

**Eastbourne Borough Council**

**Planning Committee**

**29 November 2011**

**Report of the Head of Planning**

**List of Planning Applications for Consideration**

- 1) REGENCY MEWS, SILVERDALE ROAD**  
Removal of condition of planning permission EB/1964/0032 restricting the use of twelve domestic garages (as amended under planning permission EB/1988/0539)  
EB/2011/0218(FP), MEADS Page 5  
**RECOMMEND: APPROVE CONDITIONALLY**
- 2) KINGS CHURCH, EDISON ROAD**  
Erection of a new fire door opening and the erection of an advertising signage board  
EB/2011/0444(ADV)& (FP), HAMPDEN PARK Page 13  
**RECOMMEND: APPROVE CONDITIONALLY**
- 3) 67 SANTA CRUZ DRIVE**  
Erection of a detached garage, provision of a new vehicular crossover and the conversion of an existing garage into a study.  
EB/2011/0513(HH), SOVERIEGN Page 17  
**RECOMMEND: APPROVE CONDITIONALLY**
- 4) 4 WATTS LANE**  
Proposed vehicular hardstanding  
EB/2011/0515(HH) UPPERTON Page 21  
**RECOMMEND: REFUSE**
- 5) ST ANNES VETERINARY GROUP, 6 ST ANNES ROAD**  
Demolition of existing building and erection of a building containing 8 self-contained flats, together with associated parking spaces and cycle stores. (Outline permission)  
EB/2011/0524 (OL), UPPERTON Page 27  
**RECOMMEND: APPROVE CONDITIONALLY**

- 6) 46 & 46B BRAMPTON ROAD**  
**& Phase 1** (EB/2011/0563) - Demolition of 46A & 46C Brampton Road and  
**7)** the temporary use of 46B and part of the land to the rear of 46  
Brampton Road for motor vehicle auction purposes with associated  
parking, access and circulation.  
**Phase 2** (EB/2011/0556) Mixed use of 46 and 46B Brampton Road  
comprising motor vehicle auction with associated office and restaurant;  
car and van rental office, vehicle bodyshop and garage and MOT testing  
station following the part demolition, part refurbishment of the existing  
building on 46 Brampton Road and the erection of a new steel frame  
building together with associated parking, access and circulation.  
EB/2011/0556 (FP) & EB/2011/0563(FP), HAMPDEN PARK Page 35

**RECOMMEND: PHASE 1 & 2 APPROVE CONDITIONALLY**

- 8) EASTBOURNE SEAFRONT**  
Erection of nine permanent non illuminated directional and distance  
information signs.  
EB/2011/0594(ADV), DEVONSHIRE Page 49  
**RECOMMEND: APPROVE CONDITIONALLY**

J. F. Collard  
Head of Planning

22 November 2011

## **Planning Committee**

**25 October 2011**

### **Report of the Planning Manager**

#### Background Papers

1. Town and Country Planning Act 1990
2. Planning (Listed Buildings and Conservation Areas) Act 1990
3. The Planning and Compensation Act 1991
4. The Town and Country Planning General Regulations 1992
5. The Town and Country Planning (General Permitted Development) Order 1995
6. The Town and Country Planning (General Permitted Development) Order 1995 (Amendment) (No. 2) (England) Order 2008
7. The Town and Country Planning (General Development Procedure) Order 1995
8. The Town and Country Planning (Use Classes) Order 1987 (as amended)
9. The Town and Country Planning (Control of Advertisements) Regulations 2007
10. DoE/ODPM Circulars
11. DoE/ODPM Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs)
12. East Sussex and Brighton & Hove Structure Plan 1991-2011
13. Eastbourne Borough Plan 2001-2011
14. Eastbourne Townscape Guide 2004
15. East Sussex County Council Manual for Estate Roads 1995 (as amended)
16. Statutory Instruments
17. Human Rights Act 1998
18. The Planning and Compulsory Purchase Act 2004

Note: The documents listed above and the papers referred to in each application report as "background papers" are available for inspection at the offices of the Economy, Tourism and Environment Department at 68 Grove Road on Mondays, Tuesdays, Thursdays and Fridays from 9.00 a.m. to 5.00 p.m. and on Wednesdays from 9.30 a.m. to 5.00 p.m.



**Eastbourne Borough Council**

**Planning Committee**

**25 October 2011**

**Report of the Planning Manager**

**List of Planning Applications for Consideration**

**Committee Report 29 November 2011**

**Item 1**

<b>App.No.:</b> EB/2011/0218	<b>Decision Due Date:</b> 21/06/11	<b>Ward:</b> Meads
<b>Officer:</b> Suzanne West	<b>Site visit date:</b>	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b> N/A <b>Neigh. Con Expiry:</b> 01/06/11 <b>Weekly list Expiry:</b> 03/06/11 <b>Press Notice(s) Expiry:</b> N/A		
<b>Over 8/13 week reason:</b> Committee		
<b>Location:</b> Regency Mews, Silverdale Road		
<b>Proposal:</b> Removal of condition of planning permission EB/1964/0032 restricting the use of twelve domestic garages (as amended under planning permission EB/1988/0539)		
<b>Applicant:</b> Memralife Group		
<b>Recommendation:</b> Approve		

**Planning Status:**

- Town Centre & Seafront Conservation Area (Regency Court)
- Area of High Townscape Value (Regency Mews)
- Tourist Accommodation Area

**Relevant Planning Policies:**

National Policy

PPG13                      Transport

Circular 11/95            Use of Conditions in Planning Permission

Eastbourne Borough Plan 2001-2011

TR11                        Car Parking

### **Site Description:**

This application relates to two sites, Regency Court and Regency Mews. At the time of the grant of planning permission EB/1964/0032 for a 6 storey block of 10 flats and 2 maisonettes (Regency Court), both sites were under the same ownership and a condition attached stipulating the use of 12 garages (forming part of the Regency Mews site) for the residential use of the occupiers of Regency Court. The two sites are no longer under the same ownership.

Regency Court, located on the north western side of South Cliff with direct views of the seafront, shares its rear boundary with the Regency Mews site which forms a triangular shaped plot bounded by residential development from Silverdale Road to the south-east, South Cliff Avenue to the west and St Giles College to the north. The 12 garages that are the subject of this application form part of the Regency Mews development which is currently used as International Christian Communications (ICC) recording studios with associated office, storage and residential accommodation for recording artists. In conjunction with the current application, a planning application (EB/2011/0164) for the redevelopment of Regency Mews is presently being assessed. The two sites do not share any direct vehicular access; however, they are linked by a pedestrian walkway that runs from the rear of Regency Court to the north eastern part of Regency Mews.

### **Relevant Planning History:**

#### Regency Mews

EB/2011/0164	Re-development of site with demolition of existing buildings and erection of 8 houses in two blocks comprised of two and three storeys, on-site car parking and refuse storage. Current application.
EB/1977/0309	Change of use from garages to recording studio & provision of covered way at front (garages 12, 12a & 14) Approved conditionally. 20/09/77
EB/1974/0298	Change of use to recording studios (garages 10 & 11) Approved conditionally. 16/07/1974
EB/1964/0578	Conversion of communal garage into workshop & office Approved unconditionally. 22/10/64

#### Regency Court

EB/1988/0539	Amendment of condition of application EB/1964 restricting use of 12 domestic garages. Approved conditionally. 20/01/89
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EB/1964/0032      6 storey block of 10 flats & 2 maisonettes (conditional on 12 garages forming part of premises known as Hoare's Garages, Silverdale Road for residential use for occupation of flats)  
Approved conditionally. 05/03/64

**Proposed development:**

Removal of condition of planning permission EB/1964/0032 restricting the use of twelve domestic garages (as amended under planning permission EB/1988/0539).

**Consultations:**

*Highways: 'Assuming that parking spaces cannot be provided within the site for Regency Court as part of the proposed re-development which would potentially solve the issue, the displacement of 3 cars onto the public highway would be very unlikely to have a detrimental affect on the roads in the vicinity of the site, and therefore it would be very difficult to sustain an objection on highway grounds in this instance.'*

(Memo, 21/07/2011)

Legal

*'There has to be some doubt as to whether the Condition should have been imposed in its revised form in 1988/89. It could be argued that the two sites which were linked by that condition, Regency Court and the Mews garages, were separate planning units at that time so the fact they were in the same ownership was not sufficient justification in planning and legal terms to tie them together via the condition.'*

*The advice and the tests set out in Circular 11/95 are relevant and would carry due weight on any appeal. The evidence suggests that the use of the garages has been patchy and the relaxation of the condition in order to enable the comprehensive redevelopment would result in a far more beneficial use of the land in planning terms, in line with current policies and guidance.*

*These arguments would outweigh the fact that the existence of the condition since 1989 has given the objecting residents the expectation that the garages would be retained for their use.'*

(Email, 18/08/11)

**Neighbour Representations:**

Letters of notification were sent to the occupiers of the surrounding properties. 4 representations have been received from the occupants of Regency Court; the following concerns have been raised:

- Loss of garage amenity;
- Depreciation of property value; and
- Interference with rights to peaceful enjoyment of possessions under Article 1, Protocol 1 of the ECHR, as incorporated in the Human Rights Act 1998.

The objectors confirm the proposal would be acceptable subject to the provision of a minimum of 6 parking spaces for the exclusive use of residents in Regency Court to compensate for the release of the current condition restricting the use of twelve domestic garages.

### **Appraisal:**

#### HISTORY

In 1964, planning permission was granted for the erection of Regency Court subject to a condition that 12 of the garages forming part of the adjoining site (known as 'Regency Mews') should be reserved for use by the occupants of the proposed flats. This condition was subsequently amended in 1989, by which time the two sites were under separate ownership, to read:

*'That a garage in Regency Mews shall always be available for use of one car owner in respect of each flat in Regency Court, South cliff and any remaining garage not so required shall be used as private domestic garages for the garaging of motor cars and for no other purpose whatsoever.*

*Reason: To secure that a garage shall be available for present and future car owner occupiers of Regency court and to control the precise use of the building in the interests of local amenity.'*

The amended condition enabled the owners of Regency Mews to use those garages not in demand by the occupants of Regency Court for an alternative use and thus make more efficient use of the site.

