



Eastbourne Town Centre Local Plan
EIP Hearing Statement
Matter 4 – Quantum and Type of Development
Response to Questions 4.1 to 4.5

On Behalf of:
Sovereign Harbour Ltd

Date: 8th May 2013

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1.0 Introduction

1.1 This Statement supplements SHL's objections in response to **Questions 4.1 to 4.5**.

2.0 Q4.1

Does the Quantum of Development align with the CSLP?

2.1 The CSLP makes the following references to the allocation of new office floorspace:

- **Policy B1 and D2** set a requirement to deliver 55,430sq.m. of employment land by 2027.
- **Policy D2** refers to:
 - allocating land within the town centre through the TCLP for new B1(a) use; and
 - supporting the development of B1(a) use at Sovereign Harbour.
- **Paragraph 4.2.13** refers to the densification or redevelopment of sites within the town centre to provide 3,000sq.m. of employment space.
- **Paragraph 4.2.14** refers to:
 - the identification of land to provide 30,000sq.m. of B1a space at Sovereign Harbour; and
 - The requirement to commence an Employment Land Review (ELR) 'immediately' to inform the ELLP. That review is to include an assessment of viability of business space at Sovereign Harbour for the Plan Period.
- **Paragraph 4.2.15** states:

"The Town Centre has the potential for increased business use through the provision of high quality office/commercial floorspace. The Town Centre Local Plan will consider identifying opportunities arising from re-use or redevelopment."

2.2 Within the TCLP itself:

- **Policy TC3 Mixed Use Development** refers to particular priorities including employment generating uses, particularly office development.

No reference is made to the quantum of office space within this policy or its related text.

- **Policy TC17 Strategic Approach to Town Centre Development Sites** refers to five Opportunity Sites which:

“...will deliver a minimum of 450 net residential units and 3000sq.m. of new B1(a) office space.

These requirements should be provided across all five sites allowing flexibility for the quantum of development to be delivered on each site to be determined by an appropriate design response.”

- **Paragraph 5.11** states:

“In order to ensure that the overall quantum of development of 450 net residential units and 3000sq.m. of new B1(a) office space is delivered successfully, the Council will monitor the overall delivery rates and residual capacity across the five Development Opportunity Sites [DOSs].”

- **Paragraph 5.15, Contingency Options** states that in the event that the overall employment requirement is unlikely to be delivered across the DOSs, the Council will implement the following:

- Promote opportunities on other available sites within the Town Centre
- Review the contribution of windfall sites
- Use CPOs if necessary
- Undertake an early review of the TCLP to identify additional sites.

2.3 The TCLP aligns with the CSLP in terms of references being made to 3,000sq.m. of new offices within the town centre. The TCLP also does not rule out additional office space being provided over and above 3,000sq.m.

2.4 **However**, the TCLP:

- Policy TC17 is unclear whether the reference made to ‘*minimum*’ relates to office space as well as the minimum number of net new homes that are proposed for the centre;

- Paragraph 5.11 refers to an overall quantum of 3000sq.m. of new office space which suggests this is a fixed amount;
- That paragraph also suggests a capacity exercise is to inform the amount of office space each of the DOSs can provide. There is no evidence of this being done to provide certainty over delivery.
- The TCLP also does not make clear reference to the fact that the 3,000sq.m. level is subject to further review as part of the ELLP and in response to the CSLP Inspector's report that has raised concern about the balance of office space that is proposed for the town centre and in view of vitality and viability protection and promotion objectives generally.

2.5 On this basis, the TCLP does not align with the CSLP or the guidance that was given in advance of and to enable that document's adoption, i.e. ahead of the ELLP being completed.

2.6 A series of amendments are therefore required to ensure that the TCLP aligns with the CSLP and to enable the ELLP to still be completed to fully inform and support the Town Centre Plan. These are set out at Section 7.0 of this Statement.

2.7 If these amendments are made the contingency arrangements as currently drafted at Paragraph 5.15 will be appropriate and will need only to address the potential impact of the pending new permitted development rights (see Section 6.0).

2.8 If the above issues are not addressed, the contingency arrangements will need to be amended further to state that the Council will undertake an early review of the TCLP to reflect the findings of the ELLP. Whilst this suggestion has been put forward, it would result in a disjointed approach to Plan making for Eastbourne, adding to the number of rapid plan reviews required.

