

Eastbourne Borough Council

Planning Committee

27 March 2012

Report of the Head of Planning

List of Planning Applications for Consideration

- 1) 41 SUSANS ROAD, EASTBOURNE**
Redevelopment of site comprising part demolition of existing building, erection of 2 no. 2 bedroom semi-detached houses, one no. 2 bedroom bungalow, together with conversion of existing offices into two flats (Outline Application).
EB/2011/0783(OL), DEVONSHIRE Page 5
RECOMMEND: APPROVE CONDITIONALLY
- 2) THE WISH TOWER, KING EDWARDS PARADE, EASTBOURNE**
Demolition of life expired cafe and sun lounge building including cantilevered concrete balcony, retention of existing hoardings, provision of new hoarding to seaward side of site
EB/2012/0020(FP), MEADS Page 13
RECOMMEND: APPROVE CONDITIONALLY
- 3) RESIDENTS OF MEADS PLAYING ASSOCIATION (ROMPA), UPPER CARLISLE ROAD, EASTBOURNE**
Installation of floodlighting to the hardcourts adjacent to the western boundary, comprising nine 6.7m high columns supporting ten luminaires.
EB/2012/0024(FP), MEADS Page 31
RECOMMEND: REFUSAL
- 4) LAND TO THE REAR OF, 348 - 358 SEASIDE, EASTBOURNE**
Erection of three two-bedroom terraced houses with associated off road parking.
EB/2012/0029(FP), ST. ANTHONYS Page 37
RECOMMEND: APPROVE CONDITIONALLY
- 5) BOURNE COUNTY PRIMARY SCHOOL, MELBOURNE ROAD, EASTBOURNE**
Replacement of boundary fence.
EB/2012/0098(CC), DEVONSHIRE Page 43
RECOMMEND: NO OBJECTIONS
- 6) 202 TERMINUS ROAD, EASTBOURNE**
Change of use and extension of building to retail unit on ground floor and basement, restaurant on part ground floor and 65 bed hotel on upper floors.
EB/2012/0110(FP), MEADS Page 45
RECOMMEND: APPROVE CONDITIONALLY

7) 46 and 46B BRAMPTON ROAD, EASTBOURNE

Change of use from Indoor Go Kart Track (Sui Generis) to mix use, motor vehicle auctions, car and van rental offices, vehicle body shop and garage, MOT testing station and associated offices, restaurant and parking, together with associated external alterations including demolition of part of existing building at 46 Brampton Road.

EB/2012/0123(FP), HAMPDEN PARK

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RECOMMEND: APPROVE CONDITIONALLY

8) PARKLAND INFANTS SCHOOL, BRASSEY AVENUE, EASTBOURNE

Provision of two single mobile classrooms, to be located to the south-west (site A) and north-east (site B) of the main school building for a temporary period of four years to August 2016..

EB/2012/0178(CC), HAMPDEN PARK

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RECOMMEND: NO OBJECTIONS

J. F. Collard
Head of Planning

21 March 2012

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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.

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Report of the Planning Manager

List of Planning Applications for Consideration

Committee Report 27 March 2012

Item 1

App.No.: EB/2011/0783	Decision Due Date: 29.02.12	Ward: Devonshire
Officer: Katherine Quint	Site visit date: Several Feb 2012	Type: Minor
Site Notice(s) Expiry date:	05.03.12 (revised plans)	
Neigh. Con Expiry:	07.03.12 (revised plans)	
Weekly list Expiry:	05.03.12 (revised plans)	
Press Notice(s)-:	N/A	
Over 8/13 week reason:	Over date – number of objections triggered planning committee process	
Location:	41 Susans Road (courtyard behind Susans Road)	
Proposal:	Redevelopment of site comprising part demolition of existing building, erection of 2 no. 2 bedroom semi- detached houses, one no. 2 bedroom bungalow, together with conversion of existing offices into two flats (Outline Application)	
Applicant:	S & B Services Ltd	
Recommendation:	Approve	

Planning Status:

- Residential area
- Flood zone 3

Relevant Planning Policies:

South East Plan:

H1	-	Regional Housing Provision
H5	-	Housing Design and Density
CC4	-	Sustainable Design and Construction
CC6	-	Sustainable Communities and Character of the Environment
T4	-	Parking

Eastbourne Borough Plan:

UHT1	-	Design of development
UHT2	-	Height of buildings
UHT4	-	Visual amenity
UHT7	-	Landscaping
HO1	-	Residential development within existing built-up area
HO2	-	Predominantly residential areas
HO7	-	Redevelopment
HO20	-	Residential amenity
Policy BI1	-	Retention of Class B1, B2 and B8 Sites and Premises
TR11	-	Car parking
US4	-	Flood protection and surface water treatment

Core Strategy Policies

Policy B1	-	Spatial Development Strategy and Distribution
Policy B2	-	Creating Sustainable Neighbourhoods
Policy C1	-	Town Centre Neighbourhood Policy

Site Description:

The application site is accessed via a narrow alleyway (gate locked in the evenings) between 43 and 45 Susans Road, which opens out into an area of hardstanding measuring 305 m².

Formerly the site of a print works, only a single-storey storage block remains (proposed to be demolished), which abuts a two-storey former factory building, currently used as offices. The north-west and south-west sides of the courtyard are bordered by two-storey (plus basement level) terraced houses, which small courtyard gardens. The two properties which have gardens running parallel to the north-east boundary of the site both extend over 25 metres.

At the point where the alleyway opens out into the courtyard, a two-storey office unit is adjoined at a right angle to the main office block. This is accessed from Langney Road via a narrow passageway to the rear of houses on Susans Road (gate kept locked).

Relevant Planning History:

Numerous applications between 1961 and 1983 relating to alterations to workshop buildings – not relevant to application.

Proposed development:

- The applicant seeks permission to redevelop of the site bounded by terraced housing on Susans Road, Tideswell Road and Langney Road. The development comprises part demolition of the existing single storey storage building, erection of two no. 2 bedroom semi-detached houses, one no. 2 bedroom bungalow, together with conversion of existing offices into two flats (Outline Application).
- Height of buildings – The semi-detached houses measure 6.58m in height, and the bungalow measures 4.20m to roof height, sloping down to 2.50m at its closest point to the boundary (2.3metres away).
- Car access - Access would be for pedestrians only via the existing entrance/archway in Susans Road. There is no on-site parking.

Revisions:

Following advice from the LPA, revised plans were submitted on 07.02.12 with the following amendments:

- Removal of the rear first floor bedroom windows to the semi-detached houses and insertion of roof lights instead
- Existing first floor windows to Flat 2 bricked up
- Location of bins indicated on drawings.

Applicant's Points: None**Consultations:**

Consultation was carried out by letter to 96 neighbouring residents and businesses, and 4 site notices were displayed nearby. At the point of revised plans being submitted, letters were re-sent using the original neighbour list. In addition, representation was sought from the following departments: Cleansing Contracts, Environmental Health, Planning Policy, Highways, Sussex Police and Eastbourne Fire Services.

Cleansing Contracts (13.03.12):

- Each property will require storage for 1 X 180 litre wheel bin (for Refuse) plus 55litre box (for Recycling).
- Each of the properties will need to present the Wheel bins and Boxes at the entrance to the site from Susans Road ready for collection on the correct day by 7am.

Planning Policy (13.03.12):

- Policy B1 supports higher densities (107-180 dwellings per hectare) in the Town Centre. The proposed scheme will contribute to the aim of increasing densities in one of the most sustainable parts of the town and provide a useful small-scale windfall opportunity that will help meet the housing needs of the area.
- Policy BI1 states that planning permission for the conversion or redevelopment of land or buildings currently in class B1, B2 or B8 use for non-employment use will not be granted unless it can be demonstrated that the site is genuinely redundant and unlikely to be re-used or redeveloped for industrial or commercial uses within the Plan period; or continued use of the premises would cause undue disturbance to residential neighbours, or access to the premises does not meet acceptable highway safety standards and cannot be reasonably improved.

A judgement needs to be made as to whether sufficient detail has been submitted to demonstrate that the B1(a) element of the site is no longer viable and if so, what weight to attach to this.

- The site is surrounded on all sides by land identified as being within a Predominantly Residential Area (HO2) and consequently the principle of residential development in the broad locality is established and acceptable. The principle of residential development is acceptable subject to viability issues relating to loss of B1(a) office use being considered.

Highways (23.02.12):

- The site is located adjacent to the Town Centre and within walking distance of buses, trains, taxis as well as shops and services. The site can therefore be considered to be in a sustainable location in terms of public transport.
- In line with the East Sussex Parking Standards, a 50% - 75% reduction can be applied to the total parking required for the site (in Zone 2). In this case the parking requirement would be 2/3 spaces for a development of 3no. 2 bed roomed house and 2 flats. However, the site is located only a few metres from an area where the 'zero on-site parking proposed' is acceptable.
- Therefore, the Highway Authority do not wish to restrict grant of consent, subject to the conditions relating to submission of a Traffic Management scheme, reinstatement of kerb and footway, and cycle parking.
- Due to the location of the site on the A259, the narrowness of the site entrance and the lack of available space for loading/unloading close to the site it will be difficult to access and develop. A Traffic Management scheme will need to be submitted prior to demolition commencing.
- Based on the sustainable location there will not be a requirement for a Transport Contribution in this instance.

Sussex Police (22.02.12):

The level of crime and anti-social behaviour in this area is high when compared with the rest of Sussex and it is essential that the safety and security of any future residents are considered. I would urge the applicant to ensure that the physical security elements of the proposed dwellings are in accordance with the principles of secured by Design, and at the reserved matters stage to include these measures within the Design and access Statement.

Neighbour Representations:

4 objections were received, raising the following points as concerns, and have been addressed as material planning considerations:

- Loss of light, especially to basement rooms
- Loss of privacy to existing and new residents
- Privacy – retention of frosted windows on existing block
- Flooding
- Environmental matters, eg. Increased noise
- Environmental matters - Japanese knotweed has been an ongoing problem on the site for over 50 years
- Space is not large enough for proposed development – proposal is over-ambitious
- Loss of parking will cause issues with existing residents, and traffic problems for new residents

- Highway concerns - No access for emergency services
- Highway concerns - The alleyway entrance is too tight to fit cars through
- Retention of bin / maintenance area in rear alleyway
- Boundary treatment – height of fences

The following other concerns were raised, but are not key planning concerns in determining the planning application.

- Disturbance and dust caused by construction. Practicalities of constructing the scheme.
- Livelihood of offices and shop on site
- Security – the gate is put down on the alley entrance every night. This provides peace of mind from intruders.
- Loss of right of way at the back of fence
- Fire hazard – courtyard is surrounded by properties, mostly flats
- Fire hazard – reduces open space used as fire escape
- Concerns over overcrowding, and becoming a 'problem area'
- Implication of when supporting building is demolished, eg. Exposure to weather, shared guttering.
- Adjoining building to one being demolished has very poor foundations due to age – concern it will collapse.
- No photographic indication of new building

General comments raised during the consultation are summarised as follows:

- Improvements to the existing building are welcomed as it is in a poor state and dangerous – loose slates, crumbling walls, large gap in brickwork.

Appraisal:

- **Light**

The sunlight analysis demonstrates that light levels and shadows affected by the proposed development are comparable with existing levels. Therefore loss of light is not considered to be an issue impacting on occupants of the surrounding properties.

- **Privacy**

The design is respectful of the privacy of existing and new occupants in the following ways:

- Windows at first floor level are either glazed (bathrooms), are angled away from existing buildings, are separated by divides (where they face each other), or have been blocked up or changed to rooflights (on the advice of the LPA).

- Lower level windows are screened by fencing, to a height of 2m.

Overlooking and loss of privacy have been addressed in the layout of the scheme, and do not present outstanding issues.

- **Scale of development**

- The development is at a density that mirrors the neighbouring dwellings, and in terms of new development, accords with policy B1 of the core strategy in supporting higher density schemes in the Town Centre.

- The conversion of the office space to residential has no increased footprint, and will have new entrances opening onto the passageway. The layout of the other buildings are sensitive to the boundaries with the bungalow closest to the boundary (roof reducing in higher closest to the

boundary) and the higher buildings located next to the existing office space.