Pursuant to the amended planning condition, the occupants of Regency Court are required by civil law to apply for a licence to the owners of Regency Mews to permit the use of the relevant garage in return for a monthly licence fee. To my knowledge, all licences that have been applied for have been granted and thus there has been no breach of condition under EB/1988/0539. The applicant advises that, up until the time of the current application, there have been no recent requests for garage licences and for many years only three garages have been requested by the occupants of Regency Court.

#### POLICY

Circular 11/95, 'Use of Conditions in Planning Permissions', states that conditions should not be imposed unless they are both necessary and effective and do not place unjustifiable burdens on applicants. As a matter of policy, conditions should only be imposed where they satisfy six key tests. Conditions should be: necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. It is considered that the current condition is neither: necessary, reasonable nor enforceable for the following reasons:



- Necessary

Although the two sites were, at the time of the grant of planning permission in 1964, under the same ownership, thereby enabling the condition to be applied to Regency Mews, they came under separate ownership following the sale of Regency Mews to the current owners many years ago. During the applicant's ownership of the site, very few applications for licences from Regency Court residents have been received demonstrating limited long-term demand for the garage facilities. Currently, only 25 percent of the available garages are in use from occupants of Regency Court and, based on the information submitted, this has been the case for many years. With the width of single garages ranging from 2.3m to 2.9m, many of the garages are likely to be unfit to store modern cars; the Manual for Streets stipulates that garages to be used for storage and parking should measure 3m x 6m. This may be a contributing factor as to why garage demand is low and raises another point as to whether many of the garages are fit for modern day purpose and thus whether the condition can be implemented.

The proposal to remove the condition facilitating off-street parking for Regency Court residents, should they wish to use it, will affect the surrounding highway network with additional demand being placed on the on-street parking in the area. Notwithstanding the above, the remaining occupants of Regency Court either already use on-street parking facilities, with little problem, or manage without the use of a car given the proximity of the site to the town centre and good transport links. The Highways Authority has confirmed that the displacement of 3 cars onto the public highway would be unlikely to have a detrimental affect on the roads in the vicinity and, as such, it would be difficult to sustain an objection on highway grounds.

- Reasonable

Paragraph 24 of Circular 11/95 states that unless a condition fairly and reasonably relates to the development it will be 'ultra vires'. There is doubt as to whether the original condition should ever have been imposed in 1964, and subsequently amended in 1989, given that the two sites, Regency Court and the Mews garages, were separate planning units. It is considered that, even when the two sites were under the same ownership, there was not sufficient justification in planning or legal terms to tie them together via the condition. This raises the question as to whether the original permission for Regency Court should have been granted if it was dependent on the provision of parking from another site.

The Council must also consider whether it is appropriate to restrict the use of the garages and consequently the development of the wider site under the terms of the condition.

The condition results in the inefficient use of the 12 garages and is a financial resource upon the current occupiers who can only lease the garages on short-term agreements to interested parties other than Regency Court occupants due to the requirement to ensure the garages are available should any resident of Regency Court require the facility. In this way, the condition is unduly restrictive and potentially puts a severe limitation on the comprehensive redevelopment of the site (EB/2011/0164). This issue holds considerable weight given the need to meet current housing targets and ensure land is used to its maximum efficiency. The applicant advises that the loss of amenity for the existing 3 licensees will be financially compensated in the negotiations to surrender the respective licences.

#### Enforceable

The compliance with the planning condition is dependent on a legal agreement between the owner of the application site and the occupants of Regency Court. There is, however, no requirement on the current owners to make the garages available to the residents of Regency Court under civil/private law. In this way, whilst civil/private law restrictions are not material planning considerations, the two are inextricably dependant on one another. Although technically the owners of the Mews garages would not be in breach of the condition for refusing the licence under the civil law restriction, they would be in breach for not making the garage available for use under the terms of the condition. For this reason, the garage is not considered 'enforceable'.

#### Human Rights Implications

Article 1 of the First Protocol to the HR Convention specifies, in summary, that no one should be deprived of the peaceful enjoyment of his possessions other than in the public interest and according to general principles of law.

The planning condition was unreasonable and contrary to the govt. guidance in Circular 11/95 on the use of conditions in the planning process. The fact that the condition was imposed by the Council in the first place and that it has been in existence for some time may have given the flat owners involved the expectation the garages would continue to be reserved for them and given them the idea that the right given by the condition was a form of 'possession' (within the terms of the Protocol) which they should continue to enjoy. However, that factor is outweighed by the fact that the condition was tantamount to being 'ultra vires' in the first place.

The only Human Rights issue which warrants consideration is the fact that the garage owners are unable to enjoy their possessions i.e. the garages, without complying with the condition. That issue will be adequately dealt with by a recommendation in favour of granting permission on this application.

**Conclusion:**

The advice and the tests set out in Circular 11/95 are relevant and would carry due weight on any appeal. The evidence suggests that the use of the garages has been limited and the relaxation of the condition in order to enable the comprehensive redevelopment would result in a far more beneficial use of the land in planning terms, in line with current policies and guidance, without significant detriment to the highway network. These arguments outweigh the fact that the existence of the condition since 1989 has given the objecting residents the expectation that the garages would be retained for their use.

**Summary of Reasons for Decision**

The planning condition places an unreasonable and unduly restrictive burden on the owners of the Regency Mews garages, contrary to government guidance in Circular 11/95: Use of Conditions in Planning Permissions, and would not result in undue additional pressure upon the highway network in accordance with Policy TR11 of the Eastbourne Borough Plan 2001-2011.

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.



## Committee Report 29 November 2011

### Item 2

<b>App.No.:</b> EB/2011/0444	<b>Decision Due Date:</b> 22/09/11	<b>Ward:</b> Hampden Park
<b>Officer:</b> Chris Cave	<b>Site visit date:</b> 15/08/11	<b>Type:</b> Advertisement and Minor
<b>Site Notice(s) Expiry date:</b> 15/09/11 <b>Neigh. Con Expiry:</b> n/a <b>Weekly list Expiry:</b> 13/09/11 <b>Press Notice(s)- :</b> n/a		
<b>Over 8/13 week reason:</b>		
<b>Location:</b> Kings Centre, Edison Road		
<b>Proposal:</b> Erection of a new fire door opening and the erection of an advertising signage board		
<b>Applicant:</b> The Frontiers, Charitable Trust		
<b>Recommendation:</b> Approve		

This application was deferred from an earlier Planning Committee pending further information; further information has now been received and Committee are now asked to consider and evaluate the merits of the proposal in light of the further information received.

#### **Planning Status:**

- Designated Industrial Area

#### **Relevant Planning Policies:**

UHT1 – Design of New Development  
 UHT12 - Advertisements

#### **Site Description:**

Application property is a two storey high structure currently being occupied by Kings Church. The front elevation is characterised by large windows with the name of the Church listed above. All other elevations remain plain with only entrance doors showing. The church occupies the majority of the site which is set back from both Lott bridge Drove and Willingdon Drove.



### **Relevant Planning History:**

App Ref: EB/2002/0227	Description: Display of non-illuminated individual lettering
Decision: Approved	Date: 28/05/02
App Ref: EB/1997/0484	Description: Display of non-illuminated lettering
Decision: Approved	Date: 25/09/97

### **Proposed development:**

Erection of a new fire door opening on the north west elevation

Erection of an advertising signage board on the south west elevation

### **Consultations:**

n/a

### **Neighbour Representations:**

None received

### **Appraisal:**

#### Impact on character of the area and the building

The fire door opening is of a standard design and size and will not impact on the character of the area or building.

#### Visual Amenity

The advertising sign is quite large in size, however, it is not out of scale to the original building given its large size itself. There are also comparable signs of size and scale in the surrounding area and given the fact that it is located in an industrial estate, signs of this nature are appropriate.

Therefore there is no impact on visual amenity.

After a request from planning committee the agent has submitted more details about the signage and an example photo to show what kind of signage would be erected. He has confirmed that the signage will only be used to advertise the church itself, it is only going to be changed two or three times per year and the signage material will be vinyl and will incorporate text and pictures.

#### Highway Safety

The sign is not large enough in size and scale to become a distraction for vehicle users.

**Human Rights Implications:**

None

**Conclusion:**

This application is recommended for approval. The fire escape door opening is of a standard design and scale and will not have a detrimental impact on the character of the original building or the area. The advertising signage is appropriate to the area and is not of a size or scale to impact on visual amenity or on highway safety. It will only be used to advertise the church.

**Recommendation:**

**RECOMMEND:** Express consent be granted subject to the following standard conditions:

- (1) – (5) Standard Conditions for adverts
- (6) Approved drawings

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.





## Committee Report 29 November 2011

### Item 3

<b>App.No.:</b> EB/2011/0513	<b>Decision Due Date:</b> 21/10/11	<b>Ward:</b> Sovereign
<b>Officer:</b> Chris Cave	<b>Site visit date:</b> 15/09/11	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> n/a <b>Neigh. Con Expiry:</b> 01/10/11 <b>Weekly list Expiry:</b> 05/10/11 <b>Press Notice(s)- :</b> n/a		
<b>Over 8/13 week reason:</b>		
<b>Location:</b> 67 Santa Cruz Drive		
<b>Proposal:</b> Erection of a detached garage, provision of a new vehicular crossover and the conversion of an existing garage into a study.		
<b>Applicant:</b> Mr and Mrs Martin		
<b>Recommendation:</b> Approve		

#### **Planning Status:**

- Predominantly Residential Area

#### **Relevant Planning Policies:**

UHT1 – Design of New Development

H020 – Residential Amenity

#### **Site Description:**

Application property is a three storey semi detached dwelling with brick walls and a tiled roof. The property, which occupies a corner plot, has an attached garage to the side where beyond a small access road runs adjacent to the site, serving the apartment block which lies to the west. The front garden is extremely small and is enclosed by a 1m high wrought iron gate. As the application site is on a corner plot, there is a side garden which is enclosed by a 2m high brick wall which also runs to the rear enclosing the garden. The rear garden is accessed via the small road which runs alongside the western boundary of the site, through a set of double wooden gates standing 2m in height. There is also a conservatory in the rear garden.