2.9 Our proposed new wording of the contingency arrangements is set out at Section 7.0.

3.0 Q4

Does the Plan Identify the Distribution of Uses in the Town Centre?

- 3.1 As above, the TCLP refers to a quantum of office space (3,000sq.m.) and an aim that this is to be met by the DOSs.
- 3.2 The Plan however does not require the DOSs to provide office space. It lists office space as an appropriate use for these sites alongside other uses. The document also acknowledges that DOS1 may not provide office space.
- 3.3 The TCLP does not therefore identify the actual distribution of new offices in the town centre. This failure to require each of the DOSs to provide office space or to least to seriously test this as a viable option leaves the centre at risk that no new provision will be made.
- 3.4 Each of the DOSs therefore should be required to demonstrate serious consideration of new office space as a development option, including as part of mixed use options alongside higher value uses. This should be set within the context of:
- the overall size and capacity of the DOS sites to provide office space potentially as part of much wider mixed use schemes; and
 - office space representing an important town centre use and a key contributor to the customer base of other town centre commercial uses.
- 3.5 This requirement should apply to each of the DOSs even those with the benefit of planning permission that does not include offices, such that the provisions of the TCLP will apply should new or alternative development proposals come forward for these sites in the future.
- 3.6 It is however considered inappropriate to set maximum office floor areas for the individual DOSs in advance of the ELLP or actual capacity testing of the DOSs, as this could act to stifle potentially higher levels of proposed new office space coming forward.
- 3.7 The suggested amendments set out at Section 7.0 are proposed to help address these issues.

4.0 Q4.3

Is Reference to 3,000sq.m. of office floorspace justified? Should the plan be more flexible?

4.1 The evidence submitted on behalf of SHL to the CSLP and its related statements on economic development addressed this matter and demonstrated that:

- EBC's own evidence showed that the employment land allocation at the Harbour should be halved to 15,000sq.m. on viability grounds.
- The Council's total office allocation of 33,000sq.m. of space within the town centre and SH combined is over ambitious compared with:
 - EBC's own assessment of Class B space and of B1a space requirements specifically;
 - trends in improving office space efficiencies and how this is reducing new office space requirements;
 - the Eastbourne office market generally when measured in terms of the actual size of the town's office stock, take-up and requirements.
- Notwithstanding this, the Town Centre remains the most popular location for offices and will and should continue to be given (1) the choice of stock within the centre; (2) its accessibility and (3) its established business supply links (e.g. banks, printing / general office supplies / cafes / restaurants and shops).
- The town centre should be supported as the primary office location in general planning terms. That is, in compliance with the NPPF and to take advantage of its high level of accessibility and to support the overall vitality and viability of the centre.
- The allocation of 3,000sq.m. across the town centre DOSs lacks ambition and insufficient strength in policy guidance terms to secure new office floorspace. This was demonstrated by a high level capacity assessment of DOS 3, which is provided again here at **Appendix 1**.

4.2 The Council's Addendum Paper that was issued in support of its proposed modification that sought to address the above, did not help and our objections to EBC's evidence base remain.

- 4.3 At this time, the ELLP is required to inform the office requirement and site allocations through to 2027. This includes Sovereign Harbour but also must include the town centre again in the context of the NPPF and the definition of office space as a priority town centre use.
- 4.4 In advance of the ELLP it cannot be settled that the requirement of 3,000sq.m. of new offices for the town centre is appropriate. If the ELLP does show the requirement of 33,000sq.m. of offices remains, in view of the NPPF and the CSLP Inspector's guidance on the CSLP, we would expect the distribution of offices to the town centre to still be increased above 3,000sq.m.
- 4.5 Even with the NPPF and CSLP Inspector's guidance aside, work on the Sovereign Harbour masterplan has progressed through EBC's adopted SPD for the neighbourhood and SHL's own work. The latter has been subject to public consultation based upon a distribution of uses across SHL's sites that reflects the SPD.
- 4.6 That distribution of uses focuses proposed offices on three sites at the Harbour, known as Sites 4, 6 and 7. Copies of SHL's exhibition boards for these sites are provided at **Appendix 2**. This design review equates to a maximum of 23,000sq.m. of potential B1a floorspace being provided here, but again with this upper amount still to be subject to further viability assessment, the ELLP and a proven office market being demonstrated before the upper maximum of office space provided at SH is ultimately settled upon. This agreed physical masterplan approach however equates to a reduction of at least 7,000sq.m. of space on the 30,000sq.m. that is referenced in the CSLP for the Harbour.
- 4.7 If the ELLP does show a need for 33,000sq.m. of office space in total, with SH unable to accommodate 30,000sq.m. the 3,000sq.m. of space referenced for the town centre is already out of date. In any case the balance of space apportioned to the town centre **again** does not align with the directions given to EBC for the review of office requirements following the CSLP EIP and the directions of the NPPF.
- 4.8 Flexibility is therefore not only justified but required. The proposed amendments set out at Section 7.0 seek to address this.