- **Security**
The rear of Susans Road and Tideswell Road is currently vacant. The space will benefit from the natural surveillance of having residents on-site, and open hardstanding being changed into private garden space.
- **Parking and Highways**
I am in agreement with Highways that the site is not large enough for parking or vehicular access, and should be maintained as such by condition. The site is located close to the town centre and therefore private vehicle usage is not considered a necessity for new occupants.
- **Conversion of office space**
 - It is the ambition of Planning Policy BI1 that all existing commercial floorspace be retained for future/continued use. However in this instance it is considered that the location, access, nature of the accommodation, off street parking, commercial servicing potential and advice from the commercial agents in the town is that this type of accommodation would be extremely difficult to let to new tenants and as such the building would be likely to fall further into disrepair.
 - Set against this background it is considered the redevelopment of the majority of the site for residential purposes would materially improve the appearance of the site and also its relationship with the occupiers of the neighbouring plots/properties.
- **Environmental matters**
Japanese knotweed has been identified on site, and to ensure the new buildings are not affected, the safe removal of which has been requested by condition.
- **Flooding**
Existing mitigation measures covering the Seaside area of town are considered effective with regard to the scale of the proposed development, subject to the condition requiring details of surface water drainage.
- In conclusion, the outline planning application is recommended for approval subject to conditions and approval of reserved matters.

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:

The scale, location and visual impact of the proposal do not detract from the residential amenity of the surrounding area. In accordance with policy HO20, the proposal by virtue of its location, size and design, does not impact on outlook, privacy, overshadowing or loss of light, and is at a scale that is appropriate to the neighbouring buildings. Subject to conditions, the proposal complies with the relevant borough plan policies: Eastbourne Borough Plan 2001-2011 (Saved policies, 2007) and the Submission Core Strategy 2006-2027 (January 2012).

RECOMMEND: Permission be granted subject to the following conditions:

Conditions:

- Time limit
- Reserved matters
- Hard and soft landscaping to be submitted
- Method of demolition and construction
- Foul and surface water details to be submitted
- Materials to be submitted
- Obscure glazing to windows
- Details of floor levels
- External detailing to be submitted
- Details of cycle parking
- Removal of vehicular access / dropped curb
- Removal of alleygate (Susans Road)
- Construction and demolition times
- Removal of PD rights
- Treatment and removal of Japanese knotweed
- Refuse and recycling facilities to be submitted
- Means of enclosure to be submitted
- Retaining access to public sewers
- In accordance with approved plans

Informatives:

- Discharge of conditions: 3, 4, 5, 6, 7, 8, 11, 12
- Connection to the public sewerage system
- Investigation if sewer found during construction
- Waste collection arrangements

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.**

Item 2

APPLICATION SITE: Wish Tower Restaurant King Edwards Parade, Eastbourne		
App.No: EB/2012/0020		Ward: Meads
Officer: Leigh Palmer	Site visit date: Numerous including meetings with agent/applicant	Type: Full
Over 8/13 week reason: Out of time given the need for consultation and the need to report to Planning Committee		
Proposal: - Planning Permission is sought for the demolition of redundant life expired café building. Part of the building to be retained to protect/support the wall of the Wish Tower pending agreement with English Heritage regarding the removal of the final section of the restaurant building		
Applicant: Parks and Gardens Eastbourne Borough Council		
RECOMMENDATION:		
Planning Application: Permission be granted subject to conditions		

Executive Summary

The application proposes the demolition of the Wish Tower Restaurant, originally constructed in the 1960s. It was a gift from the Foyle Estate as a memorial to the Eastbourne residents who lost their lives in World War II.

It occupies a prominent site on a rise in the land and sits next to a Martello Tower which is a Scheduled Ancient Monument. The site is also within the Town Centre and Seafront Conservation Area.

It has been a long term ambition of the Council to seek a new tourist offer on this prominent and important site. This has been reflected in various planning policy documents for the last 12 years. With the expiry of the buildings lease in November 2011, the Council could begin to implement its ambitions for the site. The original intention was to seek a temporary use for the existing building while procuring a new development for the site. However, on taking over the building it was discovered that it was in a much poorer condition than originally thought. The subsequent storms of December 2011 wreaked further significant damage to the buildings, particularly the roof. Consequently, the Council has had to re-evaluate its intentions as the damage has resulted in the repair to the building being unviable. This has been debated at Cabinet who have authorised Officers to seek the demolition of the building.

The damage to the building has required a hoarding to be erected around the site to protect it from unauthorised access.

Investigations for the demolition proposals have revealed that the site may have significant archaeological interest. It will be important for this to be investigated and understood as soon as possible before a permanent solution is procured. The archaeological investigation will be another application and consideration is being given to the potential for a community dig.

The current proposal to demolish the building is only the first phase on the journey to the final solution. There will be a number of further applications and these are expected as follows:-

- Demolition of the Wish Tower Restaurant (current)
- Temporary offer (probably for a period of two years)
- Removal of the floor slab to facilitate an archaeological investigation
- Permanent offer (application to be submitted within two years)

It is usual in conservation areas for the design of a replacement building to be known before allowing demolition. This is to protect townscapes so that gap sites are not left in streets. The Wish Tower site is unusual in this respect in that it does not fall within the usual criteria of assessment. In this case there is little difference to the landscape if the site is temporarily vacant.

It is acknowledged that it is important that the permanent solution takes full account of the Foyle legacy. It is unfortunate that the Wish Tower cannot be used in the short term but the permanent building needs to fully recognise this important gift that the Foyle Family left the town. To this end the memorial plaque on the existing building will be relocated and protected by condition.

Given the circumstances of the current state of the building and the long term established planning policy for this site, the application to begin the realisation of the Council's ambitions is supported.

Relevant Planning Policies:

The application has been considered against all policies within the Local Plan with the most relevant policies being listed below:-

- Policy UHT1 – Design of New Development
- Policy UHT2 - Height of Buildings
- Policy UHT4 – Visual Amenity
- Policy UHT8 – Protection of Amenity space
- Policy UHT10 – Design of Public Areas
- Policy UHT13 – External Floodlighting
- Policy UHT15 – Protection of Conservation Areas
- Policy UHT17 – Protection of Listed Buildings and their Settings
- Policy UHT20 – Archaeological Sites and Scheduled Monuments
- Policy TO5 – New Tourist Accommodation
- Policy TO7 – Preferred Area for Tourist Attractions and Facilities
- Policy TO8 – New Tourist Attractions and Facilities
- Policy TO9 – Commercial Uses on the Seafront
- Policy US5 – Tidal Flood Risk

The Core Strategy is currently at the proposed submission stage and whilst it may still be subject to change through future iterations Policy C1 Town Centre Neighbourhood has as one of its main provisions as the desire to develop the Wish Tower Restaurant into a destination to compliment tourism uses in the area.

In addition paragraph 3.2.9 comments:- *The Town Centre makes a large contribution to the tourism industry in Eastbourne. The neighbourhood contains some of the town's most popular tourist attractions and these facilities should be enhanced in order to maintain an attractive and viable seafront offer, including through the redevelopment of the Wish Tower Restaurant as a landmark building in a key location on the seafront...*

Site Description:

The Wish Tower Restaurant is located in a prominent position in an environmentally sensitive location. It is within the Town Centre and Seafront Conservation Area, immediately next to the Wish Tower Martello Tower, which is a Scheduled Monument

The Wish Tower Restaurant and adjoining sun lounge comprise a single storey structure measuring approximately 41.5m by 19m and is 4.5m high, with attached toilets and other accommodation measuring 26m by 6.7m and 2.7m high. The site area is approximately 1000 sqm. The restaurant and sun lounge are constructed of brick, with glazed to the front and sides and what appears to be a fibre glass covered flat roof. The toilets and other accommodation are constructed of brick with felt covered flat roofs.

Relevant History:

A planning brief was issued in July 2000 which explored the planning constraints associated with the restaurant and adjacent Martello Tower and also provided advice to any future prospective developers on the redevelopment potential for the site. This planning brief was updated via a Planning Advice Note Feb 2009.

The issues relating to the 'weather damaged' Wish Tower restaurant was reported to Cabinet on the 14th December 2011. A number of points were considered and Cabinet resolved the following:

The Wish Tower restaurant was in an enviable position on Eastbourne's seafront and presented an opportunity to develop a destination restaurant, contributing to the overall tourist and residential offer of the town. The premises were in a state of considerable dilapidation and would require significant investment to allow the existing facility to be brought back into operation. The Council's ambition, to create a 'signature' restaurant, would require the complete redevelopment of the site, to create a new visitor destination on the seafront.

Given the need to demolish the premises in the short to medium term in order to realise the ambition of developing a signature restaurant on the site, expenditure on refurbishment would not represent good value for money.

For this reason options 1 (restore the premises to good operational standards, in partnership with an education body e.g. Sussex Downs College) and 2 (tender the restaurant on the open market for a catering provider to undertake a short-term lease) were no longer considered viable.

The remaining options were:

- Option 3 - Option 3: Demolish the site and replace with a 'temporary' café, that provided catering and public facilities e.g. outdoor seating, play etc. - whilst the market recovers; subsequent to which a longterm, high profile investor and developer would be sought to develop a 'signature' restaurant.*
- Option 4 - Demolish the site and seek a development partner in the short-term to create a 'signature' restaurant and visitor destination on the seafront.*

78.6 Resolved (key decision):

(1) That the information on the present condition of the premises be noted.

(2) That the Senior Head of Tourism and Leisure and Head of Infrastructure be authorised to commission the immediate demolition of the premises and, in consultation with the relevant lead Cabinet members, pursue necessary actions to restore a new catering premises to the site.

(3) That having regard to considerations of safety, an exception be made to contract procedure rules in order that the works are commissioned and carried out as soon as possible.

Proposed development:

The planning application contains information in terms of the description of the work involved and the nature of the supporting information.

The application proposes the following:

- demolish the Wish Tower café & Sun Lounge building down to slab level with all demolition material being removed from the site.
- The concrete cantilever structure over the promenade is to be removed.
- Hoardings around all sides of the site including the seaward side. These hoardings are to be retained in good order for their duration on site. This will be until an alternative proposal has Planning Permission.
- Cap off and make safe all existing service supplies.
- A detailed demolition method statement is to be supplied and controlled via appropriate conditions. This statement will outline the access issues as well as the specific – detailed manner of the demolition works and how it will mitigate the impacts of the proposal upon the Scheduled Ancient Monument and also the wider archaeology of the site.

- Public access to the site will be prohibited for health and safety issues. So closures to the promenade and other local footpath routes would be closed during the demolition phase of the scheme. This will be determined within the demolition method statement and controlled via appropriate conditions.
- An archaeological written scheme of investigation has been supplied; this document outlines the historical and archaeological assets that are/may be present at the site. The report also outlines the monitoring and recording regime that will be implemented during the operational works involved in the demolition. The bulk of the archaeology assessment will occur at the stage that the floor slab is lifted; the floor slab is to remain in situ under this application and as such the archaeological input at this stage would be modest.

The applicant's acknowledge that given the nature of the works involved and their proximity to the Wish Tower that consent is needed from English Heritage for Schedule Ancient Monuments Consent (SAMC). Discussions have commenced with the relevant officers from English Heritage and their guidance and advice on issues relating the requirements of the SAMC have been sought. Any update on this issue following the publication of this report will be orally reported to Planning Committee.

In addition an Environmental Statement (Environmental Impact Assessment Regs 2011) that accompanies this application has been referred to the Secretary of State for their information.

Consultations:

John Foyle:- has objected to the proposal and for ease of reference his letter has been repeated in full below:-

I am replying to your letter seeking my observations on the planning application to demolish the Wish Tower Sun Lounge and Café. I raise the strongest objections.

It is well known that my late father Councillor Gilbert Foyle, contributed one-half of the cost of constructing the building and improving the area around the historic Wish Tower. My father's vision, accepted by the Council was that the building should stand as the only memorial to those who died in Eastbourne during the many air raids of the Second World War and those residents, who with fortitude, remained in the town and survived. He also saw that the building would realise his dream for residents and visitors to have free access to read books in a sun lounge with outstanding views. The building is therefore of historic importance and should receive protection from demolition. In any case it should not be demolished unless and until the Council can bring forward the planning permission an entirely suitable replacement scheme.