### **Relevant Planning History:**

App Ref:	Description:
EB/2011/0214	Erection of a rear conservatory
Decision:	Date:
Approved	21/10/11

### **Proposed development:**

Erection of a detached garage, provision of a new vehicular crossover and the conversion of an existing garage into a study. The proposed garage which is to be located to the side of the existing property, is to be single storey in height and linked to the main property via a small flat roofed extension. The vehicle crossover is to open up onto Santa Cruz Drive.

### **Consultations:**

#### Highways Officer

I do not wish to restrict grant of consent.

However, the section of Santa Cruz Drive that no. 67 is located in, is not adopted public highway at the current time. The applicant will therefore have to contact the Developer to gain permission to excavate the footway and kerbs to install the new vehicle crossing.

#### Tree Officer

Having viewed the landscaping at the above site, I can confirm that no objection can be made to the removal of the landscaping from the garden of the property, and the Cordyline is not of sufficient merit to warrant the application of a Tree Preservation Order.

### **Neighbour Representations:**

One letter of comment has been received and covered the following points. That the proposal would involve the loss of trees and shrubs which was not indicated on the application form. That the situation would be better if the garage door was located to the rear, using the existing access and that the proposal does not involve the removal of the existing double gates which are noisy.

### **Appraisal:**

#### Residential Amenity

As the extension is to the west the neighbouring properties to the east will not be able to view the development and will therefore not be affected. As the properties to the north west and south east are located a satisfactory distance away from the proposed extension the only properties to be effected are the apartments which are located to the south west. As both the garage and extension are single storey in height it is deemed that the impact on the apartment block is acceptable.

### Visual Amenity

The garage is of a simple design with a pitched roof and due to its height being only single storey, it will not be visually intrusive within the street scene. The link extension between the original property and the garage is not of a size or scale to be highly visible, a point which is accentuated by its flat roof.

### Environmental Amenity

The proposal does involve the loss of a small tree and shrubs. However, as the applicant has informed us by filling out Certificate A and by further written confirmation that he owns this section of land and it is not part of an official landscaping scheme and in addition the Tree Officer has stated that the Cordyline is not of sufficient merit to warrant an application of a Tree Preservation Order, the application cannot be refused on these grounds.

### Neighbour Representation

In response to the neighbour representation the Tree Officer has commented that the tree that would be lost is not worthy of retaining. The neighbour mentioned that they felt that scheme might work better if the existing access was used and no crossover was put in. However, as the Highways officer has commented that he has no objections to the new crossover then it is deemed that this aspect of the scheme is acceptable. Finally the neighbour mentioned that the existing gates at the rear site were noisy and that they would like them to be removed if the scheme went ahead. However, that is not a valid planning reason for the Department to request them to be removed.

### **Human Rights Implications:**

None

### **Conclusion:**

This application is recommended for approval. Due to the location of the other properties the only properties to be effected are the block of apartments which lie to the south west. However as both the garage and linked extension are only single storey in height, the impact is deemed to be acceptable. As both the extension and garage are of a standard design and the Tree Officer has no objections to the loss of the tree in the front garden, there is no justifiable reason to refuse this application.

### **Recommendation:**

**RECOMMEND:** Permission be granted subject to the following conditions:

- (1) Time limit
- (2) Matching materials
- (3) Plan numbers

## SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reasons:

It does not adversely impact on residential, visual or environmental amenity and therefore complies with the relevant planning policies in the Eastbourne Borough Plan 2001-2011.

**Appeal**: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.

## Committee Report 29 November 2011

### Item 4

<b>APPLICATION SITE:</b> Land at rear of 27 Upperton Road and fronting Watts Lane		
<b>App.No.:</b> EB/2011/0515	<b>Decision Due Date:</b> 21/10/11	<b>Ward:</b> Upperton
<b>Officer:</b> Suzanne West	<b>Site visit date:</b>	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b> 04/10/11 <b>Neigh. Con Expiry:</b> 05/10/11 <b>Weekly list Expiry:</b> 05/10/11 <b>Press Notice(s):</b> 12/10/11		
<b>Over 8/13 week reason:</b> Committee		
<b>Proposal:</b> Proposed vehicular hardstanding		
<b>Applicant:</b> Mr & Mrs E A Rayner		
<b>Recommendation:</b> Refuse		

**Reason for referral to Committee:** 13 objections

#### **Relevant Planning Policies:**

Eastbourne Borough Plan 2001-2011

Policy UHT1	Design of New Development
Policy UHT4	Visual Amenity
Policy UHT5	Protection of Walls/Landscape Features
Policy UHT15	Protection of Conservation Areas
Policy HO2	Predominantly Residential Areas
Policy HO6	Infill Development
Policy HO7	Redevelopment
Policy HO20	Residential Amenity
Policy TR11	Car Parking

#### **Site Description:**

The application site relates to No. 4 Watts Lane, one of two semi-detached properties currently under construction approved under application EB/2010/0185. The site is located adjacent to the Old Town Conservation Area and is enclosed by a high flint wall along Watts Lane, part of which has been removed.

**Relevant Planning History:**

EB/2011/0041	Discharge of conditions 2, 3 of planning permission ref. EB/2010/0185 for the erection of two semi-detached two bedroom dwellings. Issued. 01/04/2011
EB/2010/0185	Erection of two semi-detached two bedroom dwellings. Approved conditionally. 07/09/10
EB/2006/0808	Proposed erection of two semi-detached, two storey cottages. Refused. 09/01/2007 APPEAL ALLOWED. 26/06/08
EB/2005/0526	Proposed erection of two semi-detached, two-storey cottages with two on-site car parking spaces. Refused. 05/10/2005 APPEAL DISMISSED. 27/09/2006
EB/1998/0630	Proposed erection of two semi-detached dwellings. Refused. 17/02/1999 APPEAL DISMISSED. 23/08/1999
EB/1989/0663	Erection of detached 2 bed house & parking area. Refused. 30/11/1989 APPEAL DISMISSED. 12/1990

**Proposed development:**

Permission is sought for a single vehicular hardstanding to the front/side of No. 4 Watts Lane comprising a 2.5m entrance. The hardstanding will measure 5m in depth, narrowing in width towards the rear of the site in line with the curtilage of the plot from 3.38m to 2.64m. The applicant proposes to repair the flint boundary wall with rendered coping over to match existing and facing brickwork piers where abutting the new entrance.

**Consultations:**

Conservation Officer: Objection to the further loss of part of the historic flint boundary wall and resultant harm to Old Town Conservation Area.  
(Memo, 12/09/11)

Local Highways Authority: No objection.  
(Memo, 20/10/2011)

**Neighbour Representations:**

In response to neighbour notification and statutory advertisement, 13 objections have been received. The concerns raised are summarised as follows:

- The subject plot of land is not capable of sustaining any further development;

- The proposal will provide a hazardous entrance onto a main thoroughfare with a restricted width and inadequate visibility;
- The loss of one off-street parking space will exacerbate an already congested parking situation;
- The size of the proposed hardstanding is insufficient to park a modern car;
- The new vehicular hardstanding will increase adjoining residents' exposure to exhaust fumes due to the difference in ground levels between properties within this part of Watts Lane; and
- The proposal will reduce the overall length and appearance of the large flint wall to the detriment of the character and appearance of the conservation area and contrary to the re-build detail of the original plans.

### **Appraisal:**

The main issues to consider in the determination of this application concern the impact of the proposal on the character and appearance of the adjacent Old Town Conservation Area, with particular regard to the historic flint boundary wall, and highway safety.

With respect to conservation, the proposed vehicular hard standing would result in further destruction of the historic boundary wall which helps to form and create part of the distinct character of the streetscape within the conservation area. The plans approved by the Inspector in 2008 (EB/2006/0808) allow for a discreet entrance into the wall which is considered appropriate in terms of scale and size given that there have been no previous openings in this section of the wall; the Inspector's decision in 2008 clearly stated that *'the reinstatement of the flint boundary wall should be secured to ensure an acceptable appearance'*. The Inspector in 2006 (EB/2005/0526) shared this opinion stating *that 'the car parking shall not be visually dominant'*. In this way, a new larger opening would not be sympathetic to the character and appearance of this historic wall or adjacent conservation area. Furthermore, the proposed layout does not provide space for a gate or any other form of enclosure to screen the development resulting in an unobstructed view of the new dwellings. For this reason, the proposed scheme would have a greater visual impact upon the conservation area, neither helping to preserve or enhance it.

This application has received significant objection from local residents with respect to, inter alia, traffic congestion and highway safety. The applicant seeks to provide one new off-street parking space, replacing one on-street space and thus resulting in no net loss of parking. Notwithstanding the above, it is important to note that on-street spaces provide for the majority of the demand from existing users in the area. The new off-street space will only provide for the occupiers of the host dwelling and, as such, the proposed scheme will reduce, albeit modestly, the availability of parking for the wider majority undermining Policy TR11. This issue was raised by the Inspector in 2006 when assessing planning application EB/2005/0526 and reiterated again by the Inspector in 2008 (EB/2006/0808).



The host site is located on a narrow, one way section of Watts Lane between Upperton Road and New Upperton Road where, due to the restricted width and length of the road, vehicle speeds are typically low. Whilst it is acknowledged that this is a busy road, current research assessing the relationship between traffic flow and road safety on streets with direct frontage access, published in the latest government guidance in 'Manual for Streets', has shown very few accidents involve vehicles turning into/out of driveways even on heavily trafficked roads. Furthermore, the proposed access is located on a road without a footway and, as such, emerging drivers should not have to take pedestrians into account. The absence of wide visibility splays should also encourage drivers to emerge more cautiously. The depth of the new vehicular hardstanding meets the minimum parking standard of 5m and it is noted that there are other vehicle accesses within the road including one similar to the proposal on the same side as the application site; police accident records show no recorded incidents between the 1<sup>st</sup> January 2000 and the 31<sup>st</sup> July 2011 within this section of Watts Lane. The above view that off-street parking within this section of Watt's Lane would not be a significant problem in terms of highway safety was shared by the Inspector in 2006 (EB/2005/0526). Furthermore, the appeal decision in 2008 (EB/2006/0808) clearly stated that the provision of off-street parking was not necessary:

*'Despite the fact that it serves as an access route to other local roads, it appears to me that the numbers and speeds of vehicles in this part of Watts Lane are generally well within safe limits, and given the on-way system in operation, the road is easily wide enough for vehicles to park safely... Although the appeal proposals would include no provision for on-site parking, I find that this aspect of the scheme accords with the relevant development plan policies and national guidance. Furthermore, there can be little doubt that the site is within easy walking and cycling distance of the town centre and railway station, as well as being located close to several main bus routes, local shops and other facilities in the Old Town Area.'*

Resident concerns that the new vehicular hardstanding will result in increased exposure to exhaust fumes due to the difference in ground levels are not considered relevant by reason of the distance of the proposed hardstanding from adjoining properties.