5.0 Q4.4

Is the Plan premature in view of the forthcoming review?

- 5.1 The TCLP as drafted does not refer to or make provision for the fact that the ELLP is underway. In the absence of the ELLP there is a vacuum in EBC's evidence and understanding of total office floorspace requirements and how this can be met in broad location and site terms.
- 5.2 In this sense the TCLP, as it is currently drafted with reference to 3,000sq.m. of offices is out of date and is premature ahead of the updated evidence being available. As such it cannot be said with confidence that the TCLP meets the tests of soundness set out within paragraph 182 of the NPPF. That is, it:
- **Has not been positively prepared** – the reference to 3,000sq.m. is not supported by valid evidence;
 - **Is not justified** – there is no valid evidence to support the office space allocation.
 - **Is not effective** – the allocation again may not be the valid amount of space to be provided for and this will not be known until the ELLP has been completed. The TCLP also does not actually require individual sites to provide offices, such that there is no guarantee that the Plan will deliver any new space
 - **Consistent with national policy** – in making reference to the town centre allocation of 3,000sq.m. the TCLP relies upon a balance of new office between the town centre and SH which is inconsistent with the NPPF.
- 5.3 As stated in the representations submitted to EBC on the TCLP, it is understandable that the Council wants established policy to be in place quickly to help proactively promote, guide and control new development in the centre. The changes set out at Section 7.0 are put forward to help ensure this can be achieved whilst not pre-empting the ELLP and without prejudicing a potentially much larger amount of new office space being directed to the town centre by that Plan.

6.0 Q4.5

Should the Plan Address forthcoming PD Rights for Office Conversions

- 6.1 The submission made to EBC on the TCP addresses this point. The suggested amendment at Section 7.0 proposes an approach to addressing this within the contingency options set out at para 5.15 of the TCLP.

7.0 Proposed Amendments to Make the TCLP Sound

7.1 The following amendments are required.

Amendment 1: Setting of a new objective that specifically relates to office space.

7.2 This will give office space equal priority alongside retailing and tourist related development and should read:

x: Supporting enhanced and additional office and business space: support the refurbishment and extension of existing office and business floorspace within the town centre and the provision of new high quality, flexible office space that will meet the needs of a range of businesses from small start-ups to larger established and relocating companies.

Amendment 2: An additional Sub-Section and Policy relating to office development with supporting text.

7.3 This also will (1) give office space equal priority alongside other town centre uses, (2) meet with guidance in the NPPF on office space being a priority town centre use, and (3) address the issue of the pending ELLP that will further inform the quantum of office space to be provided.

7.4 The Chapter should be entitled:

Office Development in the Town Centre

7.5 The policy and text should read:

Policy TCx Office Development

The refurbishment and extension of the Town Centre's existing office stock will be supported. The provision of additional new office floorspace will also be supported to provide high quality, flexible facilities for a range of office users. Each of the Opportunity Development Sites will be required to include office floorspace or must be supported by evidence that this will be unviable even as part of a wider mixed use development.

Text:

- 4.xx The town centre's office stock adds to the mix of uses within the centre and is an important contributor to its overall vitality and viability. Those working in and visiting the centre's offices provide an important customer base for other businesses and commercial enterprises in the centre, adding in particular to its weekday and daytime footfall and helping to support the centre's night time economy.
- 4.xx The Council is to produce a new Employment Land Local Plan (ELLP) which will quantify the amount of office space that is to be provided during the current Core Strategy Local Plan period. This will inform the amount of space that should be directed to the town centre and to the Development Opportunity Sites as a priority town centre use. This is in the interest of concentrating office workers within the most accessible location of the town, close to those living in the town centre and easily accessible for commuters based in the neighbouring wards and areas from which people can readily travel to the centre on foot, or by cycle, bus or by train.
- 4.xx New development proposals for the allocated Development Opportunity Sites that come forward in advance of the ELLP will be required to provide office floorspace unless this can be demonstrated to be unviable. Where viability is an issue, applicants will be required to consider providing offices as part of mixed use development with higher value uses. If offices are still proposed to be omitted from such developments, the reasons for this must be explained and supported by evidence of viability and design constraints.