On the 31st October the Council's official website contained the assurance that the Wish Tower Sun Lounge and Café would be repaired and restored and would be reopened for Easter 2012. This assurance remained on the Council's website into January 2012 as did the further statement :- 'Residents can be assured that the Council remains determined to ensure local people and visitors to the town are able to enjoy a high quality establishment befitting one of the finest locations on the sea front'. Why within two months of those statements being shown on the Council's web site was there the sudden change of plan for the complete demolition of the building?

The present building could not have been built without the substantial gift of my father. Finances are no less tight today than they were in the late 1950's and the present Council today does not have all the powers formerly available to the old county borough to raise finance. My concern is that, if the present building is swept away and the Council then find that no commercial developer prepared to build a suitable replacement which reflected the visions of my father, there will be no opportunity for repairs and restoration. The Planning committee must not permit the creation of long term derelict site in such a beautiful and prominent part of the seafront. The present building has been made secure and there is no urgency for its removal.

When the Wish Tower Sun Lounge and Restaurant was being planned, the then Duke of Devonshire being able to enforce restrictive covenants, took a personal interest and required alterations to reduce the height of the building. If the restrictions on the height will no longer apply, then my own views are that any new building should have two storeys; the upper floor being a sun lounge for free access to the public and the lower floor a good restaurant

The War Memorial Trust:- Recreated in full below:-

I am writing to you from War Memorials Trust, a national charity dedicated to the conservation and protection of our war memorial heritage, in relation to the current planning application to demolish the Wish Tower Restaurant, Eastbourne.

This building was constructed in the 1960s as a war memorial to those civilian casualties of air raid bombings in Eastbourne during the Second World War.

The Trust wishes to lodge an objection to the proposals in their current form. War memorials form an important part of our nation's heritage, acting as touchstones to our past and providing a focus for commemoration. They also have importance in relation to the local history of Eastbourne during World War II, and this should be recognised and considered in any proposal which results in the loss or alteration of this building. Such structures have importance for the community. As such, wide consultation should be undertaken before undertaking works to memorial structures.

The planning application states that the building is being demolished as it is in a poor condition and uneconomic to repair. However this has not been qualified in the documentation. No condition or structural survey has been provided to illustrate the condition of the existing building. The Structural survey submitted is only concerned with the effect of the act of demolition on other structures within the area and does not consider the need for demolition. I would also like to take this opportunity to highlight that the Trust runs grant schemes which may be able to offer funding towards a repair approach to this memorial.

Due to the importance and historic nature of memorial structures War Memorials Trust promotes best conservation practice to ensure that these are maintained for future generations. As such, we would only recommend demolition where sufficient evidence has been provided as to why the structure poses a risk and that repair is no longer possible. In such cases we would wish to see a redevelopment plan in place prior to demolition to ensure that the memorial nature of the structure would not be lost in the redevelopment, and particularly as in this case the building had an intended public use.

I also note that the current building has a commemorative plaque on the exterior. If the building is to be lost, this dedicatory plaque should be reincorporated into any replacement building. In the interim, consideration should be given to an appropriate, publicly accessible, location for this plaque to be placed. This will allow residents to maintain access to this as well as safeguarding the plaque until it can be re-introduced.

As evidence of national and local history war memorials should be treated as heritage assets and the appropriate documentation and consideration should be produced for such structures. The current heritage statement does not detail the history of the Wish Tower Restaurant, or consider its importance as a war memorial, but details the history and considerations for the earlier Martello Tower which is also present on the site. Before any decision is reached as to the future of the Wish Tower Restaurant the significance and historic interest of this structure needs to be considered. In addition to this its architectural significance should be explored. The Planning Advisory Note and Supplementary Planning Guidance both state that the structure has little architectural merit. However, this statement has not been qualified and its status as a war memorial has not been considered.

War Memorials Trust would recommend that a body of work is required before the appropriateness of the loss of the Wish Tower Restaurant can be considered.

Conservation Area Advisory Committee:- Resolved to defer their consideration of the application as they considered that the application did not have sufficient information on a replacement building to form a view over the demolition.

Conservation Officer:- The Conservation Officer in their response commented in the main on the following issues:-

- Site Context and History
- Nature and appearance of the existing building
- The cultural significance of the dedication of the building and dedicatory plaque for the fallen in WWII

In conclusion the Conservation Officer stated that:-

- the demolition of the building would not impact upon the character of the site in particular nor would it impact upon the wider Conservation Area in general
- Subject to appropriate demolition conditions the removal of the building would not impact upon the Schedule Ancient Monument
- Acknowledge the importance of the safe removal of the Dedicatory Plaque prior to the demolition and its importance to re-site in any new permanent building and thereby maintaining the cultural importance of the site.
- Notes and accepts that hoarding will be in situ for a temporary period and is necessary for health and safety issues as well as helping to facilitate the future phases of this scheme namely the lifting of the floor slab and the archaeological investigation of the site.
- Recommend that conditions should be imposed on any approval that seeks to control the timeframe of the temporary and permanent solution for the site.

Planning Policy:- Response:

The Planning Policy Officer in their response commented in the main on the following issues:-

- The planning policy context including the policy documents and policies (National and Local) against which this application should be assessed
- In terms of impact upon the Conservation Area they have deferred commentary to the Councils specialist Conservation Officer and English Heritage

In conclusion the Planning Policy Officer stated that:-

The demolition of the Wish Tower Café is consistent with Policy UHT20 and Policies HE10.1 and HE10.2 of PPS5 as it has the potential to enhance and better reveal the significance of the adjacent Scheduled Monument (the Martello Tower). It will also afford the potential for a full and robust exploration of the archaeological deposits at the site and any future proposal for a replacement building could be designed in a way that would more effectively and sensitively compliment the Scheduled Monument significantly enhancing its setting.

Acknowledge that the demolition of the existing facility would result in a reduction in the tourism offer at the site. This will be short lived and the tourism asset will be supplemented with a temporary offer for the short to medium term and a permanent solution thereafter.

This position is endorsed by the emerging policies in the Submission Core Strategy and Submission Town Centre Area Action Plan also provides some context for the Wish Tower Café site. Figure 2: Town Centre Key Diagram in the Core Strategy identifies the Wish Tower as a Key Area of Change and a Tourism Opportunity Site. Policy C1: Town Centre Neighbourhood Policy proposes *"Developing the Wish Tower Restaurant into a destination to compliment tourism uses in the area"* and paragraph 3.2.9 supports *"the redevelopment of the Wish Tower Restaurant as a landmark building"*.

English Heritage:- Do not wish to comment in detail, but offer the following general observations:-

The removal of the café building and roof structure risks causing some collateral damage to the historic counter –scarp wall of the Martello tower ditch. There is also a risk of subsequent damage to the historic wall, which may be structurally unstable and is likely to be inadequately weathered. We recommend that a specification and schedule of works is devised that avoids any damage to the historic wall and makes provision for it to be stabilised and weatherproofed. This conservation is specialist work that will require a contractor who has skill and experience in repairing historic buildings.

The Wish Tower and the counter scarp wall are part of a scheduled monument and any work that may affect them will require scheduled ancient monument consent (SAM). We acknowledge pre application discussions with the Council's representatives on the SAM consent application.

Southern Water:- No objections

Sussex Police:- The site is to be encompassed within adequate fencing capable of preventing access to the site during demolition works; this should address both crime prevention and personal safety measures.

Wealden District Council:- No objections

East Sussex County Council Archaeological Officer:-

The proposed development is situated within an Archaeological Notification Area, defining an area of prehistoric and Roman activity, as well as military remains from the early 19th and mid 20th centuries.

The famous 'Beachy Head' Bronze Age hoard eroded out of the cliff face at the Wish Tower in 1807 and may have been related to more widespread ritual or occupation activity. Activity during the Roman period is attested by finds of Roman pottery at The Wish.

The early 19th century remains comprise a Martello tower and associated defences, all of which are of Scheduled Monument designation. The café area was the site of a World War 2 artillery battery and the current building retains partial remains of this structure.

Consultation with English Heritage will be required regarding both the physical and visual impact on the Scheduled Monument. The World War 2 remains and any earlier remains (other than the Martello tower) are of local significance and in this instance it is acceptable for their destruction to be mitigated through an appropriate planning condition.

This mitigation will require an archaeological standing building survey of the artillery battery remains prior to demolition of the café. Further recording of these remains will be required during the demolition phase. Monitoring and recording, by a suitably qualified archaeologist, will be required on all groundworks, including geotechnical investigation and grubbing out of service connections.

In the light of the potential archaeological significance of this site, it is my opinion that the area affected by the proposals should be the subject of a **programme of archaeological works**. This will enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded. These recommendations are in line with the requirements given in **PPS5** (the Government's policy on *Planning for the Historic Environment*).

I would therefore ask that the following condition be applied to any planning permission that is granted in respect of this application:

Archaeological mitigation of the development, hereby approved, shall be undertaken in accordance with the approved written scheme of investigation (for an archaeological building recording & archaeological watching brief on all groundworks associated with the development) submitted with the planning application, and within 6 months of the completion of the watching brief, a report on the archaeological findings shall be submitted by the applicant and approved in writing by the local planning authority and the works shall be undertaken in accordance with the approved details.

(Reason: To enable the recording of any items of historical or archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within PPS 5 'Planning for the Historic Environment'; and Policy UHT20 of the Eastbourne Borough Plan.)

Environment Health Development:- No objections to the proposals

Natural England:- No objection to the principle of the development, but reminds the Council of the requirements of the Protected Species legislation and also that the Council should look to install bat/bird boxes within any replacement building.

Meads Community Association:- Object to the demolition of the café/restaurant. No plans for redevelopment so should not be supporting demolition. The circumstances surrounding the closure have resulted in considerable loss of amenity to both residents and visitors. In the absence of any compelling reason, for example it is being structurally unsound, we consider demolition to be completely unjustifiable at this stage.

Southern Water:- No objections

Neighbour Representation

The consultation regime involved two separate rounds, one for the planning application and one following the receipt of for the Environmental Statement. On both occasions the consultation involved the following:-

- 4 site notices were posted in the locality,
- Press notice
- Local and national interested parties were written to and invited to make comments

The above consultation regime was adopted in order to give the widest possible exposure to the application possible.

Notwithstanding this formal consultation officers have acknowledge a number of news articles and letters with publications of Eastbourne Herald and Gazette. As a result of this formal consultation regime the following representations have been received:-

3 letters of objection has been received with the main points summarised as follows:-

- No replacement restaurant facility has been approved and the loss of the existing facility is detrimental
- Should be refurbished and not demolished
- Roof only needs replacing the remainder of the structure appears to be OK
- Why has the Council let the building get into such a state
- Prior notification of demolition as this ensures that premature demolition is not proposed and also guards against unsightly gaps in conservation areas
- No knowledge of replacement facility and therefore no knowledge of rental income generated
- Temporary replacement offer should be appropriate for the site and conservation area.
- Poor replacement offer may follow with the a desire to replace an untidy site
- Applications should be judged the same as from any other developer
- £56K annual rental income would mean that over 7 years there would be enough money to carry out the necessary repairs.
- This application is premature albeit it identifies the Councils commitment to the redevelopment of the site.
- Conditions should be imposed on the timescales for the replacement buildings in order to ensure that the site has a suitable replacement building.
- If no developer is found then we have lost the potential for refurbishing the existing building.
- May have to accept a sub standard building similar to the building that followed the former Beachy Head Hotel

2 letters of support has been received with the main points summarised as follows:-

- Please to see it being demolished
- Its and eyesore on the seafront
- Looks more like an oversize lean to than café
- Detracts from the Wish Tower itself
- Do not agree with the view of the Eastbourne Society
- Demolition of the Wish Tower gives the opportunity to construct a modern building worthy of one of the most splendid sites in the country
- A breathtaking building would put Eastbourne on the Map and would support the Tourist Economy

Appraisal:

The main issues to consider in this application relate to:

Background and Context:

As identified in previous sections Cabinet resolved not to pursue a repair and refurbishment strategy for the existing building as they resolved it to be beyond economical repair. Part of this assessment included the continued expense of maintaining regular monitoring visits with the potential for the cost of a number of short term maintenance issues, which would be lost in the ultimate demolition and replacement building. The Cabinet of December 2011 subsequently empowered The Head of Infrastructure to undertake all necessary steps to secure the demolition of the existing structure.

