposed, the 'Rosewood Park' development has been constructed and there is the nursing home opposite the site and residential properties immediately to the north.

- 8.5.3 The application is accompanied by a Noise Assessment that recommends that screening is installed around the condenser unit of the Medical Centre.
- 8.5.4 Within the submitted information it is indicated that the Medical Centre will be open from 08.00 to 18.30 three days a week and 08.00 to 20.00 two days a week, 08.00 to 13.00 on Saturday and not open on Sunday or Bank Holidays. It is also indicated that the light industrial units would be open 8.00 to 18.00 from Monday to Saturdays and Bank Holidays and not on Sundays. These opening hours are considered to be reasonable, and a planning condition is recommended to restrict the hours of operation to those hours indicated. Environmental Health conclusion align with the proposed opening hours.
- 8.5.5 The relationship between the proposed development and the neighbouring properties, particularly those on Barnhorn Road, is a crucial aspect to consider. Properties Nos. 116, 118 and 120 would be closest to the new medical centre, however, the separation distance between these buildings would be approximately 55m and as such would not negatively impact on the residential amenities of these properties. Furthermore, there is a footpath separating the site from these properties to the south, and the presence of tall and mature trees and vegetation effectively screens the site from both the footpath and the rear gardens of the neighbouring properties, including properties numbered 128,130, 132, 134 and 136.
- 8.5.6 However, the introduction of the light industrial unit, Block A, positioned towards the eastern-southern boundaries of the site, raises concerns regarding its potential impact on the closest neighbouring properties. Block A has been designed to achieve a 6.3m clear internal height, allowing for future tenants to install mezzanines. The external height of Block A measures approximately 7.2m to the eaves and approximately 8.6m to the ridge, not dissimilar to the height of a house. Furthermore, it is worth noting that the proposed Block A will be located approximately 11.5m away from the end of the rear garden of the nearest property, specifically property number 132, which features a long rear garden.
- 8.5.7 Upon careful consideration, it is determined that the impact of the proposed development, primarily the impact from Block A, on the neighbouring properties, in terms of loss of light, overshadowing, or overbearing, would not significantly harm the residential amenities to the extent that would warrant a refusal. Although there will be a closer proximity between Block A and property number 132, the height and distance from the rear garden are within reasonable limits. The presence of existing vegetation and the screening effect provided by the mature trees further mitigate any potential negative effects. No overlooking issues are envisaged either. Properties on Sandhurst Lane are separated by much greater distances and planting. Therefore, based on the assessment of the impact on neighbouring properties, it is concluded that the proposed development does not pose a significant detriment to the residential amenities, and there are no justifiable grounds for refusal on these grounds.

8.5.8 It is not considered that any harm would arise either with regard to the residential amenities of the new care home and flats to the north on Brooklands Road.

8.6 **Environmental Matters**

Biodiversity and Ecology

8.6.1 Paragraph 174 of the National Planning Policy Framework requires planning decision should enhance the natural and local environment by minimising impact and providing net gains for biodiversity and paragraph 180 (d) states that in determining planning applications '*opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate*'. It should be borne in mind that the Environment Act 2021, which is not yet enforceable but expected to come into force later this year, will require planning permissions to deliver at least a 10% biodiversity net gain according to DEFRA's biodiversity metric.

8.6.2 Policy EN5 (Biodiversity and Green Space) of the Rother Local Plan Core Strategy requires (viii) that development protects and enhances habitats of ecological interest, including hedgerows and (ix) requires developers to avoid adverse impacts on biodiversity and its integration into development, and where unavoidable, appropriate mitigation or compensation. In addition, developers are expected to consider opportunities for the creation and/or restoration of habitats appropriate to local context. Policy DEN4 of the DaSA in criterion (ii) that proposals should seek to conserve and enhance irreplaceable habitats, including veteran trees (also protected through National Planning Policy Framework paragraph 180c) and states that proposals should include measures for prevention and (in the last resort) compensation.