Amendment 3: Additional Text Amendments

- 7.6 The following amendments are also required for consistency with the CSLP, within the TCLP and in view of the pending ELLP:

Policy TC17 should be amended to read:

“...will deliver a minimum of 450 net residential units and 3000sq.m. of new B1(a) office space.

- Paragraph 5.11 should be redrafted as follows:

“In order to ensure that ~~the overall quantum of development of~~ 450 net residential units and 3000sq.m. of new B1(a) office space is delivered successfully, the Council will monitor the overall delivery rates and residual capacity across the five Development Opportunity Sites [DOSs].”

Amendment 4: Paragraph 5.15, Contingency Options

- 7.7 The following additional wording is required to be included at the end of the existing paragraph to address the potential impact of the new permitted development rights (pdrs) that will allow the change of use from offices to residential use, if EBC has not applied for an exemption from that change.

...

The Council will also keep under review the impact of temporary permitted development rights that are to allow the change of use of existing offices to residential use and the effect of this on the overall existing and required new stock of offices in the centre. If that effect is significant, additional sites will be identified within the town centre for the provision of new office floorspace.

- 7.8 If Amendments 1 to 3 are not made, the contingency arrangements will need additional amendments to be made to Paragraph 5.15 as follows:

The Council will undertake an early review of the TCLP to reflect the requirements of the pending Employment Land Local Plan (ELLP).

In advance of the ELLP being adopted and following that adoption ~~the event that the overall employment requirement is unlikely to be delivered across the DOSs,~~ the Council **may be required to ~~will~~ implement the following:**

- Promote opportunities on other available sites within the Town Centre **in addition to the DOSs**
- Review the contribution of windfall sites **including windfall office sites**
- Use CPOs if necessary
- ~~Undertake an early review of the TCLP to identify additional sites.~~

The Council will also keep under review the impact of temporary permitted development rights that are to allow the change of use of existing offices to residential use and the effect of this on the overall existing and required new stock of offices in the centre. If that effect is significant, additional sites will be identified within the town centre for the provision of new office floorspace.

8.0 Conclusion

- 8.1 The TCLP as drafted does not address the planned ELLP.
- 8.2 The TCLP must be amended to reflect the fact that the ELLP is required to inform the quantum of office space that is to be provided within the town centre.
- 8.3 If the TCLP is not amended to address this, it will be unsound.

Appendix 1

Town Centre Site 3 Capacity Testing

As appraised for the CSLP EIP Submission

Eastbourne AAP: Site 3 - B1 Capacity Study



Notes:

- 60% site coverage assumed
- Built footprint at 50% B1 and 50% Residential
- B1 uses front onto Upperton Road
- B1 uses at 6 storey including ground floor
- A1 uses on ground floor of Block C only
- Site Areas estimated from Google Earth

Calculations:

Block A: 1,972m² site area
@ 60% coverage = 1,156 x 50% B1 use = 578 x 6 storeys = 3,468m²

Block B: 2,628m² site area
@ 60% coverage = 1,577 x 50% B1 use = 789 x 6 storeys = 4,734m²

Block C: 2,530m² site area
@ 60% coverage = 1,518 x 50% B1 use = 759 x 5 storeys = 3,795m²

Total B1 Capacity = 11,997 m²

Appendix 2

SH Masterplan: Subject to Consultation March 2013

a. Sovereign Harbour: Masterplan

Welcome

Welcome to this exhibition which has been prepared by Sovereign Harbour Limited (SHL) to illustrate proposals for the development of seven sites within the Harbour which will provide the balance of development necessary to fund the new community facilities and add to the attractiveness of the Harbour as a place to live, work and visit.

These proposals have been developed with the help of the Sovereign Harbour Residents Association local councilors, your MP Stephen Lloyd and Eastbourne Borough Council.