Notwithstanding the highway comments above, the new vehicular hardstanding and subsequent part demolition of the historic boundary wall would result in significant and unacceptable visual harm to the character and appearance of the Old Town Conservation Area. It is for this reason, refusal is recommended.

#### **Human Rights Implications:**

It is considered that the proposed development would not affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and protection of property.

**RECOMMEND:** Permission be refused for the following reason:

The new vehicular hardstanding and subsequent part demolition of the historic boundary wall would result in significant visual harm to the character and appearance of the adjacent Old Town Conservation Area contrary to policies UHT1, UHT4, UHT5 and UHT15 of the Eastbourne Borough Plan 2001-2011.

**INFORMATIVE**

For the avoidance of doubt, the plans hereby refused are:

181000-04b [Site Layout], received 24/08/11

181000-06 [Details of Boundary Wall to Watts Lane & Road Markings],  
received 22/08/11

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**



## Committee Report 29 November 2011

### Item 5

<b>App.No.:</b> EB/2011/0524	<b>Decision Due Date:</b> 2 November 2011	<b>Ward:</b> Upperton
<b>Officer:</b> Jane Sabin	<b>Site visit date:</b> 4 October 2011	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b> 12 October 2011 <b>Neigh. Con Expiry:</b> 13 October 2011 <b>Weekly list Expiry:</b> 19 October 2011 <b>Press Notice(s)-:</b> N/A		
<b>Over 8/13 week reason:</b> Request to speak at Committee		
<b>Location:</b> 6 St. Annes Road		
<b>Proposal:</b> Demolition of existing building and erection of a building containing 8 self-contained flats, together with associated parking spaces and cycle stores. (Outline permission)		
<b>Applicant:</b> Mr. J. Dash		
<b>Recommendation:</b> Approve		

#### Planning Status:

- Archaeologically sensitive area

#### Relevant Planning Policies:

UHT1	-	Design of new development
UHT2	-	Height of new buildings
UHT4	-	Visual amenity
HO7	-	Redevelopment
HO20	-	Residential amenity
TR6	-	Facilities for cyclists
TR2	-	Travel demands
TR11	-	Car parking
LCF21	-	Retention of community facilities

**Site Description:**

This detached Edwardian villa is located on the north east side of St. Annes Road, on the corner of Churchfield Mews (between the junctions with Enys Road and Hartfield Road. The property has been in use as a veterinary surgery on the ground and basement floors since the 1970's, and has been significantly extended at the rear; a vehicular access is located adjacent to 4 St Annes Road and leads to a parking area at the rear of the site.

The surrounding area is principally residential, with some examples of modern developments both opposite the application site and to the side; these more recent properties have maintained a vertical and balanced emphasis in their design, which is an important feature of the character and appearance of local buildings. The area as a whole has retained a strong sense of its original character, with much of its architectural character and detailing intact.

**Relevant Planning History:**

App Ref:EB/2003/0774	Description: Redevelopment of veterinary surgery to provide residential (dwellings/flats) accommodation (Outline Application).
Decision: Approved	Date: 26 January 2004
App Ref:EB/2009/0254	Description: Demolition of existing building and redevelopment of site with a two storey building, providing nine self contained flats over three floors together with associated parking.
Decision: Dismissed	Date: 14 April 2010
App Ref:EB/2010/0765	Description: Demolition of existing building and erection of a building containing 8 self-contained flats, together with associated parking spaces and cycle stores. (Outline permission)
Decision: Withdrawn	Date: 19 January 2011

**Proposed development:**

Planning permission is sought to demolish the exiting building and replace it with a two storey building containing eight flats over three floors of accommodation, with six parking spaces and three enclosed cycle stores at the rear. The application is submitted in outline, but with only the landscaping of the site reserved.

The building would be constructed of brick and tile hanging under a tiled, pitched roof. The St. Anne's Road (principal) elevation features an asymmetrical double frontage, with a square, double height bay under an overhanging gable on one side, and a ground floor bay with a flat, lead rolled roof on the other. The double height bay would support a small balcony with timber balustrading recessed under the gable.

A third recessed gable would sit between the two main gables over an open porch with a timber valance leading to a recessed entrance door. The side and rear elevations are plainer, but with well proportioned windows and a total of three dormers and three small roof lights at roof level.

The accommodation would be arranged as four flats on the ground floor (two two-bedroom and two one-bedroom), three flats on the first floor (two two-bedroom and one, one bedroom flats) and a two bedroom flat in the roof space.

The vehicular entrance is to be moved from the existing location on St. Anne's Road to the side of the site in Churchfield Mews, to serve six parking spaces and three secure, covered cycle stores, together with several small landscaped areas. A gated refuse store is indicated adjacent to the vehicular entrance.

**Applicant's Points:**

- The design approach is similar to the previous scheme in that it follows traditional principles and materials, in keeping with the character of the locality. The design has been updated to incorporate three front gables, the central one being recessed, and with the main roof behind these gables forming a half-hip on one side, and a traditional cat-slide roof on the other, next to no. 4. The ground floor bay to the right hand gable now has a small pitched roof in lieu of a flat roof. A small recessed balcony is included within the eaves of the left hand gable.
- The main difference with the other elevations is the reduction in roof bulk owing to the amended roof form now proposed. Apart from this, the only notable changes from the 2009 proposals are that the overall number of window openings to the side elevations has been reduced, and two small, traditional rear dormers have been added to the rear elevation.
- The site is located within Zone 3 of the Council's adopted parking standards document, and therefore the provision of 6 spaces to serve 8 flats is comfortably within the permitted range of 50% to 75% of the maximum figure of 1.33 spaces per unit. The ratio of parking provision – 6 spaces for 8 units, is almost unchanged from the previous proposals, where it was 7 spaces for 9 units, which was deemed acceptable previously by the Council.
- The loss of the existing building (which can be demolished under the "permitted development" regime), the loss of the existing use, and the access arrangements were all accepted by the Council's officers, and the Planning Committee. The issues examined by the appeal Inspector were the effect of the proposals on the character and appearance of the locality, and the effect on the living conditions of neighbouring and nearby occupiers.
- Compared with the 2009 scheme, the ridge of the roof will be some 6.8m further away from the flank of no. 4 St. Anne's Road, and 4.4m further away than the existing building, as a result of the amendments to the roof form.

The eaves line adjacent to the boundary with no. 4 will be 2.6m, reduced from 5.3m. Although the flank (south) wall would be slightly (500mm) nearer than the 2009 scheme, crucially this part of the building would only be single storey now, in contrast to a 3 storey gable end previously, with only the receding roof slope being visible above this. It is therefore submitted that not only would the proposals be a marked improvement on the 2009 scheme, but would also result in a less overbearing relationship from the flank of no. 4 than exists on site at present. This is demonstrated by the imposition of the silhouette of the existing building, and previous scheme on the proposed front elevation, on drawing 179000-03. Additionally, the impact on no. 4 has been reduced by a reduction in the depth of the first floor part of the construction adjacent to the southern boundary, at the rear of the proposed building, and the introduction of a 3m deep single storey construction at this point instead.

- It is therefore submitted that the current proposal has overcome the previous objections of the Planning Committee and appeal Inspector by fundamentally altering and reducing the overall profile and bulk of the proposal. Although privacy was not raised as an issue in the appeal decision, it should be noted that the proposal has removed any first floor openings in the part of the proposed building nearest the boundary with no. 4. Accordingly, it is considered that the proposals comply with Policy HO20 of the Eastbourne Borough Plan 2001-2011 which concerns residential amenity.
- The proposals represent the efficient use of previously developed land within the urban area for residential purposes in accordance with local and national planning policies and objectives. The proposals have responded to the previous appeal decision, which was dismissed solely on the issue of the outlook from the side windows of 4 St. Anne's Road, by substantially reducing the bulk of the building in proximity to these windows. In turn, the changes to the roof design of the building, together with the opportunity being taken to further fine tune the design of the proposal, has resulted in a more distinctive and coherent proposal whilst still respecting the prevailing character of the area.

### **Consultations:**

As there have been no material changes in circumstances since the previous applications, the previous responses of no objections from the County Archaeologist, the Environment Agency and Planning Policy are maintained.

The Highway Authority has no objections to the proposal, and states that the number of parking spaces proposed satisfies the adopted standards. The site is accessed from Churchfield Square which does not form part of the adopted public highway, and there are already a number of developments that use Churchfield Square to access their car parks. Having checked the Police accident records back to January 2000, there have been no recorded incidents in Churchfield Square or at its junction with St Anne's Road or Eversfield Road in this time.

In addition, as part of the planning appeal that took place in 2010 regarding this site; the inspector did not raise any concern regarding the access arrangements for the site.

(Memo dated 17 November 2011)

### **Neighbour Representations:**

Two objections have been received from nearby residents, containing the following representations:

- St Annes Road has plenty of flats, no more are needed
- Six parking spaces are totally inadequate for 8 flats in an area that suffers from commuter parking, and despite encouragements to use cycles, there are very few on the roads of Eastbourne
- The refuse store is of insufficient size

(Letter and email – 9 & 12 October 2011)

A further objection has been received from a ward councillor (Liddiard):

- The building would be an overdevelopment, unsightly and out of character and will not sit comfortably in the streetscene; the inclusion of a balcony is totally out of character due to the fact that no other properties in the area have such constructions
- The access from Churchfield Lane is a serious concern, as it was designed simply for access to the small development of Churchfield Close, is not a general road and has poor visibility at the junctions; someone will be seriously harmed if this development is not stopped
- Parking is of paramount importance – on average each property will have two cars, and there is no way that enough spaces are being provided, forcing residents to park on the street in an already congested area, which is deeply concerning from a road safety point of view
- The veterinary surgery is a vital asset to the community
- Many residents in St. Annes Road, Hartfield Road and Enys Road will suffer loss of amenity and invasion of privacy if this monstrosity is granted permission

### **Appraisal:**

Policy LCF21 aims to retain community uses, unless they are no longer needed, or other provision can be made. The text of the policy, however, refers to D1 uses with no qualification; although a veterinary surgery falls within class D1, it is not considered to be a community use within the spirit of the policy. In this particular instance, it is a non-conforming business use within a predominantly residential area; it has also, in the past, been the subject of complaints to the Council regarding noise and fouling. It is understood that the business is looking to relocate to more suitable premises, although no site has yet been found. It is concluded that the loss of the building would not conflict with policy LCF21.