8.6.3 The central tree belt would be retained on site and an additional 78 trees are proposed to be planted across the site along with other ecological enhancements, including bird and bat integrated nesting bricks (covered within the EDS condition) within the development. In addition to the above, a second area at Broad Oak Park will be used to deliver off-site BNG. This BNG area is c. 1.5km east of the scheme, c. 0.5ha in size and comprises modified grassland. The land is owned by Rother District Council, scheduled to remain free from any development impacts and its proposed enhancement and maintenance will be undertaken by the Council's Parks Management Team. The revised LEMP and Metric confirm that the modified grassland (in poor condition) will be enhanced to 'other neutral grassland' (with medium condition) by seeding with Emorsgate EM3F - Special General Purpose Wildflower seed mix. This site will also be used as a receptor site for Great Crested Newts and reptiles.

The provision of biosolar green roofs in 'Good' condition under the BNG Assessment is welcomed and the LEMP has confirmed the outline specification.

Overall, the County Ecology Team has indicated that the BNG Assessment shows that development could deliver -16.01% in on-site habitat units, but

when the off-site habitat units are factored in the overall net change is +9.04% in habitat units. A +40.29% in on-site hedgerow units will also be delivered.

Trees

- 8.6.4 An Arboricultural Impact Assessment and Method Statement with tree surveys accompany the application. These documents identify the trees to be retained and protected, the trees to be removed. It sets out the impacts/potential impact of the proposed works associated with the development on the existing trees and identifies mitigation measures to minimise these impacts.
- 8.6.5 The notes on the Tree Retention and Protection Plan Drawing No. LLD2158-ARB-DWG-010 Rev 03 state ' *Tree Protection Zone - Manual Excavation. A limited Manual Excavation method shall be implemented with due care with hand held tools under Arboricultural Supervision only, in accordance with BS 5837:2012 - 'Trees in Relation to Design, Demolition and Construction - Recommendations'*
- 8.6.6 BS 5837 : 2012 states, that limited manual excavation within the RPA might be acceptable, subject to justification. Such excavation should be undertaken carefully, using hand-held tools and preferably by compressed air soil displacement. In this case the incursion into the root protection zone is limited. If all other tree protection measures are properly implemented and maintained throughout the period of construction, it is expected that the trees will be retained in good condition.

Sustainability

- 8.6.7 Policy SRM1 (ii) of the Rother Local Plan Core Strategy requires that all developments meet prevailing energy efficiency standards and higher standards where practicable, including through the use of low carbon and renewable energy generation.
- 8.6.8 The application is accompanied by a Sustainability Statement that sets out the Medical Centre would achieve a BREEAM level of 'Excellent' and the proposed development would include the following features:
- 18 active electric vehicle charging bays (with a further 29 equipped for future installation).
 - All heating and hot water production would be created by high efficiency air source heat pumps (electrically driven).
 - Solar and photovoltaic panels will be included on all proposed buildings.
 - The Medical Centre supply and extract ventilation would utilise smart control systems and heat recovery devices to reduce energy demand.
 - Bio-diverse living wall systems will be installed on the main elevations of the Medical Centre.
 - Other energy efficient components include efficient thermal fabric performance and LED light fittings.

These measures are welcomed.