Notwithstanding the above it is important for Members to note that the visual impact of the existing building upon the public realm and the wider conservation has deteriorated to such an extent that if it were in 3rd party hands it would be reported to the Councils Difficult Property Group in order to secure the necessary improvements

It is accepted that a hoarding with display images has been erected at the site and to some extent this has mitigated the visual impacts of the building, but the issue of the dilapidated building and the continuing health and safety issue needs to be resolved.

As is evident by the authorised Planning Brief and the Planning Statement issued for this site, that it has been a long term ambition of the Council that this site could accommodate a new building and new tourist offer that would be a significant asset to the town and would contribute and support the local tourist economy.

Set against this long term Council ambition it is considered the demolition of the existing building would be the first step in the realisation of a permanent building.

As stated elsewhere in this report the existing building commands a prominent position on a very important historic site and following the specialist archaeological advice available to the Council there is a very high potential that archaeological deposits are present at the site. As such the second stage of this project would be to lift the floor slab and undertake the Archaeological investigation.

The second phase of the development would require a separate application and is not therefore covered by this submission.

In summary therefore this project has a number of distinct phases and can be summarised as follows:-

- Phase 1 demolition of existing building retain floor slab and maintain hoarding around the site.
- Phase 2 secure a temporary offer for the site. This is well advanced.
- Phase 3 Lift the floor slab and undertake archaeological investigate
- Phase 4 with a clear site secure a 3rd party partner to implement a permanent solution.

Need for demolition and Replacement Facility

It is accepted that the Wish Tower Restaurant Sun Lounge and viewing gallery has been a long standing feature for both residents and visitors alike. However, as is evident from the Cabinet meeting of December 2011 the site has suffered recent storm damage to such an extent that it had become a public health and safety issue. This health and safety issue added to the internal dilapidations that have occurred in recent times has resulted in the building becoming uneconomical to repair and refurbish.

Given the sites location within the Town Centre and Seafront Conservation Area and its proximity to the Wish Tower itself then formal applications (Planning Permission and Scheduled Ancient Monument Consent) are required to be submitted and approved prior to the demolition of the building.

The Councils Planning and Regulatory Lawyer advises and reaffirms standard practices in that Planning Permission can be given by the Council, but that the Scheduled Ancient Monument Consent needs approval by the Secretary of State and English Heritage.

Notwithstanding the above, the Planning Application, as it proposes development that falls under the Environmental Impact Regulations 2011, has been referred to the Secretary of State for their information.

In an appreciation of the tourism asset that the site does possess, it is clear that a replacement building/facility would need to be secured in the short to medium term. Whilst no details have been submitted at the time of reporting this planning application being presented to Planning Committee it is likely that a temporary offer will be sited (hopefully to meet this coming summer season) and to be replaced by a permanent building in the long term.

If at the time of reporting a temporary offer is known it will be shown for illustrative purposes.

It is important to ensure that the temporary solution does not become the permanent one and therefore it is recommended that a condition is placed on this scheme requiring that a suitable replacement building (both the temporary and permanent solutions) shall be submitted within a defined timeframe.

In the unlikely event that a decision is taken not to proceed with either temporary or permanent building on the site then a further application would be required so that members and the public would be aware of how the site would be left following the lifting of the slab. This is considered important as a hoarded development site is not considered to be an appropriate long term solution for the site.

Impacts upon Conservation Area, Scheduled Ancient Monument and Archaeological Deposits

The application site commands a prominent position within the Town Centre and Seafront Conservation Area and as such its loss has to be carefully considered and assessed.

The issued Planning Brief in 2000 and Planning Advice Note in 2009 comments that the existing building (The Wish Tower Restaurant) has very little architectural merit and highlights that a replacement building could potentially add more to the tourist offer in this part of the seafront. These documents go onto mention that the most important building on the site is The Wish Tower itself and as such any demolition and replacement building has to respect the historical form and function of this historic building.

As outlined by the documentation that accompanies this application the scheme proposes to demolish the 'above ground' buildings. Demolition will need to be carried out very carefully, particularly where there is a need break the ground with intrusive excavations and removal of any subterranean structures.

It is considered that the greatest impact upon the Conservation Area will be from the demolition of above ground Wish Tower Café and Sun Lounge. It is accepted that given the length of time that this building/structure has been present on the seafront its loss in visual terms would be noticeable, however this is considered only to be in the short term. Notwithstanding this it is considered that the hoardings that have been erected at the site, including the graphic images upon them proposes a means of enclosure that provides a safe and secure site at the same time as maintain the visual character and appearance of this prominent site within the Town Centre and Seafront Conservation Area. It is accepted that a hoarded site is not an appropriate long term solution for the site. As described above the hoardings are not considered to be a permanent solution for the site but they will facilitate the long term and permanent tourist solution for the site.

Any replacement building either promoting a temporary offer or permanent solution would need planning permission and will be reported to both Conservation Advisory Committee and Planning Committee and as such the medium to long term impacts upon the visual character of the area will be assessed at that time.

The supporting information with this application outlines that there will be a regime whereby all of the important structures and historical and archaeological artefacts will be recorded and where practicable retained on site.

This regime will ensure that the development will not impact upon the Scheduled Ancient Monument (SAM) and also that the archaeological deposits are recorded in accordance with the requirements of both PPS5 and the County Archaeologist. Members should be aware that this regime will be most applicable when the floor slab is removed. The floor slab is to be retained under this application and as such the impacts upon the archaeological deposits and also impacts upon the SAM should be kept to a minimum in the current proposal.

Given the proceeding paragraphs it is considered that the loss of the existing building would not be objectionable in principle; moreover the principle of the loss of the building has previously been accepted by the issuing of the Planning Brief and Planning Advice Note.

Notwithstanding the previous comments a suite of planning conditions are proposed to control the method of demolition and also to ensure that the Wish Tower itself will not be adversely impacted.

Access and Demolition Issues

The application follows significant pre application discussions with the appointed project manager where issues of health and safety, public access and also vehicle access for demolition traffic were discussed.

Due the size and nature of the demolition project and its location it is very likely that that there will be times during the phases of the demolition that there will be exclusion zones for the public. This may include limiting access and or closing the promenade, and may include limiting access and closing parts of the access way to the Wish Tower and also may include limiting access and closing parts of the Western Lawns.

The precise details of these closures have yet to be determined, as the specific demolition contractor has not yet been appointed. Notwithstanding this it is considered that they can adequately be controlled via an appropriate condition

Noise and Amenity Issue

It is accepted that with any demolition – construction project there will be the utilisation of large powered equipment-vehicles and as such it is inevitable that there will be noise disturbance to some extent. However given the likely relatively short period of time involved in the demolition phase of the scheme it is considered that the impacts are considered to be negligible and would not be so acute as to warrant a refusal of permission.

As is evident by this submission the site commands an important location on the seafront and in terms of maintaining a tourism offer in this location it is important that the demolition does not occur in the high season as this may be the source of complaint from the tourist and hotelier sector, accepting that some of the necessary consents and permissions are beyond our control it is anticipated that the demolition is commenced as soon as is practicable.

Anti social behaviour

It is fair to comment that any site within the Borough that remains vacant for a period of time tends to become the focus for anti-social behaviour; this may manifest itself in vandalism, graffiti, and a locus for people to congregate. All of these activities would tend to drag down the character of the site and surrounding area and make it less appealing for residents and visitors alike. It is important therefore that to counter the above the building is demolished as soon as is practicable.

Members should be aware that the hoarding is to be in situ until such time as a replacement building is secured and or the floor slab is removed; this has the support of Sussex Police in that it would help to deter and mitigate anti social behaviour. In addition the site is regularly visited by staff within the Amenities and Parks and Gardens teams of the Council with a remit to monitor and deter anti social behaviour.

War Memorial (Dedication Plaque):-

As is noted above The War Memorial Trust have objected to the application on a number of issues revolving around the dedicatory plaque that exists at the site and that this has not been evaluated and considered as part of the application. Although not part of the submitted application, the consultation with the Conservation Officer covered an assessment of this aspect.

On this issue the history of the Wish Tower restaurant and its benefactor and the dedicatory plaque are all well known to the Council and other interested parties. In terms of the dedicatory plaque it is the intention that this will be removed prior to the demolition, relocated temporarily to The Redoubt and reinstalled on the new building at the Wish Tower site.

Conclusions

- By way of the planning brief and planning advice note issued in 2000 and 2009 there are no objections in principle to the demolition of the existing Wish Tower Restaurant and Sun Lounge and ancillary accommodation.
- Any impacts caused by the demolition will only be short term.
- A monitoring regime is proposed that will ensure that all of the important buildings and archaeological deposits will be maintained and recorded.
- All issues that require subsequent approval are controlled via conditions attached to this consent and will be a consideration of the Schedule Ancient Monument Consent

Human Rights Implications:

It is accepted that The Wish Tower Restaurant and Sun Lounge were a gift from a benefactor to the community of Eastbourne; notwithstanding this however it is considered that there are no human rights affected by this proposal sufficient to warrant a refusal of these submissions.

Recommendation:

Option A

GRANT subject to conditions

Conditions:

- 1) Time Limit
- 2) Archaeological mitigation of the development, hereby approved, shall be undertaken in accordance with the approved written scheme of investigation (for an archaeological building recording & archaeological watching brief on all groundworks associated with the development) submitted with the planning application, and within 6 months of the completion of the watching brief, a report on the archaeological findings shall be submitted by the applicant and approved in writing by the local planning authority and the works shall be undertaken in accordance with the approved details.
(Reason: To enable the recording of any items of historical or archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within PPS 5 'Planning for the Historic Environment'; and Policy UHT20 of the Eastbourne Borough Plan.)
- 3) Within three months from the date of this approval a planning application for a scheme for a temporary replacement facility shall be submitted to the Council. The details as approved shall be implemented in full within six months from the date of the approval of the temporary offer and be retained as such until replaced by a permanent building or removed from the site within three years from the date of this approval which ever is the sooner.
Reason:- In order to ensure that a suitable replacement building is secured within a reasonable time frame in the interest of maintaining the character and appearance of this part of the Town Centre and Seafront Conservation Area.
- 4) Within two years from the date of this approval a scheme for a permanent building shall be submitted to the Council. The details as approved shall be implemented at the site within three years from the date of the approval of the permanent building.
Reason:- In order to ensure that a suitable replacement building is secured within a reasonable time frame in the interest of maintaining the character and appearance of this part of the Town Centre and Seafront Conservation Area.
- 5) Prior to the closure of any parts of the seafront (promenade, access, Western Lawns) details of measures to prohibit public access and the times and period for these measure to be implemented on site shall be submitted to and approved in writing.
Reason:- IN the interest of public health and safety and to ensure that a robust barrier is installed and that the barrier is in situ for the controlled period of time in order to ensure that public access is afforded whenever is practicable.

- 6) Unless controlled via the Scheduled Ancient Monument Consent then prior to the demolition commencing a demolition method statement shall be submitted to and approved in writing by the Local Planning Authority. The demolition shall only occur in accordance with the approved details.
Reason:- In the interest of public health and safety and also to ensure the historic assets are not impacted by the demolition process.
- 7) Prior to any demolition commencing at the site a detailed photographic record of the dedicatory plaque shall be submitted to and approved in writing by the Local Planning Authority. In addition, a statement shall be submitted in writing to the Local Planning Authority stating how the Plaque will be removed from its current position in a manner to secure its integrity and also outlining where the Dedicatory Place will be re-sited/located so as to afford Public Access during the demolition and construction phases of this project. The details as agreed shall be implemented in full.
Reason:- In order to ensure that the Dedicatory plaque is safely removed from the site and erected in a location where access will be afforded at all reasonable times.

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.**

Item 3

App.No.: EB/2012/0024 **Decision Due Date:** **Ward:** Meads
21 March 2012

Officer: Jane Sabin **Site visit date:** **Type:** Minor
6 March 2012

Site Notice(s) Expiry date: 23 February 2012

Neigh. Con Expiry: 23 February 2012

Weekly list Expiry: 22 February 2012

Press Notice(s)- : 7 March 2012

Over 8/13 week reason: Referred to Committee by Chairman

Location: Residents of Meads Playing Association (ROMPA),
Upper Carlisle Road

Proposal: Installation of floodlighting to the hardcourts adjacent to the western boundary, comprising nine 6.7m high columns supporting ten luminaires.