The existing building is not listed, nor is it located in a conservation area, or an area of high townscape value, and therefore there can be no policy objection to its loss; the appeal Inspector raised no concerns in respect of this issue.



Moreover, the previous approval has established the principle of the loss of the building; even though the permission has expired, there have been no changes in policy that would change this aspect. Redevelopment of large dwellings in the street has already taken place, most recently at the site immediately opposite the application site, which was replaced by a terrace of four three storey houses in 2002/3, and previously at the adjacent Kingston House in the 1970's.

The 2009 application was broadly similar to the current proposal in terms of its footprint, height, design and fenestration and was the subject of an appeal. The Inspector found the proposal would comply with Policies UHT1, UHT2 and UHT4 in terms of the character and appearance of the area, and had no concerns in respect of parking or loss of privacy. However, she found that it would harm the living conditions of neighbouring occupiers at 4 St Annes Road, in so far as it related to outlook from the windows on the flank elevation, due to the proximity and depth of the proposed building along the common boundary. This conflict with part of Policy HO20 was the sole reason for dismissing the appeal.

The current scheme has been subject to negotiations with officers to address the Inspector's reason for dismissing the appeal, which has resulted in the reduction of the bulk of the proposed building on the side closest to the boundary with 4 St. Annes Road, in addition to considerable improvements to the overall design and proportions. The depth and proximity are similar to the previous scheme, however the closest part of the building has been reduced to single storey with a pentice roof thereby reducing the impact significantly. The design of the proposed building is a pastiche, nevertheless, it is well executed with traditional features, such as diminishing window heights, decorative bands of tile hanging and strong gables, and would sit very comfortably in the street scene. The success of the scheme would rely on the detailing (such as recessed windows, decorative bargeboards), and therefore will require careful conditions to control this aspect.

The position of windows has been carefully considered to maintain acceptable distances to habitable rooms in adjacent residential properties; in particular the overall number of windows facing 4 St. Annes Road would be reduced, and there would be no windows serving habitable rooms. The closest windows on the ground floor would be high level kitchen windows and could be obscure glazed. No. 8 Churchfield Square has a flank wall facing the appeal site and a good degree of separation is maintained between these properties. Similarly, the proposal is separated from Kingston House by the lane and further greenery. It is therefore considered that the new building would not have an adverse impact on surrounding residential properties in terms of loss of privacy. The proposed building would be approximately 500mm higher than the adjacent property at 4 St. Anne's Road, although it would appear to be 800mm higher because of the slope of the road; it is considered that the increase in height is acceptable, and would appear as a natural progression following the slope in the road.

The provision of six parking spaces and three secure cycle stores is considered acceptable in this location, which is in easy walking distance of the town centre and where there is ample on street parking. Whilst the area is heavily parked during normal office hours, there is no difficulty in parking in the evenings and weekends despite the relatively high numbers of flatted properties in the area that have no on site parking facilities. In fact there would be much less impact from the proposed development than the present use as a veterinary surgery, which has insufficient on-site parking for staff and customers as well as inadequate visibility splays from the existing access. The unadopted lane which serves Churchfield Square has been in existence since the construction of the original Edwardian properties in the area, and has provided access to the many garages both at the rear of the properties in Enys Road and the large garage court (approximately 40 garages) that previously occupied the site of Churchfield Square. There are many similar lanes in this part of town (for example Upperton Lane, Arundel Lane, Ivy Lane) which service many properties satisfactorily without serious problems, and the Highway Authority has confirmed that there are no records of any accidents at either end of Churchfield Square. The loss of the existing inadequate access over the footpath to the application site and the additional use of the lane by six vehicles can only be regarded as having a positive impact on highway safety.

**Human Rights Implications:**

It is considered that there would be no adverse impact on the amenities of adjacent or nearby residents as a result of the development.

**Conclusion:**

In conclusion, it is considered that the current scheme has overcome the reason for the dismissal of the previous scheme and that the proposed development is acceptable in terms of the loss of the current use, the scale and design of the replacement building, the impact on nearby residents, the provision of on site parking and impact on highway safety; it also complies with government guidance in respect of maximising the reuse of previously developed land, and will make a valuable contribution to the towns housing stock.

**Recommendation:**

**GRANT** subject to conditions

**Conditions:**

- (1) Approval of reserved matters (landscaping)
- (2) Submission of reserved matters
- (3) Time limit for submission of reserved matters
- (4) Time limit for commencement
- (5) List of approved plans
- (6) Hours of operation during construction
- (7) Submission of samples
- (8) Provision of privacy screens
- (9) Submission of details of doors/windows/joinery/flues
- (10) Floor levels

- (11) Submission of details of boundary walls
- (12) No access for construction traffic from Churchfield Square
- (13) Obscure glazing with restrictors in ground floor side windows
- (14) Provision of vehicular access, parking areas, refuse & cycle stores before occupation
- (15) Closure of existing vehicular access

**Informatives:**

SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reason:

There would be no adverse impact on visual or residential amenity or on highway safety, and it therefore complies with the relevant policies in the Eastbourne Borough Plan 2001-2011.

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.

**Committee Report 29 November 2011**

**Item 6 & 7**

<b>APPLICATION SITE: 46 &amp; 46B, 46A, 46B &amp; 46C BRAMPTON ROAD</b>		
<b>App.No.:</b> EB/2011/0556 & EB/2011/0563	<b>Decision Due Date:</b> 22/11/2011	<b>Ward:</b> Hampden Park
<b>Officer:</b> Leigh Palmer	Site visit date: Numerous at pre application and post submission stage	<b>Type:</b> Full Permission
<b>Site Notice(s) Expiry date:</b> 09/11/11 <b>Neigh. Con Expiry:</b> 09/11/11		
<b>Over 8/13 week reason:</b> Within time		
<p>Proposal Two applications are reported here as they are submitted by the same applicant and relate to the same site:-</p> <ul style="list-style-type: none"> <li>• <b>Phase 1</b> (EB/2011/0563) - Demolition of 46A &amp; 46C Brampton Road and the temporary use of 46B and part of the land to the rear of 46 Brampton Road for motor vehicle auction purposes with associated parking, access and circulation.</li> <li>• <b>Phase 2</b> (EB/2011/0556) Mixed use of 46 and 46B Brampton Road comprising motor vehicle auction with associated office and restaurant; car and van rental office, vehicle bodyshop and garage and MOT testing station following the part demolition, part refurbishment of the existing building on 46 Brampton Road and the erection of a new steel frame building together with associated parking, access and circulation.</li> </ul>		
Applicant: Eastbourne Car Auctions		
<p><b>RECOMMENDATION:</b>          EB/2011/0556 Grant Planning Permission subject to Conditions          EB/2011/0563 Grant Planning Permission subject to Conditions</p>		

## **Proposed development:**

The applications reported here relate to a two stage development opportunity and follows the recent resolution to grant planning permission for a new Morrisons store and petrol filling station on the Highfield North Industrial Estate off Arkwright Road.

As the use of part of the site is intended to be temporary and work needs to start urgently, the applicant is intending to split the development into two phases, each with a separate but complimentary planning application. The applications are as follows:

- **Phase 1** (EB/2011/0563) Demolition of 46A & 46C Brampton Road and the temporary use of 46B and part of the land to the rear of 46 Brampton Road for motor vehicle auction purposes with associated parking, access and circulation.
- **Phase 2** (EB/2011/0556) Mixed use of 46 and 46B Brampton Road comprising motor vehicle auction with associated office and restaurant; car and van rental office, vehicle bodyshop and garage and MOT testing station following the part demolition, part refurbishment of the existing building on 46 Brampton Road and the erection of a new steel frame building together with associated parking, access and circulation.

### Phase 1:-

The applicants (ECA) intend to occupy part of the site in order to continue trading while the new building EB/2011/0556 is under construction. To facilitate this use it is intended to demolish the existing buildings at 46A and 46C Brampton with the area to be used as hard surfacing

The retained building of 46B will be refurbished and two new roller shutter doors added on the eastern elevation to assist in vehicle circulation within the building. Internally, a small office and reception area will be added together with a seating area for bidders attending the auction. The building will also be used to accommodate vehicles being viewed prior to an auction. Vehicles will also be available for viewing on the newly created hardstanding to the front of the building. Customer parking will be provided along the northern fence-line and to the rear of the site adjoining the railway line.

It is also proposed to remove part of the existing palisade fence between the two parts of the site to allow a small part of the rear of 46 Brampton Road to be used for additional parking associated with the temporary vehicle auction use. This fence will be reinstated as part of the Phase 2 works.

### Phase 2:-

This application seeks the comprehensive development of the whole site for a mix of vehicle related businesses.

Eastbourne Car Auctions will occupy the new building (as described below), and a car and van rental office, vehicle bodyshop and garage and MOT testing station will occupy the remainder of the site (46 Brampton Road)

The proposal is to create a new customer entrance with lobby area and toilet facilities at the eastern end of the retained building. This will then lead into a large open plan office at ground floor level. At the western end, two new roller shutter doors will be added to allow a maximum of 2 vehicles to access a new dedicated cleaning bay. Adjacent to the open plan office, and part of the new element of the building, will be the Bidding Room. This will comprise the raised auctioneers' rostrum with a standing area and seating platforms opposite. The vehicles will be driven into the bidding area via a one-way system leading from and back to the viewing and holding areas in the main steel framed part of the new building.