8.7 **Archaeology**

- 8.7.1 Policy EN3 (vi) of the Rother Local Plan Core Strategy requires appropriate archaeological research and investigation of both above and below-ground archaeology, and retention where required.
- 8.7.2 The Archaeological Desk Based Assessment accompanying the application indicates that the previous phase of trial trenching (as part of the wider application) found only limited archaeological evidence. The County Archaeologist has been consulted on this application and has commented:
- 'Our records show that this site has already been subject to an initial programme of archaeological works in the form of an archaeological evaluation carried out under permission RR/2012/1978/P. This has shown that the site contains only very limited archaeological evidence in the form of three linear features that are likely to represent post-medieval field boundaries. On this basis, we do not feel that further stages of archaeological work are required.'*
- Although this application is situated within an archaeological Notification Area, therefore, based on the information supplied, I do not believe that any significant archaeological remains are likely to be affected by these proposed. For this reason I have no further recommendations to make in this instance'.*
- 8.7.3 Accordingly, in this instance, planning conditions in relation to archaeology are not necessary.
- 8.8 Flood Risk and Drainage**
- 8.8.1 Policy EN7 of the Rother Local Plan Core Strategy sets out that flood risk will be taken into account at all stages in the planning process to avoid inappropriate development in areas at current or future risk from flooding.
- 8.8.2 The application site falls within Flood Zone 1 and so there is a low risk of flooding. A Flood Risk Assessment accompanies the application and concludes that the proposed development is unlikely to increase the risk of flooding.
- 8.8.3 The Pevensey and Cuckmere Water Level Management Board and the Lead Local Flood Authority initially raised objection to the proposal but following further information from the Applicant, they have raised no objection to the proposed development subject to the imposition of conditions that are recommended.
- 8.9 Access, Transportation and Highways Safety**
- 8.9.1 Policy TR3 (Access and New Development) of the Rother Local Plan Core Strategy 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.
- 8.9.2 The proposed medical centre would involve providing a combined facility for Old Town and Little Common surgeries in close proximity to the residents it serves. No end users have currently been identified for the light industrial units. Representations have expressed concern about the traffic generation produced by the proposal. The Transport Assessment that accompanies the

application sets out the methodology used and the predicted traffic flows and concludes that there would be a reduction in vehicle trips generated by this scheme compared with the originally intended development of the site (table 4.9 on page 39 of the Applicant's Transport Assessment).

8.9.3 National Highways has raised no objection to the proposed development and commented that they consider that there would not be an unacceptable impact on the safety, reliability and/or operational efficiency of the Strategic Road Network. Representations do express concerns about the impact on Barnhorn Road (A259) but National Highways has commented that the impacts of the proposal have already been mitigated as a result of highway works completed as a result of the planning application (RR/2012/1978/P).

8.9.4 East Sussex County Council as local highway authority (ESCC Highways) has also raised no objection subject to conditions. They have commented in terms of the location that:

'The site is located approximately 1km west of Little Common village centre, Footway and road access is provided at the site access on Brooklands Road in a north/south direction. Connections to all local facilities are accessible from the A259 Barnhorn Road or through the Rosewood Park estate including local amenities, public transport, leisure and employment.

As part of the Rosewood Park estate, transport improvements including signalised, zebra and pedestrian crossing points, bus stop improvements and an extended 30mph speed limit have been provided. Contributions for bus improvements were sought though the s106 agreement with trigger of first occupation of residential development.

The regular bus services are available between Silverhill and Eastbourne which are through the day. The bus stops are available within 250m of the site access and both formal and informal crossing points are available.

The sustainable infrastructure for the entire development was considered at outline stage under RR/2012/1978. The s106 associated with the original planning consent sets out the triggers for development contributions for the development approved; however, as part of the development proposal real time passenger information board will be required within the medical reception waiting area to promote sustainable transport and provide patients who rely on bus travel with live travel information. This has been requested and agreed at several medical centre proposals in Hastings and Wealden.

A robust travel plan would also need to be put in place for staff for both the Medical Centre and employment proposals.'

8.9.5 A planning condition is recommended to require the submission of a travel plan for approval and in their response ESCC Highways have suggested some measures that could be included.

Access and internal layout

8.9.6 The proposed development involves two access points for vehicles; one which is existing (constructed as part of the main application) and one in the

north serving the light industrial estate and the staff parking for the Medical Centre.