Applicant: ROMPA (Mr. E. Gladding)

Recommendation: Refuse

Planning Status:

- Meads Conservation Area
- Designated playing fields

Relevant Planning Policies:

UHT1 - Design of development
UHT4 - Visual amenity
UHT13 - External floodlighting
UHT15 - Protection of conservation areas
HO20 - Residential amenity

Site Description:

This site is located on the corner of Carlisle Road and Upper Carlisle Road, adjacent to Valley Field, and in the Meads Conservation Area. It is surrounded by a substantial red brick wall, and slopes from north to and from east to west, so that the usable parts of the site occupied by the tennis courts and the pavilion are set below street level.

Relevant Planning History:

App Ref:EB/1990/0628	Description: Installation of low level fluorescent strip floodlighting to two tennis courts
Decision: Approved	Date: 20 February 1991
App Ref:EB/1993/0070	Description: Replacement of lighting units on tennis courts
Decision: Approved	Date: 28 April 1993
App Ref:EB/2007/0401	Description: Replacement of existing nine 4.5m high lamp columns with nine 6.5m high lamp columns and replacement of existing 250w luminaires with 400w metal halide lamps.
Decision: Approved	Date: 14 August 2007

All the above permissions were subject to a condition, which restricted the use of the lights to 9am to 9.30pm daily.

Proposed development:

Planning permission is sought to provide floodlighting to a further two courts, which are located adjacent to the boundary with 3 Upper Carlisle Road, and would comprise nine 6.7m high columns supporting ten luminaires. The columns are finished in dark green, and the luminaires are 700mm square. The luminaire closest to 3 Upper Carlisle Road would be fitted with two deflectors (plates as wide as the luminaire and 300mm deep). A survey of the site has been provided indicating the ground levels within it, although it does not cover the adjacent properties affected by the proposal, nor have any sections been submitted to demonstrate the relationship between the proposed columns and the adjacent dwellings. The level of the two courts involved is approximately 2m below the floor level of 3 Upper Carlisle Road, whilst the level of the two courts already illuminated are another 1.8m below that. A lighting assessment submitted with the application indicates that light spillage into the adjacent properties would be very small.

Applicant's Points:

- ROMPA has had a policy of continual development and enhancement to this property. It is also agreed by all who know and visited this site that it is one of the finest recreational areas of its type in Eastbourne. Consequently we have, over the last few years, seen a rapid growth in membership particularly in the working age group and Junior membership. These are the most difficult groups to attract and maintain. However, this has also put considerable strain on our current two floodlit courts while the Management Committee is being continually being pressed to expand our facilities. This is why we have submitted this application.

- While we have further land, we are unable to utilise this due to our arrangement with the LTA/EBC to provide necessary practice facilities for the International players who attend the pre-Wimbledon Tournament in Eastbourne. Without this provision, for which we charge no rent, it would have been difficult to persuade the ATP tour to compete here. I think we all agree that their presence has greatly enhanced the appeal of this valuable event to Tourism in the town.
- As you will see from our past development of this site that none of our members would wish to see inappropriate installations on this site which their funds have done so much to preserve. We have gone to great lengths and not inconsiderable expense to obtain the best possible advice in the design of the proposed scheme and members will see that with the latest design that the light spill on No.3 Upper Carlisle is minimal and that in any case we do not intend to operate after 9.00 p.m.
- It is a pity the developer of that site ignored the tree preservation orders placed on that site however we believe that our modern and sophisticated plan will ensure that the residents in No.3 will not have their enjoyment of that property diminished in any way.
- As members are aware no organisation can stand still without suffering decline and having described to you the care we have taken in rescuing this once derelict site we ask that you support our application.

Consultations:

At their meeting on 21 February 2012, the Conservation Area Advisory Group raised no objections to the proposal.

The Conservation Officer considers that the proposal would have minimal impact on the conservation area, in view of the existing lights and the proposed painted finish.

(Memo dated 22 February 2012)

Neighbour Representations:

Three representations have been received as a result of neighbour notifications, two from residents of Hyde Tynings Close, and one from the owner of 3 and 5 Upper Carlisle Road. The objections are summarised thus:

- cannot see how the installation of such lighting would not have an adverse effect on the properties nos. 3 and 5 (Upper Carlisle Road); object to the proposed scheme as having a detrimental effect on the habitable use of both nos. 3 and 5 and their well being. This light pollution is beyond that permitted under current planning policy and will affect these properties and their enjoyment.
- Our home (opposite the site and in an elevated position) is already affected by the existing poorly aimed and unshielded floodlighting at ROMPA and we are forced to close curtains and blinds far earlier than we would wish, and to add a further 10 luminaires directly opposite our house would be intolerable and have a very negative and highly stressful impact upon both our lives and those of residents in other neighbouring properties. It would also significantly add to the level of light pollution in the Meads at a time when there is such a pressing global incentive to reduce both light pollution and energy consumption.

- The majority of ROMPA members do not live adjacent the site, and will not have their lives adversely affected by the proposed installation.
- In principle we have no objection to the installation of additional lighting to the tennis courts. Our concern is 'glare' into two bedrooms immediately opposite the courts. This problem should not arise if the ultra low glare Hilux model EBL 107 luminaires are always used and not substituted by brighter or other luminaires at a later date, or the angle of the lamps changed after installation. The latter may have occurred with the existing lighting on adjacent courts. It would provide confidence to local residents if the Consultants whose design has been accepted were contracted by ROMPA on an on-going basis to undertake unannounced visits, at least annually, to check the installation continued to meet the original design brief with a report submitted to your department.

(E-mails dated 7 February 2012 to 13 March 2012)

Appraisal:

The main issues to take into account in determining this application are the impact on the character and appearance of the conservation area, and the impact on the amenities of nearby residents.

The lighting columns are relatively slimline and finished in green, and would therefore not look out of place in the context of the courts or the facility in general, notwithstanding the fact that they would be sited on ground 1.8m higher than the existing columns. It is therefore concluded that there would be no adverse impact on the character and appearance of the conservation area.

The impact on the closest two properties – 3 and 5 Upper Carlisle Road – is of great concern, as the windows and conservatory on the rear of no.3 and the windows on the side of no.5 would be in very close proximity to the columns, and, being located on higher ground, it is estimated that the luminaires would be level with the top of the first floor windows. The closest column would be 7.5m from the rear corner of 3 Upper Carlisle Road, and 3m from the common boundary. Even with deflectors fitted to one column, the predicted levels shown in the supporting diagrams raise concerns in respect of spillage, which appears to stop at the common boundary, where the only barrier is a brick wall which does not exceed two metres. Furthermore, it does not take into account the light spillage from the existing courts, which would be operational at the same time, and which is likely to have a compound effect.

The argument that the club needs the facility is not sufficient to outweigh the potential harm to residential amenity, even if only one or two properties are affected. This even more relevant when taking into account the choice made by the applicant to provide a hard surface to the courts closest to the adjacent residential property, (logically applying to have these courts floodlit), when there is more than enough space for this type of facility at the other end of the site, in a much more appropriate location further away from residential properties.

It is also argued that it is not intended to use the courts beyond 9pm; if the club intends to expand and the two existing courts are insufficient to meet demand, then this indicates that the courts are expected to be well used. It is considered that this could result in a considerable number of hours during the course of a week, and could potentially result in an unacceptable degree of harm outside of normal daytime use from both light and, to some degree noise, from the use of the courts in such close proximity to residential properties.

Human Rights Implications:

It is considered that there would be a seriously adverse impact on the occupiers of the adjacent residential properties as a result of the development.

Conclusion:

It is considered that the application has not adequately demonstrated that the proposed development would not result in an unacceptable degree of harm to the living conditions of the closest affected occupiers.

Recommendation:

REFUSE for the following reason:

It has not been adequately demonstrated that the proposed development would not result in an unacceptable degree of harm to the living conditions of the closest affected occupiers in terms of light spillage and noise, and it therefore conflicts with Policy HO20 of the Eastbourne Borough Plan 2001-2011.

Informatives:

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

Drawing no. LP1546 Topographical Survey received on 20/12/11

Lighting Design document received on 20/12/11

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 27 March 2012

Item 4

App.No.: EB/2012/0029 **Decision Due Date:** 08.03.12 **Ward:** St Anthony's

Officer: Katherine Quint **Site visit date:** 17.02.12 **Type:** Minor

Site Notice(s) Expiry date: 22.02.12

Neigh. Con Expiry: 22.02.12

Weekly list Expiry: 22.02.12

Press Notice(s)-: N/A

Over 8/13 week reason: Called to committee due to number of objections

Location: Rear of 348-358 Seaside (Proposal to front Finmere Road)

Proposal: Erection of three two-bedroom terraced houses with associated off road parking

Applicant: The Mead family (c/o Mr M Reid, Reid and Dean)

Recommendation: Approve

Planning Status:

- Residential area
- Flood zone 3
- Former private gardens

Relevant Planning Policies:

South East Plan:

H1 - Regional Housing Provision
H5 - Housing Design and Density
CC4 - Sustainable Design and Construction
CC6 - Sustainable Communities and Character of the Environment
T4 - Parking

Eastbourne Borough Plan:

UHT1 - Design of development
UHT2 - Height of buildings
UHT4 - Visual amenity
UHT7 - Landscaping
HO1 - Residential development within existing built-up area
HO2 - Predominantly residential areas
HO6 - Infill development

HO20	-	Residential amenity
TR11	-	Car parking
US5	-	Tidal flood risk

Site Description:

The site is located on Finmere Road, between the rear of nos. 348-358 Seaside, and to the side of Finmere Court. The site slopes away gradually from the adjacent highway on Finmere Road and forms the end part of the gardens of 348-358 Seaside. The area is predominantly residential, although there are some community and commercial uses in nearby Seaside, such as the Arlington Arms Public House, which adjoins the rear boundary of the site, and St. Andrews Parish Hall to the north of this. Surrounding development is mainly two-storey, including the terraced houses on Seaside. The exception is Finmere Court, a block of 9 flats located immediately to the north-west, which is 3-storey.

Relevant Planning History:

App Ref: EB/1991/0322 Decision: Granted, subject to conditions	Description: Erection of a pair of semi-detached three-bedroom houses, with integral garages. Date: 03/09/1991
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App Ref: EB/1987/0429 Decision: Refused, one reason.	Description: Erection of a pair of three-bedroom semi-detached houses, with integral garages. Date: 17/09/1987
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App Ref: EB/1986/0243 Decision: Refused, three reasons.	Description: Erection of a three-storey building comprising 6 one-bedroom flats, with 6 car-parking spaces at the rear. Date: 18/06/1986
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App Ref: EB/1986/0627 Decision: Refused, one reason.	Description: Erection of a terrace of 3 single private dwellinghouses, with integral garages. Date: 14/01/1987
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Proposed development:

The applicant seeks permission for three no. 2 bedroomed residential dwellings arranged in a slightly staggered terrace, accessed from Finmere Road with individual driveways for each dwelling. The dwellings are two storeys in height with pitched roofs, measuring 8.6m to the ridge, with an eaves height approximately 5m above ground level. Solar PV is to be installed on the roofs of the 3 dwellings.

Applicant's Points: None

Consultations:

Consultation letters were sent to 26 neighbouring residents and businesses, and 2 site notices were displayed nearby. Representations were sought from the Trees and Woodland Team, Highways, Planning Policy and the environment Agency.

Trees and Woodland Team (08.02.12):

- The trees and scrub have no landscape or Arboricultural value, with a low conservational value that should not pose a constraint to development.
- There are no controls presently on the site that would prevent removal. Any site clearance should take into consideration that the site would be suitable for nesting birds and other wildlife.
- If the application is approved there is insufficient space for tree planting or significant landscaping although details of the Landscaping in the rear gardens and hard surface materials and should be submitted.

Highways (15.02.12):

- The site is considered to be accessible by sustainable modes of travel, and is within walking distance of a number of shops and services in both Seaside and Lottbridge Drove.
- In accordance with ESCC Parking standards, the development needs to provide 3-4 car parking spaces and 3 cycle spaces (as indicated on the plans). The layout of the proposed off street parking is also acceptable as it provides enough depth within the property to avoid vehicles overhang the footway and there is adequate vehicular and pedestrian visibility.
- The Highway Authority does not therefore wish to restrict grant of consent subject to conditions relating to new access, parking areas and cycle parking.