At first floor level within the retained part of the building will be a further office/VIP area and storage together with a canteen/restaurant and kitchen area and further toilet facilities. The canteen/restaurant is intended to serve staff and customers. As well as the existing windows on the northern elevation, there will be internal floor length windows to the canteen and office/VIP area which will allow views across the bidding room and the vehicles in the viewing area beyond.

The main viewing area within the building can accommodate 171 cars. There is an additional holding area to the south of the new building which is uncovered and will accommodate an additional 90 cars. Staff parking for 23 cars is provided to the rear of the new building, adjoining the railway line. Customer parking for 32 cars is provided adjacent to the new customer entrance to the north of the building and a customer/VIP parking area for 8 cars is proposed running parallel with Brampton Road.

The new element of the building occupies a shorter but slightly wider footprint than the building to be demolished. The new build element of the proposal has been designed to maximise internal space and remove any internal pillars which would prevent the effective and efficient use of the created space. The new building will be steel structural frame with concrete encased columns around the perimeter of the frame. It will be 42 metres wide and 59.7 metres long with a 10 degree roof pitch. It will have a height to a central ridge of 9 metres and a height to eaves of approximately 6 metres. The parapet of the retained building will be raised by 1.3 metres to act as a backdrop to the new roof and to visually tie the two elements of the building together.

The walls of the new element of the building will be clad in Kingspan Micro-Rib horizontal panels 1000mm deep, or similar, vertical steel panel cladding in midnight or sapphire blue leathergrain finish. The roof will be finished in Kingspan KS1000 FC box profile in goose wing grey with Kingspan polycarb rooflights.

The exterior of the retained building will be cleaned and painted where necessary and the flat plaster panels between the first and ground floor windows will be block painted in either midnight or sapphire blue to match the exterior cladding. The company logo of "eca car auctions" will be added in yellow powder coated lettering to the east and west elevations. Exact colour and details to be advised.

On the southern part of the site, following the implementation of Phase 1, the building of 46A & 46C will have been demolished and minor works carried out to the retained building 46B to insert two new external roller shutter doors to facilitate the use of 46B by Choice Vehicle Rentals and Highfield MOT & servicing and repair garage and how the unit will be split between the two occupants. It also shows the proposed location of the MOT testing bay within the northern, Highfield part of the building. It is likely that the building, once occupied by these two companies, will be likely to be re-numbered to become 46A and 46B. This is what is shown on the drawing. The hardstanding will be available for use by both companies to provide parking, access and circulation associated with their uses.

The application has been submitted with a number of supporting documents/reports the key points of these are summarised as follows:-

**Flood Risk Assessment:-** The proposal does not change the floor area of the buildings presently occupied and no extensions are proposed and as such there would not be any greater risk to localised flooding.

**Arboricultural Report:-** There are no trees of any merit at the site and as such there should not be any tree related issues with the proposal

**Design and Access Statement:-** This outlines the nature of the proposal and how the scheme complies with the Development Plan, would not have a material impact upon the site or the surrounding area by reason of noise/activity or access and car parking issues. In addition this statement outlines importance of these businesses to the local economy and highlights this by the number of employment opportunities that would be retained and created by the proposal and also the potential £ spend within the local economy.

**Design and Access Statement:- The Businesses Involved:-** Eastbourne Car Auctions (ECA) has been established in the town for the past 45 years. It is a local employer and contributes to the local economy both directly and indirectly through the trade it generates, its business relationships with local companies and the customers it draws into the town.

The ECA current site operates Monday to Friday 9am to 5.30pm. There are two Auctions per week on a Wednesday and Friday. This will continue with the move to the Brampton Road site. The Wednesday Auction is considered to be the National Sale specifically for Fleet and Leasing vehicles. It starts at 11 am. The specialist Motability part of the sale starts at 12 noon. The Friday sale is considered to be a more Local Sale with Part Exchange and General Cars.

This starts at 6pm through to around 8.30pm. A Commercial Vehicle Auction is also held on the first Wednesday of each month at 2pm. Customers can view the cars at any time in the run up to the specific auction but from experience, this tends to be during the morning (from 9am) or in the afternoon.

Those attending or purchasing at the Wednesday sale tend to be the Trade. There are usually around 40 customers representing car supermarkets, national and local dealers (all Eastbourne based dealers use ECA) actually on site bidding. One person may bulk buy 5-6 vehicles although there are some who purchase up to 20 vehicles at a time. Purchasers can come from anywhere across the Country for the right vehicle but if it is well described in the catalogue then increasingly trade customers are becoming more comfortable with buying over the internet. They have to become Account Holders with ECA after their details have been registered vetted and logged before a bid can be accepted.

Transport Assessment:- The main points within this transport assessment have been summarised below:-

- the scheme follows detailed pre application negotiations have been carried out with both ESCC and EBC.
- The existing site comprises of a B1, B2 and B8 consent.
- It is proposed to relocate the established Eastbourne Car Auction to enable the provision of a Wm. Morrison's Supermarket on Lottbridge Drove.
- The site is located within a predominantly industrial area, when the auction occurs, due to the nature, visitors generally arrive by car and parking pressures occur at the existing site. Given the industrial nature and the increased distance from Lottbridge Drove this parking issue would be resolved, along with the additional onsite parking area.
- The site is a similar size and layout to the existing site and as such there would not be an increase in trips at peak times as a result of the relocation. There is a greater amount of formalised parking on the proposed site.
- Given that the site is only relocating some 500m a Travel Plan would have a minimal impact on established travel patterns. The site was and continues to be accessible by sustainable modes.
- This TA has discussed the transport related policies relevant to this application and it is considered that this development, in this location is compliant with local and national policy.
- The agreed study area has been investigated and it is considered that there are no capacity improvements required as a result of this proposal.
- An accident investigation has been carried out; it is considered that this application will have no effect on the accident propensity in this area.
- Overall it is considered that there are no highways or transportation reason as to why this development should not be approved.



## **Relevant Planning Policies:**

### LOCAL PLAN

Policy BI 1 Retention of employment land/uses  
Policy B1 2 Designated Industrial Areas  
Policy B1 7 Design Criteria within industrial areas

### CORE STRATEGY

Regarding Employment, paragraph 2.1.3 sets out the Spatial Development Strategy of the Core Strategy. It states:

*“Economic growth will be stimulated by an improved range, flexibility and quality of employment and mixed use business space in its existing industrial and employment areas, for use by local firms and speculative investors”.*

The Brampton Road site falls within Neighbourhood Area 7 – Hampden Park. The site being vacated by the three companies is identified as an “Area of Change”. The Hampden Park Industrial Estate continues to be identified as an Industrial Estate on the Key Diagram. In the Neighbourhood Profile for the area, Paragraph 3.8.3 states:

*“The location of industrial estates and retail areas in the neighbourhood provides local employment opportunities and Hampden Park railway station increases connectivity between jobs and homes”.*

Within the Neighbourhood there are pockets of deprivation, principally in relation to housing and education, but it is acknowledged that this has a knock on effect on employment and income levels. The “Vision” for the Neighbourhood is to increase its levels of sustainability and reduce the levels of deprivation whilst at the same time assisting in the delivery of housing and employment opportunities for the town.

Policy C7 sets out the Neighbourhood Policy for Hampden Park. Regarding Employment it states that the Vision will be realised, inter alia, by encouraging the intensification of industrial estates.

### **Site Description:**

The site and premises of “46 Brampton Road” are located in the Hampden Park Industrial Estate. The site is rectangular and extends to 1.0038 Ha (2.48 acres). The site is level and laid mainly to concrete and tarmac hardstanding with a collection of 1 to 2 storey brick built and steel framed buildings. The site fronts onto Brampton Road along its eastern boundary and backs onto the main Eastbourne to London Southern Railway line to the west. The retail park comprising Sainsburys Supermarket, Comet and Currys is situated on the other side of the railway line.

To the north of the site is an open area of land used as overspill parking and to the south are further business and industrial units. The site is currently fenced along all of its boundaries with a mix of 2 – 2.5 metre high palisade or post and chain mesh fencing.

There is also an existing palisade fence separating the southern and northern parts of the site, as described below.

The site lies opposite the T junction of Brampton Road and Marshalls Road which is the main vehicular access to the industrial estate leading off Lottbridge Drove and Willingdon Drove. These roads in turn provide access to the wider highway network and the A22.

**Relevant Planning History:**

The site is currently split into two parts. The northern part is the larger of the two and is approximately 0.6876 ha (1.7 acres). This has two points of vehicular access onto Brampton Road. This part retains its original 1960's two storey brick built office building facing Brampton Road with a large steel framed building to the rear. The footprint of the combined building takes up the majority of the site. The total GEA of the existing building is 3,321sqm.

Since 1992, this northern part of the site has had planning permission granted and renewed for use as an indoor Go Kart Arena with associated facilities and the production of Go Karts. This is a sui generis use. Operated by Trax Leisure Ltd on a lease from Eastbourne Borough Council, this use has been winding down over the past few years and the current operator is looking to vacate.

To the rear of the existing building on 46 Brampton Road are two telecommunication masts protected by steel fencing. It is understood that one of the masts is no longer in use and while discussions are underway about the possible removal of one or both masts, it has been assumed for the purpose of the proposed new layout, access and circulation to the rear of the building that the masts will remain, at least for the time being. There are also some self sown trees immediately to the rear of 46 Brampton Road adjoining the masts but these have no intrinsic or landscape quality and will be removed.

The southern part of the site is separated by an existing palisade fence and has one point of access onto Brampton Road. On this smaller part of the site of 0.3162 ha (0.781 acres) are two main buildings and a smaller shed (see photograph below). The building to the rear is steel framed and clad in green metal corrugated sheeting. It was erected in the 1980's. The other building is brick built with a double pitched tiled roof and is old and outdated.

The oldest building is closest to Brampton Road and is internally split into two units known as 46A & 46C. This building has a GEA of 417sqm. The more modern building to the rear is 46B. This has a GEA of 997sqm. The smaller shed has a GEA of 21sqm. The last tenant of this part of the site was a car valet company who are understood to have vacated in 2007. The site has been vacant for the past 4 years.