They set out a vision for the type and amount of space proposed, and the principles of the overall layout. They are not detailed design proposals for the individual buildings, these will be designed later.

How the exhibition is set out:

- A 5 minute introduction presented on the screen explains the background.
- The standing panels explain the proposals for each site in more detail.
- There is a model of the end of the room of the proposed community centre.
- There is a questionnaire for you to give your thoughts on the proposals. Your feedback will be used to finalise the preparation of an outline planning application that will be submitted to Eastbourne Council later this year.
- We are here on hand to answer your questions. Please look for the SHL badges.

The Proposals

The masterplan will provide the following:

- A community centre
- A public square
- A park
- A public open space on the north Harbour
- A coastal open space and improved setting for Martello tower 64
- A site for the fishing fleet
- Improved public access across the Harbour
- A Business Park and other employment opportunities
- 150 new homes, the majority of which will be houses

Further technical approvals are underway looking at transport and access, ecology, flood risk and the scope for sustainable design. Together with the feedback that you provide, the technical approvals will be used to inform the masterplan and form part of the outline planning submission.



INTRODUCTION

Sovereign Harbour: Site 4

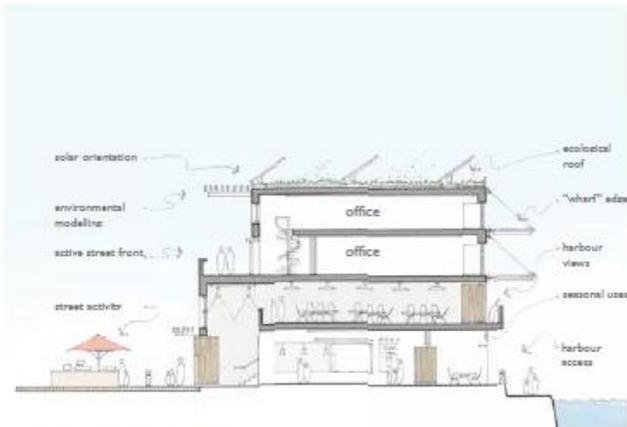


Location Plan

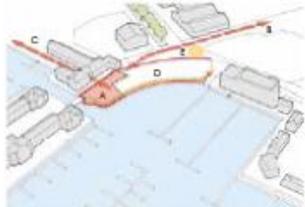
The completion of the Harbour edge along with the creation of a Public Square on site 4 will give Sovereign Harbour a space to attract and host a variety of events and activities that will help reinforce this area as the heart of the Harbour.



Context Plan



Section through building



views, connection & open space



building design

The Concept

These two concept diagrams explain the design principles behind the layout, and the detailed studies on the right of this panel illustrate how these proposals could work in practice. The Public Square has been located to reinforce the link and increase footfall between the Retail Park and the Waterfront, and provide an attractive and flexible event space overlooking the Harbour.

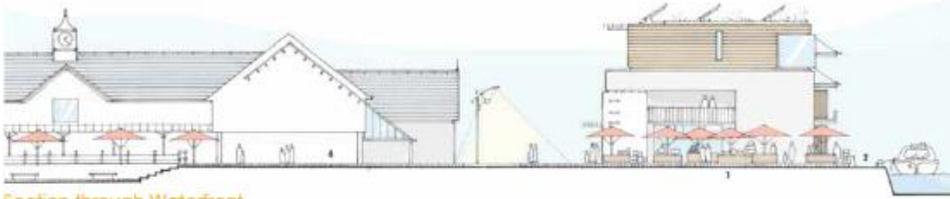
The buildings will create a mix of employment opportunities with cafe, restaurant and retail at the lower levels and offices at the upper levels.

views, connection & open space

- (A) Public Square overlooking the North Harbour
- (B) Proposed link to the Retail Park
- (C) Existing link to the Waterfront
- (D) New public walkway alongside Harbour
- (E) Proposed bus link and bus stops

building design

- (F) Four storey building of a similar scale to the adjacent blocks
- (G) Cafe/restaurant opening onto the square
- (H) Five storey building of a similar scale to the adjacent yacht club
- (I) Gap between the buildings with stairs and access to the waterfront
- (J) Views across Harbour