Planning Policy (24.02.12):

- The application site is currently a low grade space within the Borough and makes no contribution to either the local environment or the townscape quality. It is shown on the Eastbourne Borough Plan Proposals Map as being located within a Predominantly Residential Area (HO2), and is therefore an appropriate location for new residential development.
- The proposed scheme will contribute to the aim of increasing densities in the most sustainable parts of the town and provide a useful small-scale windfall opportunity that will help meet the housing needs of the area.

Neighbour Representations:

7 objections were received, raising the following points as concerns, and have been addressed as material planning considerations:

- Overshadowing to houses on Seaside
- Loss of light to Seaside / Finmere Court
- Parking and cycle requirements – loss of parking on Finmere Road
- Height of the dwellings – taller than houses on Seaside
- Appearance – not in keeping with neighbourhood; industrial style
- Flooding and drainage – flood risk, site being on floodable land
- Loss of privacy and amenity – increased intrusion, pollution and noise

- Overdevelopment – the footprint, height and scale seem excessive for the size of the plot
- Loss of green space and wildlife – destruction of green habitat, lack of landscaping or planting incorporated into plans

Appraisal:

- **Light**

For the majority of the day, shadow from the proposed development will move across the private gardens on-site, causing little impact on the neighbouring properties at Finmere Court and Seaside.

- **Privacy and overlooking**

- One small window is proposed for each of the side elevations at first floor level. These serve the stairwells only and are not considered to impact on the privacy of neighbouring occupants.

- Fencing between the rear gardens of 356 and 358 Seaside and the boundary of 'plot 3' is considered adequate to retain privacy between the three garden areas.

- The front elevation faces the backs of properties on Southbourne Road across gardens, fencing and highway, and the rear elevations face a pub garden over fencing and at a reasonable distance.

- There are no outstanding privacy or overlooking issues.

- **Scale of development**

The height of the buildings are taller than those on Seaside but not as tall as Finmere Court.

The layout of the buildings provides adequate space for a single parking space to the front and garden area to the rear. On this basis, the site supports the scale of the development of 3 terraced houses and is not seen as overdevelopment.

- **Parking and Highways**

Pressure on parking is a concern for the area and has been mitigated in the scheme through the provision of 3 individual spaces on-site. Overall there will be a loss of 3 on-street parking spaces.

The site is in a sustainable and well connected location, close to transport links and local facilities, and therefore car ownership is not essential for the new occupants.

- **Flooding**

- As set out in the flood assessment submitted as part of the application, existing mitigation measures covering the Seaside area of town are considered effective with regard to the scale of the proposed development, subject to the condition requiring details of surface water drainage.

- The main sources of flooding are considered to be surface water flooding from surrounding infrastructure. Based on the likely flooding risk and the fact that there are no habitable rooms on the ground floor, it is considered that the proposed development can be operated safely in flood risk terms and is therefore appropriate development in accordance with PPS25, and locally with policy US5.

- It is recommended that the property signs up to the EA Flood Warning scheme and, if appropriate, a Flood Evacuation Plan is provided for the future tenants.
- The connection to the sewer needs to be confirmed with Southern Water.
- **Design and appearance**
There is no single design of building that is dominant in the area, apart from rows of terracing. This feature is reflected in the appearance, as well as being a simple, modern design that gels well with the surrounding properties.
- **Environmental matters**
As members are aware, the Council are promoting a sustainable building design SPD, which has not yet been formally adopted. Notwithstanding this many of the issues and factors outlined in this document have been addressed by this submission; eg. the scheme having an orientation and layout that would benefit from passive radiation and ventilation, the owners have external amenity space, solar PV and there is the potential for matters of detail such as increased biodiversity and water retention (waterbutts) to be controlled via planning condition.
- In conclusion, the full planning application is recommended for approval subject to conditions.

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:

The scale, location and visual impact of the proposal do not detract from the residential amenity of the surrounding area. In accordance with policy HO20, the proposal by virtue of its location, size and design, does not impact on outlook, privacy, overshadowing or loss of light, and is at a scale that is appropriate to the neighbouring buildings. Subject to conditions, the proposal complies with the relevant borough plan policies: Eastbourne Borough Plan 2001-2011 (Saved policies, 2007).

RECOMMEND: Permission be granted subject to the following conditions:

Conditions:

- Time limit
- Hard and soft landscaping to be submitted
- Foul and surface water details to be submitted
- Materials to be submitted
- Details of floor levels
- Position of access
- Car park details to be supplied incorporating details to prevent surface water running onto the footway
- Details of cycle parking
- Construction and demolition times

Cont/d...

- Removal of PD rights
- Refuse and recycling facilities to be submitted
- Means of enclosure to be submitted
- In accordance with approved plans

Informatives:

- Discharge of conditions: 2, 3, 4, 5, 7, 8, 11, 12
- Connection to the public sewerage system
- Investigation if sewer found during construction

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 27 March 2012

Item 5

App.No.: EB/2012/0098 **Decision Due Date:** 24 February 2012 **Ward:** Devonshire

Officer: Jane Sabin **Site visit date:** 20 February 2012 **Type:** Minor

Site Notice(s) Expiry date: N/A
Neigh. Con Expiry: N/A
Weekly list Expiry: 14 March 2012
Press Notice(s)-: N/A

Over 8/13 week reason: Referred to Committee by Chair

Location: Bourne County Primary School

Proposal: Replacement of boundary fence

Applicant: East Sussex County Council

Recommendation: No objections be raised

Relevant Planning Policies:

UHT1 - Design of development
HO20 - Residential amenity

Site Description:

This town centre primary school is almost entirely enclosed by residential properties in Willowfield Road, Melbourne Road and Bourne Street, and by the Salvation Army Citadel and a public house in Langney Road. It has a large playground, which is entirely hard surfaced.

Relevant Planning History:

None.

Proposed development:

Planning permission is sought to replace the dilapidated chain link fence which surrounds the site with a more robust "Dulok" metal fence comprised of 6mm and 8mm horizontal and vertical wires, finished in a deep green colour. The fence is, in total, 328m long and would be the same height as the existing fence, which is 4.3m above ground level (on top of the boundary wall).

The application has been submitted to East Sussex County Council, and this Council's views are sought on the proposal.

Applicant's Points:

- The old chain link fence is in a poor state of repair and is open to intruders at some low points
- Despite CCTV and mag locks on the gates, the fence is a serious weak point
- The new fence is much stronger and will help make the site more secure
- It will also enhance the appearance of the school from public viewpoints

Consultations:

N/A

Neighbour Representations:

N/A

Appraisal:

The type of fence proposed is now commonplace in schools and many other facilities in the public domain. Whilst it does have a heavier appearance, it does have the advantage of being finished with a colour, usually green, as is the case here.

This may have an adverse impact on some residents who directly back onto the site, as their gardens are very short, but it is considered that the perception of the appearance of a smarter, more formal, coloured fence would soon outweigh that of the existing dilapidated one.

Human Rights Implications:

It is not considered that there would be any seriously detrimental impact on residential amenity.

Recommendation:

East Sussex County Council be informed that this Council raises no objections to the proposal.

Committee Report 27 March 2012

Item 6

App.No.: EB/2012/0110	Decision Due Date: 01/04/12	Ward: Meads
Officer: Chris Cave	Site visit date: 01/03/12	Type: Major
Site Notice(s) Expiry date: 14/03/12 Neigh. Con Expiry: 14/03/12 Weekly list Expiry: 14/03/12 Press Notice(s)- : 14/03/12		
Over 8/13 week reason: The application is within the target date		
Location: 202 Terminus Road		
Proposal: Conversion of the existing building into a 65 bed hotel restaurant and flexible commercial space at the ground floor. Rear side extension and external alterations.		
Applicant: Premier Inn		
Recommendation: Approve subject to a S106 agreement and conditions as listed below		

Planning Status:

The application site is located within Eastbourne Town Centre in a secondary retail location and lies adjacent to the Seafront and Town Centre Conservation Area.

Relevant Planning Policies:

Relevant policies in the Eastbourne Borough Plan 2001-2011:

- NE4 Sustainable Drainage Systems
- NE5 Minimisation of Construction Industry Waste
- NE6 Recycling Facilities
- NE7 Waste Minimisation Measures in Residential Development
- NE11 Energy Efficiency
- NE12 Renewable Energy
- NE28 Environmental Amenity
- UHT1 Design of New Development
- UHT2 Height of Buildings

UHT4 Visual Amenity
HO3 Retaining Residential Use
HO9 Conversions and Change of Use
HO20 Residential Amenity
TO1 Tourist Accommodation Area
TO2 Retention of Tourist Accommodation
TR1 Locations for Major Development Proposals
TR3 Travel Plans
TR6 Facilities for Cyclists
TR11 Car Parking
SH1 Retail Hierarchy
SH3 New Retail Development
TC6 Town Centre Shopping Areas
US2 Water Resource Adequacy
US3 Infrastructure Services for Sewage & Surface Water Disposal
IR2 Infrastructure Requirements
US4 Flood Protection and Surface Water Disposal
Emerging Core Strategy Policy C1: Town Centre Neighbourhood Policy; and
Emerging Town Centre Area Action Plan Policy TC22: Development Opportunity
Site Five.

Site Description:

The former Co-op Store, which closed in February 2007 and has been empty since then, commands a very prominent position on the southern corner of the crossroads formed by Terminus Road, Trinity Trees and Seaside Road.

The site is surrounded on two sides by the Town Centre and Seafront Conservation Area, within which the Holy Trinity Church, a grade B (II*) listed building is situated.

The existing building contains retail and office floorspace over 4 storeys:

Basement	530sqm
GF	854sqm
FF	884sqm
SF	570sqm
TF	502sqm

Total site area 0.11ha

Relevant Planning History:

App Ref: EB/2011/0220	Description: Application is for the extension of time for the implementation of permission EB/2007/0377 for the demolition of existing building and redevelopment to comprise erection of a part five/part six storey building (including basement) with class A1 (retail) use on the ground floor, ancillary/storage retail in the basement and 44 residential units above, with associated disabled user car and cycle parking.
Decision: Approved	Date: 08/06/11
App Ref: EB/2007/0377	Description: The demolition of existing building and redevelopment to comprise erection of a part five/part six storey building (including basement) with class A1 (retail) use on the ground floor, ancillary/storage retail in the basement and 44 residential units above, with associated disabled user car and cycle parking.
Decision: Refused	Date: Refused 04/09/07

Proposed development:

There are four distinct elements to this scheme:-

- Extension to side/rear
- Demolition of existing building to the rear
- Alterations to the external fabric of the building and
- Conversion of the remodelled building into a 65 bedroom hotel with restaurant and a commercial space

Extension to side/rear: - An extension is proposed along the Trinity Place elevation including an additional 76sqm at the ground floor, 65sqm at first floor and additional 353sqm at second floor. This new extension is to be clad in the same cladding system as the main building.

Demolition of existing building to the rear: - Demolition of first and second level of the dilapidated building is required but the ground floor level will be retained and refitted with new flat roof and floor internally.

Alterations to the external fabric of the building: - The existing prominent exterior envelope of the main body of the four story building on the corner of Terminus Road and Trinity Trees will be retained with a thorough overhaul of the existing tiled façade element. The existing full height windows require removal as part of the conversion and to upgrade acoustic and thermal properties of the building envelope to current building regulations. A new

external cladding system is proposed that will be articulated to show the former window positions.

The scheme proposes to retain the majority of the existing building with extensive restoration works to upgrade the buildings fabric and structure to meet current building regulations and tenant requirements. Reconfiguration and extension of the existing accommodation is required to make the building suitable and viable for hotel use

Conversion of the remodelled building into a 65 bedroom hotel with restaurant and a commercial space:- Change of use and extension of building to retail unit on ground floor and basement, restaurant on part ground floor and 65 bed hotel on upper floors.

The scheme also proposes a third party commercial space on the ground floor facing Terminus Road. The applicants are proposing that this commercial space is to be used for A1, A2, A3, or A4 uses

The application has been accompanied with a number of reports the content of which have been summarised below:-

DESIGN AND ACCESS STATEMENT: A design and access statement has been submitted to accompanying the application and outlines the location and site context and elaborates on the extent design of the proposals and how it impacts upon the site and surrounding area including the adjacent conservation area and listed buildings.

The document also identifies the applicants parking strategy for the scheme in that the site can not accommodate any off street parking, customers would be directed to existing town centre parking facilities the nearest being the NCP in Trinity Trees with 546 space. 60% of customers book online where hotel location route planner parking and specification of hotel accommodation can be found. Cycle parking is to be provided on site.