- 8.9.7 The access into the Medical Centre via the existing bell mouth would be 5.5m in width with a 6m radii and 2m wide footway provision on Brooklands Road. The submitted site plan shows dropped kerbs at the crossing point and tactile paving in situ. Street lighting is present and accommodates this junction point. ESCC Highways consider that this access point is acceptable in terms of visibility for the 30mph speed limit. An ambulance bay is provided at the main entrance and delivery bay to the south of the access. Disabled spaces are provided west of the main access and the main car parking area would be accessed on the continuation of the access road that bears left. A pedestrian walkway would be provided on one side of the car park to access the Medical Centre safely.
- 8.9.8 A new access would be created that would mainly serve the light industrial units. This proposed access would be located approximately 25m north of the Medical Centre access, with 6m width and 6m radii and staggered with the care home access on the opposite site of Brooklands Road. ESSC highways has commented that on the basis that the direction demand is to/from Brooklands Road/A259T, it is not considered that there is likely to be conflict between the care home related traffic and the proposed industrial use as the peak traffic periods for each are during different times of the day and the light industrial related traffic would not pass the care home access. Given the 30mph speed limit, the proposed new access is considered acceptable.
- 8.9.9 Overall, ESCC Highways are satisfied with the access arrangements and associated off site works in principle, but the northern access would need to be subject to detailed design and part of a Section 278 legal agreement with ESCC.

Parking provision

- 8.9.10 Policy TR4 (Car parking) requires amongst other things that development meets *'the residual needs of the development for off-street parking taking into consideration localised circumstances and having full regard to the potential for access by means other than the car'*. ESCC 'Guidance for Parking for Non-Residential Development' is also relevant to the proposed development.
- 8.9.11 The parking provision for the Medical Centre would comprise: 85 vehicle spaces (including 50 standard spaces, 21 staff spaces, six disabled and eight drop-off/taxi with nine active and 17 passive electric car spaces), four motorcycle, one ambulance, one delivery space and 26 cycle spaces.
- 8.9.12 The number of car parking spaces falls short of the 99 spaces required by the ESCC guidelines however, the number of disabled spaces exceeds the guidelines and the number of cycle spaces is exceeded by six spaces. The number of motorcycle spaces meets the guidelines. In terms of the guidelines, it is recognised that they can be applied flexibility depending on the local characteristics, level of accessibility, travel plans and parking restrictions. ESCC highways have accepted that there are a number of positive measures to reduce car use and identified these as follows:
- The location is within walking distance of local services and a frequent bus route.

- As part of the planning requirement a travel plan will be implemented reducing use of car bound journeys.
- Car Clubs/Pool Cars – Access to a vehicle that can be shared by users/employees of the development, as well as a designated parking bay at convenient and accessible location to help promote the use (existing staff car share and other have indicated that this would be considered in the future).
- Cycle parking is to be provided in accordance with minimum requirements. Space is available to provide additional cycle space as required. Shower facilities will be provided for staff use.
- A high proportion of patients are within walking or cycling distance to the site.

8.9.13 Also the Transport Assessment accompanying the application sets out that surveys were undertaken with staff that demonstrate the level of proposed parking would meet the demands associated with the proposed medical centre. Given the above, along with the accessibility of the site, it is considered that the level of car parking for the Medical Centre is acceptable.

8.9.14 The parking provision for the light industrial units would comprise: 59 vehicle spaces (41 standard spaces with nine disabled spaces and nine spaces for long wheelbase transit vans including nine active and 12 passive electric car spaces), three motorcycle spaces and eight cycle spaces. This proposed provision meets ESCC guidelines with the number of disabled spaces exceeding it. Conditions are recommended to ensure that the spaces are of an adequate size.

8.10 Section 106 planning obligations

8.10.1 The Community Infrastructure Levy Regulations 2010 introduced into law three tests for Section 106 Planning Obligations. Obligations should be:

- Necessary to make the development acceptable in planning terms.
- Directly related to the development.
- Fairly and reasonably related in scale and kind to the development.

Any matter included with a Section 106 Agreement must meet all of these tests.

8.10.2 The following matters are considered at this time for inclusion within a Section 106 Agreement and are considered to be related to the development, proportionate and necessary:

- Transport contributions and off-site works, including a new vehicular access, Traffic Regulations Order and Travel Plan audit fee of £6,000.
- Training and skills provision.
- Off-site environmental mitigation works.

9.0 PLANNING BALANCE AND CONCLUSION

9.1 This recommendation relates to a full planning application for a new medical centre and light industrial units on land at Brooklands Road, Bexhill-on-Sea. The application site covers 1.54 hectares of scrubland which is a leftover parcel from the Rosewood Park housing development. Outline planning consent for this wider development (RR/2012/1978/P) was granted in

November 2014 and identified the site as being suitable for a new medical surgery and employment uses.