- EB/1982/0483 – Erection of 5 Industrial Units and provision of 44 car parking spaces following the demolition of the existing building (Approved)
- EB/1987/0538 – Erection of Single Storey extension to metal/welding building (Approved)
- EB/1987/0606 – Erection of building for storage of beer coolers (Approved)
- EB/1987/0748 – Erection of single storey building for use as a canteen, kitchen, stores and workshop to replace existing canteen and workshop. (Approved)
- EB/1992/0484 – Change of use from Industrial to indoor go-karting arena, with associated facilities and production of go karts (Approved)
- EB/1995/0074 – Change of use of part of the site (No 46) from B1 to B8 (Approved)
- EB/1995/0075 – Change of use of part of the site (Nos 46 A, B & C) from B1 to B8 (Approved)
- EB/1997/0568 – Continuation of use as an indoor go-karting arena with associated facilities and production of go-karts without complying with Condition 1 of EB/92/484 (Approved)
- EB/1998/0135 – Change of use of site to include B2 use in addition to existing B1 and B8 (Approved)
- EB/2000/0392 – Provision of a 15m high telecommunications mast supporting 3 antennae and 2 microwave dishes and associated equipment cabin
- EB/2000/0573 – Provision of a 15m high telecommunications mast supporting 2 dipole antennae and 4 microwave dishes with ancillary equipment cabin and compound
- EB/2002/0478 – Provision of a 15m high telecommunications mast supporting 3 antennae and 4 dishes together with ancillary equipment
- EB/2002/0744 – Erection of a 15m high telecommunications lattice mast supporting 3 antennae and 2 dishes together with ancillary equipment

### **Consultations:**

Building Control:- No building control concerns

Estates Department:- No objection to the proposal, the disposal of the application site will be reported to Cabinet in the near future

Economic Development:- Fully supportive of the scheme as it would retain a number of jobs and spend within the local economy.

Wealden District Council:- Phase 1 No objections to this application and the proposed temporary use, providing this is of limited duration to enable completion of the phase 2 works, and the use is restricted to its current terms of operation to prevent uncontrolled intensification

Phase 2 Does not wish to raise an objection to the proposal to re-locate the 3 existing inter-related businesses to this site which will enable their future retention and expansion and give some shared employment, economic and customer benefits to this District and its residents, whilst according with your authority's policies for business use of the site.

However there is concern that extra traffic may be generated in the locality as a result of the new supermarket being enabled by this re-location scheme, and the potential expansion of the 3 businesses, particularly where the amount of auctions to be increased. Given the close proximity to the Wealden Boundary this could lead to additional movements on the local network, and so your authority is requested to ensure that it is satisfied that the traffic and highway implications arising from the overall new development to be enabled within the locality are acceptable, and appropriate conditions imposed to control the auction use.

### **Planning Policy**

Support the scheme

The application site is identified on the Eastbourne Borough Plan Proposals Map 2001-2011, as being within a Designated Industrial Area (Policy BI2 of the Borough Plan).

The current Eastbourne Car Auctions site has been granted permission for the development of a Morrisons Supermarket. It is understood that contractual pressures have resulted in the need to relocate Eastbourne Car Auctions in a very tight timescale.

As a result, the development of the Brampton Road site would be in two phases. This application seeks permission for the first stage of development, temporarily using 46B for vehicle auction purposes, but with the eventual aim of developing a mixed used (office, restaurant and auctions) development at 46 and 46B Brampton Road.

The current site is designated in the sui generis planning Use Class, being formerly used as an indoor go-kart track, and has been vacant for a couple of years. The proposal for a motor vehicle auction room would provide another sui generis use of this land, and would require the redevelopment of the site. The subsequent mixed use development through Phase 2 of the development scheme would further add vitality and vibrancy to the Brampton Road industrial estate.

The proposal does not result in the generation or loss of land in the business use classes (B1, B2 or B8); therefore several of the Borough Plan Business policies do not apply.

The development would still be subject to general design policies (Policy B17 of the Borough Plan), ensuring that the development is good quality and built sustainably. The design of the scheme is a matter of consideration for the case officer.

The redevelopment of the site is supported in the emerging Eastbourne Plan – Core Strategy in both Policies C7: Hampden Park Neighbourhood Policy and D2: Economy. Policy C7 states that the vision for Hampden Park will be achieved through '*encouraging the intensification of industrial estates*' and Policy D2 states that job growth and prosperity will be achieved by '*maximising the use of existing employment sites, through redevelopment for employment use and increased density on existing industrial estates and the upgrading of the existing stock*'.

The application would result in approximately 100 jobs being retained within the Borough which is a significant benefit to the economy of town. The new larger site would also allow the business to expand and develop in future years.

To conclude, the granting of this application would allow an important business to continue operating within the Borough and would support its future expansion. The proposal would not impact negatively on overall business floor space need across the whole Borough, therefore conforms with existing and emerging planning policy.

### **Neighbour Representation**

- Individual letters have been sent to local businesses and also two site notices for each application have been posted at and nearby to the site. As a result of this consultation no representations have been received.

### **Appraisal:**

#### **Principle**

As evidenced by the planning history above the site is located within an existing industrial/employment estate and as such the proposal falls to be considered against Policy BI 1 of the Local Plan. This policy seeks to resist the loss of employment land unless the application demonstrates that the existing use is either redundant and unviable.

There are a number of distinct elements to this proposal. One element relates to the use of part of the site for/as motor vehicles repairs and servicing business, this would fall within the traditional B2 employment use and thereby falls squarely within Policy BI 1 of the Local Plan.

The majority of the site has been last used for/as an indoor go karting arena, this use does not fall within the traditional employment use and thereby falls outside of the constraints of Policy BI 1. Notwithstanding this it is considered that the proposed occupation of the site by Eastbourne Car Auctions and also Choice Vehicle Rentals would add to the employment opportunities at the site and would therefore comply with the emerging core strategy which aims to intensify the use of existing sites within industrial/employment sites.

It is clear therefore that the proposal falls outside of the parameters of Policy BI 1, notwithstanding this it is considered that the wider benefits of the scheme outweigh the desire for the application site to be retained as traditional employment generating uses.

### **Temporary Use**

As illustrated within this application the first phase of the development proposal relates to part of the site (approximately one third) being used by all three businesses (vehicle rental, vehicle repairs and vehicle auctions) whilst the existing building is demolished and the new building is constructed and becomes operational.

It is common with a lot of major infrastructure projects that they are constructed in phases; the provision of the uses on a temporary basis would enable Morrisons scheme to be developed as well as ensuring that the existing business can continue to trade during the construction and implementation phases of the scheme.

There is no objection to the implementation of the scheme on a phased basis

### **New Build (Design and Appearance)**

The site is located within an industrial estate and also lies immediately adjacent to the railway line. The existing buildings are reflective of their age and also reflective of lack of attention due to the use ending a number of years ago.

Set against this background it is considered that the proposed new building would be different in appearance from the existing buildings on the site, notwithstanding this it is considered that the proposed building would not be out of character with other buildings within the wider employment area and as such it would not result in a form of development that would be visually intrusive.

The investment into the redevelopment of this site may also highlight that the economy is still buoyant and may act as a catalyst for wider investment within this employment area.

## **Job retention and Job creation**

**Eastbourne Car Auctions:** - As a well established local company, ECA has a loyal staff, some of whom have been with the Company since it first started in Eastbourne in 1967. Specifically employed by the Company there are 15 Full Time and 3 Part Time Office Staff; 8 Full Time Yard staff and 5 Full Time Lorry Drivers. There are also 40/50 Part Time Drivers employed when needed by ECA, principally to transport the Fleet and Leasing vehicles to and from the Wednesday sales. All staff are on site on the sale days (except the 40/50 drivers).

A move to a new purpose-built premises at Brampton Road will enable the Company to increase its employment of both qualified and trainee staff. With a larger sale hall there will be the need for an additional qualified auctioneer. Indeed, the company may also be able to employ 2 apprentices to train up next to the main auctioneers. With the proposed larger canteen operating each day (not just sale days), there may also be scope for additional staff to be employed in this capacity.

## **Choice Vehicle Rentals**

Choice (Eastbourne) has a full time staff of 10. Of these, 3 are office based, 2 are car cleaners and 5 are trained mechanics. ECA also use the mechanical side of Choice's business for vehicles brought in for sale. If the vehicle would benefit from some work prior to sale, to improve its sale category/rating and therefore end value, then they may use Choice. ECA estimates that it may have around 6 vehicles per week being worked on by Choice's mechanics. In addition, Choice does use the services of Highfield Bodyshop (existing next door) but they also have their own bodyshop as part of their branch in Uckfield.

## **Highfield Bodyshop (Eastbourne) Ltd**

Highfield has a full time staff of 10 with 2 office based (including the Manager); 1 valet/cleaning and 7 "productive" staff. At present the company has 1 apprentice who is shortly due to qualify. It is planned for the workforce to expand with a move to the new site alongside ECA and Choice. For example, they will need to bring in another apprentice when their current member of staff qualifies but a new site would enable 2 apprentices to be employed. With the proposed MOT testing station on site this will mean 3 additional qualified staff plus an additional 2 trainees and other administration staff.

## **Financial contribution to the local economy**

ECA sells approximately 6000 vehicles annually from its current site. This amounts to £22 million worth of vehicles. Of this total, over 1,000 vehicles, £5 million worth, are sold to local, Eastbourne based car dealers and main agents. These dealers and agents in turn spend on average £600,000 per annum getting these vehicles ready to sell to local private individuals.

The estimated further local spend on these vehicles by these private individuals is £450,000 per annum on maintaining, servicing, repairing and MOT's.

These same local car dealers and main agents sell a further £3 million of their part exchange vehicles (approximately 1,000) through ECA each year. These vehicles are sold to local private individuals who again maintain, service, repair and MOT their vehicles locally. Estimating an average per vehicle spend of around £450, this puts £450,000 back into the local economy.

In addition, ECA spend £170,000 per annum with local suppliers collecting/preparing vehicles prior to sale. Choice spends £150,000 per year with local suppliers on their vehicle fleet and Highfield spends £70,000 per year purchasing vehicle parts locally. Adding all of these local spend figures together, these three companies are directly, or indirectly, responsible for a local spend of around £1.3 million on motor vehicle related services.