ENVIRONMENTAL STATEMENT: - An environmental has been assessment has been submitted that identifies the following:-

Bin enclosure is located to the rear of the plot accessible from Trinity Trees and will be large enough to accommodated waste and recycling

(New plant and machinery throughout), Basement Floor retail plant equipment storage tanks and gas boiler, Ground Floor hotel plant equipment and storage tanks and water tanks and water treatment, Upper Floor Plant external plant area with metal enclosure for Hotel air source heat pumps and air handling equipment, kitchen extractor will be provided within a central duct running up the building discharging at high level in order to ensure that there will not be any air pollution issues for residents and patrons.

All plant that is external will be within a metal enclosure and located so as not to be visible from street level

NOISE IMPACT: - A noise impact assessment has been supplied; this identifies the noise impacts from external sources upon customer bedrooms. It recommends that with standard double glazing supplemented with secondary glazing should deliver approximately 34dB(A) in bedrooms at night.

BREEAM ASSESSMENT: - The aspiration of the BREEAM assessment and accreditation within this project is to ensure that where possible the development should seek to minimise the adverse effects of new and refurbished buildings on the environment at global and local scales, whilst promoting healthy indoor conditions for the occupants.

The applicant has submitted a pre-assessment report that identifies that at the application stage it is anticipated that the BREEAM rating of Very Good could be achieved. It highlights though that through the detailed and construction phase that there may well be changes.

The accreditation will be carried out at the design and post construction phase in order to secure compliance. The BREEAM assessment covers a number of topic heading to include; Health and Well Being, Energy, Transport, Water, Materials, Waste, Land Use, Ecology, Pollution and Innovation.

Consultations:

Conservation Officer: - 202 Terminus Road, the former Coop building, is a prominent building located on the edge of the Town Centre and Seafront Conservation Area. The building positioned over the road front, and therefore within the setting of, the Grade B (II*) Church of Holy Trinity.

Extension – Size and Bulk

The proposed extension is considered appropriate in height and scale with regards to its close proximity to the setting of the listed church and within the setting of the conservation area. The height increase brings the extension inline with the surrounding streetscape without being over dominant, and still being subservient to main building. Its impact on the church means that although not in line and scale, the distance between them and the reduced height helps to lessen the impact on its setting.

The proposal also includes extending the building, into a flat concreted area, which is currently unused and does not contribute to the streetscape.

Rear Elevation

There are some once attractive original historic buildings along the rear of the Coop. It appears that they have been truncated by the development of the Coop building and have since lost their context and have fallen into poor repair. The proposal is to reduce the building, so only the ground floor level remains. This will leave the most decorative section of the building at the base still in tact. This is considered to be an unfortunate loss but the properties are in a poor state of disrepair and lack their original context.

The design and the location of the new extension increase its frontage along Trinity Place. Therefore if the historic properties had been retained these views to the rear of the property would have been restricted further. Therefore this proposal helps to retain some aspects of the design but allows the entire scheme to work efficiently without resulting to a loss to the conservation area.

Main Building

The proposal for the main building is to retain the front façade including the tiled columns and detailed cornice along the top of the building. The main works will occur on the glazed section of the building, where the entire detailed fenestration is to be removed and replaced with a mix of panelling and window details. The fenestration in this section is extremely important in the design and its overall impression of the building. It is a positive contribution to the design that this has been included.

The proposed materials and how these different elements are combined upon the buildings façade does raise some concerns.

1. Firstly, samples and further details of the proposed Trespa panels or cladding materials needs to be provided. This will ensure that the material choice, colour, texture and design are appropriate and fit with the overall design of the main building. As stated above the key aspect of the current design is the fenestration. The elevations show that the fenestration layout is to be retained, through expressed joints. Further detailing of how this is to be achieved, design and materials, needs to be provided.

2. The windows are to be replaced with double glazed units; however the materials for the windows frame/ surround has not been provided. The use of UPVC would not be appropriate in terms of the buildings design and original materials. Modern aluminium windows such as Velfac double glazed units would be acceptable. However 1:10 elevations and sections will be required. Details should also be provided for the doors, to be inserted into the ground floor shop/ restaurant front areas

This section of the design does require further detailing in terms of materials although the layout seems acceptable, subject to materials.

Any samples for any replacement tiles, required for the columns will need to be provided.

Materials for the Extension

The proposed design for the extension is considered to compliment the current building, and is considered an acceptable design particularly for improving the upper level of the elevation along Trinity Place, which originally was concrete, fronted. With regards to samples and choice of panelling and materials, this will be matched to the choices made on the main building, regarding windows and panels.

The only query raised on the upper level of the development is the use of a metal cornices. Further samples and details regarding how this will impact on the building will be required.

On the lower levels, samples of the matching tiles, the contrasting tiles and the yellow brick work should be included. Details of the shop front should be included also.

It would also be worth providing red brick samples for the rear elevation as this will still be visible from the conservation area, even with the reduced views to the rear of the building.

Furthermore, a condition should be included that any flues and vents required by the restaurant should not be positioned on the external wall, as this will have an adverse effect on the conservation area and the setting of a listed building. There the flues should exit via the roof and this will help to minimise their impact.

Therefore this application is acceptable on conservation grounds, but requires further details of the finish of the panels, windows, shop front and general selection of materials, to ensure it has a positive impact upon the building itself and the surrounding area.

Planning Policy: - Introduction and Key Planning Policies

The development plan for the purposes of this planning application comprises of the South East Plan (2009) and the saved policies contained within the Eastbourne Borough Plan 2001-2011 (2003). The Core Strategy (The Eastbourne Plan) and the Town Centre Area Action Plan were submitted to the Secretary of State on 31st January, 2012. Whilst these documents have not been subject to independent examination, they should be given some weight as material considerations in the determination of this planning application. In addition national planning policy and guidance has been considered where relevant.

The following key policies are particularly relevant to the determination of this planning application:

- Borough Plan Policy HO3: Retaining Residential Use;
- Borough Plan Policy SH3: New Retail Development;
- Borough Plan Policy TC6: Town Centre Shopping Areas;
- Borough Plan Policy TO5: New Tourist Accommodation;
- Emerging Core Strategy Policy C1: Town Centre Neighbourhood Policy; and
- Emerging Town Centre Area Action Plan Policy TC22: Development Opportunity Site Five.

The application site is located on Terminus Road at the junction with Trinity Trees. It is identified on the Eastbourne Borough Plan Proposals Map 2001-2011, as being within a Town Centre Shopping Area: Primary Shopping Area (Policy TC6).

Planning permission was granted at appeal for the site in 2007, with an extension of time permitted in 2011 (EB/2007/0377(FP)). This planning consent allows retail use on the ground floor, with 44 residential units on the upper floors.

There are two elements to this planning application: the proposed ground floor change of use and extension; and the 65 bed hotel on the upper floors. This Planning Policy response deals with both elements in turn.

Change of Use and Extension of Building to Retail Unit on Ground Floor and Basement

Policy TC6 of the Borough Plan states that within primary shopping areas, planning permission will be granted for the change of use of ground floor units in A1 use to A2 and A3 subject to consideration against a set of criteria. Criterion (a) requires the location and prominence of the premises within the shopping frontage to be considered. In this instance the application site (Development Opportunity Site Five in the Town Centre Area Action Plan) "*occupies a prominent and important corner marking the transition between the primary retail focused, central part of Terminus Road and the approach to the Seafront*". The proposed scheme responds well to its prominent location and is considered appropriate when assessed against this criterion.

Criterion (c) requires consideration to be given to the number, distribution and proximity of other ground floor premises and should be used in conjunction with Table 1: Town Centre Shopping Areas and Acceptable Proportions of Frontages in Non-A1 Uses. Table 1 identifies the site as being within Primary Shopping Area (PSA) C (147-187 and 152-202 Terminus Road, and 2-2a Bolton Road). It states that there should be no more than 30% of Non-A1 Uses in this Primary Shopping Area. Currently the percentage of Non-A1 Uses in Town Centre Primary Shopping Area C is 21%. If the ground floor of 202 Terminus Road was changed in its entirety to a Non-A1 Use, the resultant change would increase the proportion of the Primary Shopping Area to 28%, which is still within policy requirements. Since the proposed scheme is only for the *partial* change of use of the ground floor to a Non-A1 Use, the proportion of Non-A1 uses would remain below the threshold and therefore not be contrary to policy.

Criterion (d) requires consideration to be given to the particular character of the proposed use and the level of activity associated with it, whilst criterion (e) requires consideration to be given to whether the proposed use of the building would give rise to unacceptable noise or disturbance. Against both of these criteria, Planning Policy is satisfied that the proposed combination of A1 retail, A3 restaurant or café and C1 hotel perform acceptably.

Policy SH3: New Retail Development states that planning permission will be granted for new shopping developments, which are within an existing designated shopping area, provided that the development is well designed, that there is adequate access for pedestrians, people with disabilities, cyclists and those using public transport. The proposed scheme is unlikely to have a significant impact on residential, visual or environmental amenity and the development complies with Borough Plan policies linked to environmentally sustainable developments.

The Submission Town Centre Area Action Plan identifies 202 Terminus Road as 'Development Opportunity Site Five'. Policy TC22: Development Opportunity Site Five recognises the importance of the site's corner location at the junction of Terminus Road and Trinity Trees. Policy TC22 states that "*Active frontages will address Terminus Road and Trinity Trees to incorporate window displays and principal pedestrian entrances*". It also states that "*Uses which provide an active frontage at ground floor level are required to include Class A1 retail, A3 restaurants and cafes, and/or A4 drinking establishment*". Paragraph 5.25 requires Development Opportunity Site Five to "*Establish a development that clearly signals an important corner marking the transition from the retail core of the Town Centre to the Seafront*". The proposed ground floor element of this scheme incorporates a combination of A1 retail and A3 restaurants and cafes and is therefore consistent with Policy TC22 and will provide an active frontage.

In light of the above, the proposed use of the ground floor as retail (A1) with partial use as a restaurant (A3) would not be contrary to planning policy, subject to meeting the design and access criteria, and compliance with sustainable development policies within the Borough Plan. Planning Policy is also satisfied that this element of the proposed scheme is consistent with the emerging Core Strategy/Town Centre Area Action Plan.

65-Bed Hotel on Upper Floors

The proposed scheme includes a 65-bed hotel on the upper floors and would consequently result in a loss of 44 previously committed residential units that were granted consent by virtue of a planning application (Ref: EB/2007/0377(FP) and which was renewed in 2011).

Policy HO3: Retaining Residential Use, states that planning permission will not be granted for developments that would involve the net loss of the number of residential units previously committed. In addition to this, the site has also been identified in the Strategic Housing Land Availability Assessment (SHLAA) as a deliverable residential site and is consequently identified in the Council's five-year housing land supply. If a change of use of this site to a hotel is permitted, it would result in a loss of 44 residential units that currently form part of the Council's identified housing supply. It would therefore have an impact on the ability of the Council to meet future housing requirements and be contrary to Policy HO3 of the Borough Plan.

Whilst the application site is not located *within* the Tourist Accommodation Area identified on the Borough Plan Proposals (Policy TO1), it is particularly well-related to the Tourist Accommodation Area. It is also well-related to many of the Town's main tourist attractions including the seafront approximately 200 metres from the site, and the Pier approximately 300 metres from the site. In addition, the site is well-related to the town's principal shopping area and rail and bus interchanges. It is therefore considered an appropriate location for additional tourist accommodation facilities. Paragraph 11.12 of the Borough Plan states that "*the Borough Council is generally supportive of proposals for further high quality accommodation as it will contribute to the Town's 'tourist offer'*". It can therefore be reasonably concluded that whilst the application site is clearly located outside the designated Tourist Accommodation Area, its relationship to it

and the Town's key tourism attractions, together with its proximity to a wide range of shops, services and facilities, render the site appropriate for a hotel use (a fact recognised in the emerging Town Centre Area Action Plan).

Policy TO5: New Tourist Accommodation states that in exceptional circumstance planning permission will be granted for new class C1 uses (hotel and guesthouses) outside the tourist accommodation area where it can be demonstrated that it meets three key criteria: there is a need for the proposed development that cannot be met within the tourist accommodation area; the development would link to or complement an existing or proposed tourism or leisure facility; the development would not cause detriment to existing residential, visual or environmental amenity.