- 9.2 The provision of employment floorspace at this site is welcomed and the small reduction, compared to the original outline planning permission, is acceptable in planning policy terms and complies with Policy EC2 of the Rother Local Plan Core Strategy.
- 9.3 The new medical centre is to be welcomed in the context of Rother Local Plan Core Strategy Policy CO2: Provision and Improvement of Healthcare Facilities, which supports the provision of primary healthcare facilities were identified as necessary to meeting the needs of the future population. A need for a GP surgery of around 1,700sqm was determined by the Primary Care Network and approved by Clinical Commissioning Group. Furthermore, the provision of a GP surgery as part of the larger Rosewood Park development was envisaged through the original outline planning permission (RR/2012/1978/P), and this current application would realise that intention.
- 9.4 The overall scheme regarding design, scale, layout and proposed materials of the development are considered to be acceptable and will respond positively to the character of the area being an eclectic mix of modern and more traditional architecture.
- 9.5 The development would have an acceptable impact on residential amenity, ecology, landscape, drainage, pollution and highways.
- 9.6 Therefore, on balance, the proposal is considered acceptable subject to the recommended planning conditions and Section 106 obligations to safeguard the amenities of the area and that the requisite associated infrastructure is delivered.

RECOMMENDATION: GRANT (FULL PLANNING PERMISSION) DELEGATED [SECTION 106 TO SECURE 1) TRANSPORT CONTRIBUTIONS AND OFF-SITE WORKS; 2) LOCAL EMPLOYMENT AND SKILLS PLAN; AND 3) OFF-SITE ENVIRONMENTAL MITIGATION WORKS]

CONDITIONS:

1. 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. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
Site Block Plan - Drawing No. 1002 P1, dated 21-12-2022
Proposed Site Plan – Drawing No. 1200 P4, dated 21-12-2022
Proposed Elevations - Light Industrial Units - Block A - Drawing No. 2120 P2, dated 2022-12-21
Proposed Elevations - Light Industrial Units - Block B – Drawing No. 2130 P2, dated 2022-12-21

Proposed Elevations – Light industrial Units – Block C – Drawing No. 2140 P2, dated 2022 -12-21

Proposed Elevation – Medical Centre – Drawing No. 2110 P2, dated 2023-05-04

Proposed GA Plans - Light Industrial Units - Block A – Drawing No. 2020 P1, dated 2022- 12- 21

Proposed GA Plans -Light Industrial Units - Block B – Drawing No. 2030 P1, dated 2022-12-21

Proposed GA Plans -Light Industrial Units - Block C – Drawing No. 2040 P1, dated 2022-12-21

Proposed GA Plans -Medical Centre – Drawing No. 2010 P1, dated 2022-12-21

Proposed Site Sections (AA – BB) Drawing No. 2205 Rev P0, dated 2022-12-21

Proposed Site Sections (CC -DD) Drawing No. 2206 Rev P0, dated 2022-12-21

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Phlorum, May 2023, Rev2, Ref: 10078), Landscape Masterplan (Lizard, 19.12.2022, Drawing. No: LLD2158-LAN-DWG-010 Rev04) and Defra Excel Biodiversity Metric 4.0 (Phlorum, 01 June 2023, V2) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. Amongst other things, this includes the requirement for an updated badger survey to inform any further badger mitigation and/or licencing, a bat licence and a great crested newt licence.

Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, and to provide a net gain for biodiversity as required by paragraphs 174 and 180 of the National Planning Policy Framework, Section 40 of the Natural Environment and Rural Communities Act 2006 and Policy EN5 of Rother's Core Strategy 2014 and Policy DEN4 of the Development and Site Allocation Local Plan.

Pre- commencement

4. No development shall commence until a scheme for the **provision of foul drainage works** has been 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.

Reason: The details required are integral to the whole development 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 and Policy DEN5 of the Development and Site Allocations Local Plan.