Section through Waterfront



KEY	
1	Public square
2	Waterfront walkway
3	Access and views to harbour
4	Existing link to waterfront
5	Proposed link to retail park
6	Proposed bus link
7	Proposed bus stops
8	Entrance to offices as corner landmark
9	Flexible space for retail/cafe/restaurant uses
10	Cafe/restaurant uses opening onto public square
11	Emergency access

S I T E 4

b. Sovereign Harbour: Site 6



Location Plan

Sites 6 & 7 provide a setting for a modern high quality business park for Sovereign Harbour that will form part of a wider employment vision for Eastbourne. Site 6 will provide up to three and a half hectares (8 1/2 acres) of employment land for a variety of building sizes to meet employers' requirements.



connection and landscape



building design

The Concept

The two concept diagrams below explain the design principles behind the proposed layout of the site, and the more detailed plan on the right of the panel illustrates how these proposals could work in practice and their relationship to their surroundings. A shared approach to design and materials with Site 7 will give a consistent character helping make it an attractive environment for employers and residents.

connections and landscape

- (A) Pedestrian and cycle link to the Waterfront
- (B) Potential for activities along pedestrian/cycle link
- (C) Connection to business park
- (D) Landscape perimeter and setting to pedestrian/cycle link
- (E) Landscape screen to Pevensy Bay Road
- (F) Landscape boundaries to create an attractive green edge

building design

- (G) Key buildings used to create gateways to the Harbour and Eastbourne
- (H) Screened by the single mound, the scale of buildings will have a general height of three stories, and up to four stories in key locations such as the gateways
- (I) Building scale and form to respond to the Retail Park setting at Harbour roundabout
- (J) Flexibility to accommodate the different needs of a range of employers who might be attracted to Eastbourne and the Harbour



Layout Plan



KEY

- 1 Gateway building at Harbour roundabout
- 2 Gateway building at Pacific Drive roundabout
- 3 Vehicle access
- 4 Flexible building layout
- 5 Active building frontages to pedestrian/cycle link
- 6 Landscaped parking
- 7 Landscape screen to Pevensy Bay Road
- 8 Landscape development edge
- 9 Pedestrian/cycle link to Waterfront & Retail Park
- 10 Opportunity for activities along pedestrian/cycle link
- 11 Seating/lighting/orientation spaces
- 12 Single mound

S I T E 6

c. Sovereign Harbour: Site 7



Location Plan

Site 7 will provide a further two hectares (5 1/2 acres) of employment land in addition to site 6, a park and 63 new dwellings, the majority of which will be houses.

Further technical appraisals are underway looking at access arrangements in more detail.



connection and landscape



building design

The Concept

The two concept diagrams below explain the design principles behind the proposed layout of the site, and the more detailed plan on the right of the panel illustrates how these proposals could work in practice and their relationship to their surroundings.

connections and landscape

- (A) Avenue continuing the pedestrian and cycle link with site 6, the Retail Park and Waterfront
- (B) The link provides a new green route to the Waterfront and Medical Centre for residents and the Business Park
- (C) Landscaped building boundaries create an attractive setting
- (D) Buffering northern landscape buffer wraps around the Park and proposed residential area creating a softer green edge to Feversley Bay Road
- (E) Caps to the green edge along Feversley Bay Road giving the Business Park views over Feversley Levels

building design

- (F) Employment area
- (G) Park
- (H) Residential area
- (I) Key buildings used to create a gateway to the Harbour
- (J) Buildings scale of two storeys, to residential edge along Pacific Drive
- (K) Building scale of three storeys along Feversley Bay Road overlooking the Levels
- (L) Flexibility to accommodate the different needs of a range of employees



Layout Plan

Business Park



Park



Residential



KEY

- 1 Gateway building at Pacific Drive roundabout
- 2 Existing vehicle access
- 3 Vehicle access to residential area
- 4 Pedestrian/cycle link to Waterfront & Retail Park
- 5 Avenue with pedestrian/cycle link to Park
- 6 Active frontages to Pacific Drive
- 7 Landscaped parking
- 8 Flexible building layout
- 9 Buildings with views over Feversley Levels
- 10 Medical Centre
- 11 Busstop/shelter
- 12 Sheltered accommodation
- 13 Link to Park
- 14 Residential edge to Park
- 15 Landscape screen on residential house
- 16 Children's play and open space
- 17 Landscape buffer to Park and residential edge
- 18 Landscape development edge as part of gateway

SITE 7

Area of Site 7 removed from proposed office use