Added to this is a further £1 million which represents the local wage roll for the current staff numbers for the three firms, as outlined above.

It should be noted that these figures are based on actual and estimated third party local motor spend. There has been no projected uplift expected by increased business, or increased staffing (and therefore local wage roll) expected to be generated by relocating to the Brampton Road site.

As illustrated above the scheme, whilst not being fully compliant with Policy BI 1 (employment land retained for employment uses) does facilitate the retention of three local businesses which make a significant contribution to the local economy. If the application is not supported then this long standing Eastbourne company would very likely have to relocate to a location outside of Eastbourne and as such Eastbourne would lose Circa 100 jobs and also the associated spend in the local economy.

It is considered therefore that the job retention and job creation elements of the proposed scheme and the associated spend in the local economy should be given significant weight in the assessment of this proposal.

### **Noise Issues**

The site is located within an established industrial and employment zone and as such there should not be any material harm in terms of noise and disturbance to the occupiers of the adjacent and nearby units.

### **Traffic Issues**

The application is accompanied by a traffic impact report, this concludes that as the uses already exist within close proximity to the proposed application site that all travel patterns will be similar to existing and with a modest expansion over the current situation there are no predicted highway safety or capacity impacts arising from the scheme.



**Human Rights Implications:**

It is considered that the proposed development would not have adverse Human Rights implications.

**Conclusion:**

**RECOMMENDATION: GRANT** subject to conditions

**Conditions:**

- 1) Time Limit
- 2) Approved Plans
- 3) External materials of new building works
- 4) Foul and surface water disposal
- 5) Details of staff and customer parking at the site.

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.

## Committee Report 29 November 2011

### Item 8

<b>App.No.:</b> EB/2011/0594	<b>Decision Due Date:</b> 28/11/11	<b>Ward:</b> Devonshire
<b>Officer:</b> Chris Cave	<b>Site visit date:</b> 25/10/11	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b> 15/11/11 <b>Neigh. Con Expiry:</b> n/a <b>Weekly list Expiry:</b> 19/11/11 <b>Press Notice(s)- :</b> 23/11/11		
<b>Over 8/13 week reason:</b> This application has been taken to Planning Committee within the eight week period.		
<b>Location:</b> Eastbourne Seafront, from Holywell to Fort Fun		
<b>Proposal:</b> Erection of nine permanent non illuminated directional and distance information signs.		
<b>Applicant:</b> Tourism Department, Eastbourne Borough Council		
<b>Recommendation:</b> Approve subject to conditions.		

### Reason For Referral To Planning Committee:

The application is submitted by Eastbourne Borough Council and given the number and location of the signs they will be viewed by local residents as well as visitors to the Borough and as such their impact and reputation of the Council will be seen through them it is considered therefore that the application should be reported to Planning Committee for consideration.

### Planning Committee:

The application is for the erection of nine permanent non illuminated directional and distance information signs. The signs are to measure 2m in height, 1.5m in width and 0.225m in depth. The visual part of the signage is to be constructed from aluminium and the signage supports from timber. They are to be located along nine points along the seafront from Holywell to Fort Fun.

### Planning Status:

- Town Centre and Seafront Conservation Area
- Preferred Area for Tourist Attractions and Facilities

## **Relevant Planning Policies:**

UHT1 – Design of New Development  
UHT4 – Visual Amenity  
UHT15 – Protection of Conservation Areas  
T08 – Tourist Attractions and Facilities

## **Site Description:**

As highlighted in the proposed description above, this application relates to nine individual locations along Eastbourne's seafront. Each location is briefly described below.

### Location 1 – Holywell

The site is located at the end of the seafront promenade in Holywell. It is bordered by the beach to the south and east, to the west by beach huts and a small toilet block and to the north a small path winds up to the hill top. To the north east, the promenade continues towards the centre of Eastbourne past a small single storey building.

### Location 2 – The Wish Tower

The site is located close to the Wish Tower, just to the north east and close to Grande Parade which lies to the west. Immediately surrounding the site the beach lies to the east, to the south the promenade continues to Holywell, a separate road leads up to the Wish Tower and further to the west are larger lawned areas, to the west is a small junction of roads leading up to Grande Parade and to the north the promenade continues to the Pier.

### Location 3 – The Bandstand

The site is located to the south of the bandstand. To the west Grand Parade is located and sits just behind a 5m brick wall. To the north, in close proximity to the site lies a single storey toilet block with the Pier further beyond, to the east and south lies the beach. The promenade is located adjacent to the site running to the north and south.

### Location 4 – The Pier

The site is located immediately to the south of the pier. To the west is Grande Parade which is raised from the site and sits behind a large single storey toilet block. To the south and east lies the beach. The promenade is located adjacent to the site running to the north and south.

#### Location 5 – Marine Gardens

The site is located opposite Marine Road to the north of the pier. To the west is Marine Road which is located immediately behind a 1m high brick wall, to the north the promenade continues along the coast, bordering the road, to the east and south lies the beach and to the south the promenade runs towards the pier.

#### Location 6 – Redoubt

This site is located just south of the Redoubt Fortress. The site itself sits between the promenade to the east and Royal Parade to the west. A small covered seating area and a 0.5m high brick wall separates the site from Royal Parade. To the north is Redoubt Gardens where beyond the Redoubt Fortress is located. To the east and south lies the beach.

#### Location 7 – Treasure Island

The site sits immediately in front of the Treasure Island premises, which lies to the north and east. The Treasure Island building which lies to the north is currently redundant and has cream rendered walls and a tiled roof. To the east lies the car park which serves the Treasure Island plot. To the south and east lies the beach. In addition the promenade runs adjacent to the site from the south west to the north east.

#### Location 8 – Fishermans Green

The site is set back from the seafront and is located to the west of the fishermans huts, which are opposite Royal Parade and consist of single and two storey high structures. To the north east between the site and Royal Parade is a large car park and tennis courts. To the south lies the beach and to the east and west is the promenade footpath.

#### Location 9 – Fort Fun

The site is located immediately in front of Fort Fun. To the west lies the car park for Fort Fun and to the east and south lies the beach.

#### **Proposed development:**

The application is for the erection of nine permanent non illuminated directional and distance information signs. The signs are to measure 2m in height, 1.5m in width and 0.225m in depth. The frame of the sign is to be constructed from timber and the visual part of the signage from aluminium. They are to be located along nine points along the seafront from Holywell to Fort Fun.

#### **Consultations:**

Conservation Officer

The application is for 9 permanent non illuminated directional and distance information designs, between Holywell and Fort Fun. The signs are located along the historic esplanade, which runs along the seafront. Seven of the signs are situated within Meads Conservation Area and the Town Centre and Seafront Conservation Area. It is also within the setting of a number of listed structures, including the Pier and the Bandstand.

The location of signs within the conservation areas is considered to be acceptable and raises no concerns.

The signs themselves are considered acceptable in terms of their size and the visual display of information. I have some concerns over the use of large timber supports/posts. These are not considered to be in keeping with the historic urban seafront, and I would recommend that the application should be amended to find a suitable replacement.

Therefore the application is acceptable with certain revisions to the posts of the main structure.

#### Trees and Woodland

There are no trees and woodlands issues relating to this application.

#### Planning Policy

Planning Policy does not raise any objections to this proposal.

#### CAAG

CAAG had not met by the time this report was written so members will be verbally informed of their response at planning committee.

#### Tourism

The tourism department is in support of this application.

#### **Neighbour Representations:**

The application had been advertised by site and press notices, as a result of this publicity no representations had been received.

#### **Appraisal:**

##### Visual Amenity

It is considered that all of the proposed signs are well located, at landmark points along the seafront. With the majority only visible from the seafront promenade, only two signs (signs five and six) will be seen from the highway. This is advantageous as it greatly limits the impact on the wider area and keeps the signs relationship with the area firmly focussed on the promenade walkway.

It is deemed that the signs are an ideal size as in measuring 2m in height, 1.5m in width and 0.225m in depth, they are not of a size or scale to

become prominent features on the seafront and given their precise locations along the promenade it is considered that the character of the seafront especially the stretches of the Conservation Area are preserved.

### Tourism

It is considered that the principle of having directional and informational signage provides local residents, visitors and tourists with an interesting element to their walk along the seafront whilst also providing them with local knowledge about the area.

In addition it is considered that the walk could become a local attraction and offer people a suitable alternative to a walk in the countryside or even encourage people who haven't walked to participate. The advantageous element is that the walk is ideally close to the town centre with its range of shops, restaurants, attractions and services and if the signs could signpost these local facilities then the local economy would clearly benefit

It is accepted that other similar seafront towns have promenade signage, however it is considered that with the proposed signage and the information and graphics that are proposed, they are such that they will promote Eastbourne and create a sense of local distinctiveness.

### Conservation Area

The Conservation Officer comments above that the signs are suitable in terms of their location, size and visual display but the use of timber is not appropriate to a Victorian Seafront.

Officers support this decision and recommend that a condition be placed on the application requesting details of the signs support to be submitted to and approved in writing by the Planning Department.

### **Human Rights Implications:**

None

### **Conclusion:**

This application is recommended for approval.

The amount of signage is considered to be at the right level and will not become unwanted developments on the seafront or take away from the character of the area. The location of the signs is also well thought out, not only their location at landmark points but as only two signs are noticeable from the road, they relate very well to the promenade walk and will not have a detrimental impact on the wider area. There are no concerns over the size of the signs as they are the right size to be noticed by the public but also not too large that they will become over dominant in relation to their locality.

It is considered that the signs support the Council's wider tourism perspective and will encourage local residents to use the promenade more as well as enticing people from outside the area to take a walk along the Eastbourne seafront.

Given the signposting to local attractions and facilities it is considered that local shops, attractions and facilities may well benefit and as such the signs may boost the local economy.

The only point of concern as noted by the Conservation Officer is the materials used by the signs supports, which is not considered to be appropriate to the Victorian seafront. It is considered that this is a minor element to the acceptability of the proposed signage and as such to solve this issue a condition is recommended, requesting details to be submitted for the signage support.

**Recommendation:**

**RECOMMEND:** Permission be granted subject to the following conditions:

- (1) Time limit
- (2) Details of signage support
- (3) Approved drawings

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.