5. Prior to the commencement of development, a detailed **surface water drainage** system shall be submitted in support to and approved in writing by the Local Planning Authority. The surface water drainage system shall incorporate the following:

- a) Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water

flows can be limited to 408 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.

- b) The details of the outfall of the proposed drainage system and how it connects into the sewer shall be submitted as part of a detailed design including cross sections and invert levels.
- c) The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

Reason: The details required are integral to the whole development 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 and Policy DEN5 of the Development and Site Allocations Local Plan.

6. A maintenance and management plan for the entire drainage system shall be submitted to the planning authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:
 - a) This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
 - b) Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.

These details shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter remain in place for the lifetime of the development.

Reason: The details required are integral to the whole development 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 Core Strategy and Policy DEN5 of the Development and Site Allocations Local Plan.

7. No development shall take place, including any ground works or works of demolition, until a **Construction Management Plan** has been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
 - the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and egress and routeing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - details of public engagement both prior to and during construction works;
 - risk assessment of potentially damaging construction activities;
 - details of measures to manage flood risk, both on and off the site, during the construction phase;
 - the timing of the works including timings to avoid harm to environmentally sensitive area or features and the times when specialist ecologists need to be present on site to oversee works;

- practical measures (both physical measures and sensitive working practices) to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution including air quality (dust and PM10) and including traffic routing to also help reduce vehicles emissions, compounds for storage of plant/machinery/materials, protective fencing, exclusion barriers and warning signs for the protection of existing hedgerows, trees and other landscape features to be retained, details of wheel washing facilities, contractor parking and facilities, detailed method statements considering construction noise, vibration and lighting effects and plant operation, storage and spillage of oil/chemicals and soil protection measures; and
- any necessary mitigation for protected species.

Reason: These details are required prior to commencement of any works to ensure highway safety and to protect the amenities of adjoining residents during construction in accordance with Policies OSS4 (iii), TR3 and CO6 (ii) of the Rother Local Plan Core Strategy.

8. Before development commences all the tree protection measures shown on the 'Tree Retention and Protection Plan' (Drawing No. LLD2158-ARB-DWG-010 Rev 3) shall be implemented and shall be retained in situ for the duration of construction works.

Reason: To ensure the protection of trees and hedgerows during construction and the creation of a high-quality public realm and landscape setting in accordance with Policy EN3 of the Rother Local Plan Core Strategy and Policy DEN1 of the Rother Development and Site Allocations Local Plan.

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

Reason: In the interests of highway safety and for the benefit and convenience of the public at large in accordance with Policy TR4 (i) of the Rother Local Plan Core Strategy.

10. No development shall take place until an ecological design strategy (EDS) addressing enhancement of the site to provide biodiversity net gain, including a sensitive lighting strategy for bats, reptile mitigation strategy (including precautionary work methods at the off-site BNG area), great crested newt (GCN) mitigation strategy, enhancements to the reptile/GCN off-site receptor site, hedgehog hole locations and specification for bat and bird bricks/boxes has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;

- i) details for monitoring and remedial measures; and
- j) details for disposal of any wastes arising from works. The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that the measures considered necessary to compensate for the loss of habitats and enhance the site to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 170 and 175 of the National Planning Policy Framework, and Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Development and Site Allocation Local Plan.

11. Construction works shall only be carried out between the following times: 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 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 residents during construction in accordance with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

No development above ground

12. No development above ground level shall take place until **full details of the materials** to be used in the construction of the external surfaces of the development hereby permitted (medical center and light industrial units) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved 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 and Policy HG9(ii) of the Development and Site Allocations Plan.

13. No development above ground level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan/details indicating the positions, design, height, materials and type of **boundary treatment/means of enclosure** to be erected around and within the application site. Development shall be carried out in accordance with the approved details.

Reason: To enhance the appearance of the development in accordance with Policies OSS4 (iii) and EN3 (ii) (e) of the Rother Local Plan Core Strategy and Policy DEN1 of the Development and Site Allocations Local Plan.

14. No development above ground level shall take place until the **hard and soft landscaping details** for that part of the site have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

The details should include but not limited to the following:

- a) Proposed finished levels or contours.
- b) Design, layout and appearance of green/amenity space.
- c) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- d) Car parking layouts.
- e) Design of other vehicle and pedestrian access and circulation areas (including street widths, pavements and cycleways where relevant and other strategic public realm).

- f) Hard surfacing materials (including road surfaces, cycleways, footpaths, parking space and other areas of hardstanding, kerbs and tactile paving).
- g) Details of any street furniture (including benches, bollards, bins, planters, sign and signals).
- h) the extra heavy standard trees proposed to the north of the central tree line should be positioned within the new hedgerow fronting the road, so a 'hop-over' as part of the existing wildlife corridor can be created.
- i) fixing of green walls to provide a minimum 200mm gap between the supporting structure and building façade.
- j) (where possible) mixed species native hedgerows bordering the two external amenity areas should be included.

Reason: To enhance the appearance of the development in accordance with Policies OSS4 (iii) and EN3 (ii) (e) of the Rother Local Plan Core Strategy, Policy DEN1 of the Development and Site Allocations Local Plan, and the NE Bexhill SPD.

15. Prior to any above ground works taking place, full details of any mechanical plant and a reassessment of appropriate plant noise limits at the nearest existing residential properties shall be submitted to and approved by the Local Planning Authority. Works shall be completed in accordance with the subsequently approved details.

Reason: To ensure the amenities of existing occupiers are protected and in accordance with Policy OSS4 (ii) of the Rother Local Plan Core Strategy 2014.

16. Prior to any above ground works taking place, 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.

Reason: To protect the amenity of the locality, in terms of light pollution especially for people living and/or working nearby and local ecology, in accordance with Policies OSS4 (ii) and (iii) of the Rother Local Plan Core Strategy and Policies DEN1 and DEN7 of the Development and Site Allocations Local Plan.

Prior construction of first floor level

17. No development above first floor slab level of the building receiving the biosolar green roof (Medical Centre) shall take place until details of the green roof construction have been submitted to and approved in writing by the Local Planning Authority. The details shall include extent (with shingle perimeter included), cross section to show build-up and substrate depth, spacing of PV panels/array, plants/seed mix and a maintenance and irrigation programme. Evidence must be provided of how the four criterion to meet 'Good' condition in Technical Annex 1 (TAB 22) of Defra's Biodiversity Metric version 4 have been met. The roofs shall then be constructed in accordance with the approved details before first occupation and shall be retained, maintained and monitored as agreed thereafter.

Reason: To ensure that the measures considered necessary to compensate for the loss of habitats and enhance the site to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 170 and 175 of the National Planning Policy Framework,

and Policy EN5 of the Rother Local Plan Core Strategy and Policy DEN4 of the Development and Site Allocation Local Plan.

First occupation

18. The buildings shall not be occupied until a '**Lighting Design and CCTV Strategy**' for the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following:

- a) Identify those areas/features on site that are particularly sensitive for bats, barn owls, dormice and badgers and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) The type and design of lighting and CCTV equipment, how and the exact location it will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent any species mentioned in a) or the occupiers of neighbouring residential occupiers.

All external lighting and CCTV shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances shall any other external lighting or CCTV be installed without the express planning permission of the Local Planning Authority.

Reason: To ensure the protection and enhancement of wildlife and the amenity of neighbouring residential occupiers in accordance with Policies OSS4 and EN5 of the Rother Local Plan Core Strategy, the NE Bexhill SPD and the National Planning Policy Framework.

19. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) details of the body or organisation responsible for implementation of the plan; and
- h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plans shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long-term management of habitats, species and other biodiversity features and the targeted condition of habitats required to deliver a

net gain in biodiversity and to ensure the enhancement of wildlife and supporting habitats in accordance with Policy EN5 of the Rother Local Plan Core Strategy, Policy DEN4 of the Development and Site Allocation Local Plan, the NE Bexhill SPD and the National Planning Policy Framework.

20. The buildings shall not be occupied until the refuse and recycling bin storage areas have been provided and thereafter all areas shall be 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 and the NE Bexhill SPD.
21. No development shall be occupied until the vehicular access serving the development has been constructed in accordance with the approved drawing and as amended as part of the Section 278 agreement and detailed design.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR4 (i) of the Rother Local Plan Core Strategy and Policy DHG12 of the Development and Site Allocations Local Plan.
22. The new access points shall not be used until appropriate visibility splays are provided either side of both the new accesses and maintained thereafter.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR4 (i) of the Rother Local Plan Core Strategy and Policy DHG12 of the Development and Site Allocations Local Plan.
23. The development shall not be occupied until parking areas have been provided in accordance with the approved plans/details which have been submitted to approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR4 (i) of the Rother Local Plan Core Strategy.
24. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).
Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR4 (i) of the Rother Local Plan Core Strategy.
25. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved details which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with Policy TR4 (i) of the Rother Local Plan Core Strategy.
26. The new estates roads shall be designed and constructed to a standard approved by the Planning Authority in accordance with Highway Authority's

standards with a view to their subsequent adoption as publicly maintained highway.

Reason: In the interest of highway safety and for this benefit and convenience of the public at large in accordance with Policy TR4 (i) of the Rother Local Plan Core Strategy.

27. No part of the development shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport and/or as advised by the Highway Authority.

Reason: In the interests of providing 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 of the Rother Local Plan Core Strategy.

28. The buildings shall not be occupied until evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage design.

Reason: The details required are integral to the whole development 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 and Policy DEN5 of the Development and Site Allocation Local Plan.

Ongoing

29. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective) another tree of 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.

Reason: To enhance the appearance of the development in accordance with Policy EN3 of the Rother Local Plan Core Strategy and Policy DEN1 of the Development and site Allocations Local Plan.

30. No deliveries, loading or unloading or other servicing activities on any part of the site, nor any use/occupation of the industrial units, shall take place at the site other than between the hours of 08.00 and 18.00 on Mondays to Saturdays inclusive or at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of neighbouring residential occupiers in line with Policy OSS4 of the Rother Local Plan Core Strategy.

31. The doors indicated in the rear elevation of the light industrial units in Block A (indicated on drawing no. BGHES-RHP-B2-ZZ-DR-A 2020 – P1) shall be used for emergency exit purposes only.

Reason: To safeguard the amenity of neighbouring residential occupiers in line with Policy OSS4 of the Rother Local Plan Core Strategy.

32. The nine commercial units shall be used for light industrial purposes only and not for any other purpose (including any other purpose within Class E) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as

amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To retain the industrial employment floorspace required to meet the districts employment floorspace demand in accordance with Policy EC2 of the Rother Local Plan Core Strategy.

NOTES:

1. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990.
2. The application site drains surface water runoff to the Pevensey and Cuckmere Water Level Management Board drainage district. Therefore, the Applicant should apply for consent to discharge surface water runoff into the Water Level Management Board's area as required by the Board's Byeway 3, which is the process by which the Board agrees the proposed discharge rates. Should consent be given it will be subject to the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy. This policy is available using the following link: https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf.
3. This planning permission does not authorise any interference with animals, birds, marine life, plants, fauna and habitats in contravention of the requirements of the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 (CROW) and other legislation.
4. Highways Authority's requirements associated with this development proposal will need to be secured through a Section (106/184/171/278) Legal Agreement between the Applicant and East Sussex County Council. The Applicant is requested to contact the Transport Development Control Team (01273 482254) 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.
5. It is illegal to plant or otherwise cause the spread of any plants listed on Schedule 9 of the Wildlife and Countryside Act, 1981 (as amended). The PEA recorded buddleia as present onsite and whilst it is not on Schedule 9, it was considered as an invasive non-native species that should be appropriately controlled and prevented from spreading. It was recommended that a member for the Property Care Association Invasive Weed Control Group (PCA IWCG) is contacted to manage the buddleia. There is no legal requirement to undertake this, but it would be good construction practice.

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.