Whilst there is some capacity within the Tourist Accommodation Area to deliver enhancements to the level of tourist accommodation in Eastbourne, the application site is so well related to the tourist accommodation area and the town's principal tourist attractions that the principle of a hotel in this location is considered acceptable by virtue of its inclusion as a potential upper floor use in the emerging Town Centre Area Action Plan. The proposed scheme would compliment the existing tourist accommodation having the potential to encourage additional visitors into the town, whilst supporting the aspirations of the Town Centre Area Action Plan to increase tourism and boost the local economy.

The proposal of a 65-bed hotel would not be detrimental to existing residential, visual or environmental amenity, as the site is located within an area which is currently busy and this additional use is unlikely to have an unacceptable adverse impact on residential amenity. The Council is generally supportive of proposals for further high quality accommodation, as it will contribute to the Town's 'tourist offer'

Paragraph 11.6 of the Borough Plan notes that "*Since 1990 the number of hotels and guest houses has declined, with a loss of almost 1000 rooms and over 2000 bed spaces*". The proposed scheme would provide additional bed spaces in an appropriate location that is well-related to the town's main tourist attractions.

The Eastbourne Hotel and Visitor Accommodation Futures Study, which forms part of the evidence base for the emerging Core Strategy and Town Centre Area Action Plan, "*identifies a good future for the hotel and visitor accommodation sector in Eastbourne*" (paragraph 5.1) and identifies possible potential for new-build hotel development.

As identified earlier, the Town Centre Area Action Plan supports the principle of a hotel use on the building's upper floors. Policy TC22 Development Opportunity Site Five states that "*On the upper floors, acceptable uses include Class C3 residential, B1 (a) offices, C1 hotel, D1 community uses and D2 assembly and leisure*".

Within the Submission Town Centre Area Action Plan, Town Centre Objective 8 aims to ensure tourism and business growth within the town centre, by ensuring that opportunities for providing a range of hotel uses through new development

are supported. The Town Centre Area Action Plan also states that given the significance of Eastbourne as an important tourist destination, enhancing the mix of uses in the Town Centre will further add to the appeal of the town as a tourist destination, in turn supporting the regeneration of the Town Centre.

Therefore, the inclusion of a hotel as part of this development would be in line with the aims of the Submission Town Centre Area Action Plan, to have a mix of uses within the Town Centre to support economic growth.

Conclusions

A change of use of the ground floor to part retail and part restaurant is consistent with the Borough Plan and the emerging policies in the Core Strategy and Town Centre Area Action Plan.

The change of use of upper floors to a hotel would result in a net loss of previously committed residential units, which is contrary to Policy HO3 of the Borough Plan. However, the emerging Town Centre AAP identifies a hotel as an acceptable use on the upper floors of the site. The case officer therefore needs to assess whether the emerging policy that supports a C1 hotel use on the building's upper floors should outweigh Policy HO3 and the need for the Council to meet its future housing requirements in coming to a decision about whether or not to recommend the grant of planning of permission.

The Eastbourne Hospitality Association: - Objects to the scheme and for ease of reference their response has been reported in full below:-

The Eastbourne Hospitality Association (EHA) represents over 150 businesses in the tourism industry including hotels, guesthouses, bed and breakfasts, self catering apartments, tourist attractions, and other tourism businesses as well as supporting traders.

The EHA has been approached by a large number of its members and this document purports to put forward a collective stance on the application made on behalf of Whitbread plc, the owners of the Premier Inn Budget Hotel Brand.

The EHA objects to the planning application for the reasons set out below.

References will be made to the policies contained in the current Borough Plan as well as the proposed policies put forward by the Eastbourne Borough Council to form their Local Development Plan ("the draft plan") as this application may fall to be considered before or after the implementation of the 2012 plan. In any event arguments in relation to both plans are not mutually exclusive.

The location of the site is inappropriate for a hotel

A) It is contrary to the Borough Plan and the draft development plan (cores strategy document and town centre plan)

Under the Borough Plan the old co-op building has been designated within a primary shopping area (pg114 – Borough Plan) and within the draft Town Centre Plan (TCP) the building has been “downgraded” into the Secondary shopping area. The building has been identified as occupying a prominent and important corner marking the transition between the primarily retail focused central part of Terminus Road and the approach to the Seafront. As part of the vision as we see it there is a need to link the seafront with the main shopping area. The co-op building represents the opportunity of the first retail offer from the seafront – it is submitted that a hotel does not fit the bill. The downgrading to secondary was no doubt influenced by the ruling by the planning inspectorate to grant permission for the building of 44 apartments on the site – despite this being initially turned down by the planning committee (if reports in the local press are to be believed). However, in the draft plan it is clear that the site is earmarked for dwellings with a target of 50 dwellings and 500m sq of retail/other floor space. This application is a departure from that vision. Policy TC22 indicates that required uses are A1 retail at ground floor and C3 residential above ground floor. Acceptable additional uses have been listed as restaurants and cafes, drinking establishments and offices, hotel or community and leisure uses above ground floor. The EHA was not previously consulted on the possibility of a hotel being on this site. Accordingly this is the first occasion that has arisen for the planning committee to assess the appropriateness of a hotel in a town centre location as it represents a major departure from what has hitherto been an established policy.

Under the existing Borough Plan there is a clearly defined Tourism Accommodation Area as outlined on the Proposals Map. The Borough Plan identified, when it was drafted, that at that point there had been a decline in the available bed spaces available and policies TO1 and TO2 were introduced with the express intention of maintaining the bed stock. This has been vigorously policed by planning committees over the years which explains why Eastbourne has one of the highest amount of bed spaces in the South East (7,500) – beating even neighbouring Brighton – despite our tourism appeal being regrettably perceived as lower. This is why Brighton accommodation room rates are far more expensive than in our town.

The current application is for a site outside of the Tourism Accommodation Area and is contrary to policy TO5 which states inter alia; “In exceptional circumstances planning permission will be granted for new class C1 uses (hotels and guest houses) outside the tourist accommodation area where it can be satisfactorily demonstrated that:

- a) There is a need for the proposed development that cannot be met within the tourist accommodation area; 3*
- b) The development would link to and complement an existing or proposed tourism or leisure facility;-*
- c) There would be no detrimental effect on residential, visual or environmental amenity (see Policies HO20, UHT4, and NE28), including views from the Downland (UHT3)*

It is submitted that there is not a need for the proposed development that cannot be met within the tourist accommodation area. There are currently a large number of existing hotels and guesthouses that are on the market for sale and some have been on the market for a considerable amount of time. A list will be provided at the committee meeting if required. Indeed it is submitted that a proposed development outside the tourist accommodation area requires the committee to consider whether additional bed spaces are required at all when an application is made outside the tourism accommodation area. The EHA are currently conducting a study which will illustrate that the annual room occupancy rate is at a position where Eastbourne does not need any new bed spaces created. This study is being conducted to impress upon the planners of this town that they have parts of draft policy D3 wrong and that the current TO policy of preventing current hotels and guesthouses converting to residential is outdated. It is hoped that some of this information will be available in time for the hearing of this application and it will be presented to the committee orally. The EHA intend to show the committee that there are very few occasions in which the town is full to capacity. Indeed when one takes a yearly look at the figures it actually tells a more depressing tale. Accordingly it was a huge shock to the EHA to learn that the planners of the town would not only restrict the current owners in not being able to convert their properties to dwellings but would saturate the market with additional bed spaces that would be unsustainable potentially on this site but also apparently above a train station car park should the opportunity present itself. In short, the existing bed stock in the available buildings within the designated tourist accommodation area can manage the 65 bedrooms envisaged by this development.

Sticking with the Borough Plan, which is as of today the plan in force (as we understand it the draft proposals still need to be consulted upon following approval by independent assessment – the planning committee should be aware that the EHA proposes to make adverse representations on the core strategy document and the town centre plan as it relates to tourism and if necessary challenge the policy prohibiting current hotels and guesthouses being unable to convert to residential dwellings unless they prove they have made a loss for 3 years) – TO5 is further departed from in that the site does not link to and complement an existing or proposed tourism or leisure facility. It is also submitted that pursuant to paragraph c) the proposed site would have a detrimental effect on residents. This is dealt with under separate heads below .

*Even under the new draft plans there are some conflicts which should be brought to the committee's attention. Firstly Policy D3 would "resist the loss of visitor accommodation through the retention of a tourist accommodation area and protection policy". This it is submitted mirrors the effect of the old TO1 and TO2. It clearly envisages a tourist accommodation area and it is submitted that this site is an inappropriate ingress into the town centre for such an area. Secondly the policy supports "the appropriate upgrading of existing hotels and holiday accommodation to provide improved facilities for visitors as well as supporting proposals for additional accommodation in the sustainable centres" (of which the town centre has been identified as one). This is an interesting proposition in that first the plan envisages sorting out "the existing stock" before turning its attention onto supporting proposals for **additional** accommodation in the **sustainable** centres. At the present moment in time the town has too many vacant hotel sites (one is literally down the road from the*

old co-op building- which is an illustration of the old regress of the accommodation zone to its current position) and too many existing buildings to "upgrade" and it is submitted that efforts should be made at filling those before creating new bed stock outside of the area envisaged for tourism. Paragraph 4.3.6 of the draft plan explains, "Seek to protect and enhance the quality of the resort's existing accommodation stock as well as supporting measures to enhance the levels of accommodation where appropriate". Bringing back on-line existing empty hotels is the way forward here – not creating new builds – which if allowed to take place will have a negative impact on the existing bed stock – in particular the low end budget b & b and guesthouse market who will not be "maintained" if this application is granted as they will go to ground or have to resort to providing DSS accommodation. Under draft policy D1 the new development must deliver "economic, social and environmental wellbeing". This it will certainly not do if, because of this proposal at least 6 or 7 other accommodation providers go out of business. The vision of the draft plan is to decrease the "short stay" and try to increase the length of visitor stays. The current proposal – owing to its location will not do that as the location is on a busy main road in the middle of an area designated for increased night life – would you want to sleep there for a long period of time? It is submitted that even under the draft plan the site is not suitable for a hotel.

The proposed site is also in conflict with draft Policy D4 (shopping). The opening line of the policy states, "**Development of the Town Centre's role as a primary comparison shopping destination within Eastbourne and its rural hinterland will be promoted by : protecting larger units – particularly in the primary shopping frontages – from subdivision or change of use**" The old co-op building represents if not the largest then one of the largest units available in the high street. It is imperative that a large retail presence is maintained. This is also the spirit of the retail provisions under the current Borough Plan.

B) Lack of parking facilities

Members of the committee will know about the lack of parking facilities in the town and we do not intend to teach you how to suck eggs. However, the applicants have, with respect treated parking in their application as if it is no consideration and have it would seem a care free attitude about it. It is of crucial importance. As hoteliers we will tell you that the FIRST question a private guest asks when they are booking a room is, "Where can I park". Any argument put forward that most guests get public transport is absolute rubbish – if you do not believe us on anything – please believe us on this. Simply relying on current provision for a new build is illogical and irresponsible. Certainly any new residential accommodation must now have adequate parking – why should it be any different for a new build hotel? A 65 bed roomed hotel will have a fair number of staff to cater for. Most staff in the hospitality industry comes from out of area. They inevitably drive in (sometimes due to unsocial hours) and they will want to park – and they will choose to do so in areas outside the parking restrictions thereby putting additional pressure on those areas. The road to the side of the building has "S" zone parking spaces – currently mainly used by residents. These will now be able to be used by guests of the hotel as they will be entitled to issue "Hotel Visitor Permits". The idea that guests will use multi storey car parks is contrary to reality – they will seek to park near the hotel.

Behind the building is a private car park for a residential care home. The care home will have to get that policed because hotel guests will try to park there – causing inconvenience and expense for them. As it is we are aware that residents have difficulty parking outside their properties because of the shared bay situation. Having 65 cars from this hotel fighting for these spaces will make the situation unbearable.

It might be submitted by the applicants that this has been dealt with by the inspector when he gave permission for 44 apartments and surely this sets a precedent as far as the "parking argument". The situation is distinguishable. If someone was going to buy a flat in a town centre and they work in the town centre – then they would not necessarily need a car. If a guest comes for a one night stay – they are likely to bring the car. Also it could be that the reason why despite permission being granted (and recently extended) to put up the flats – the developer has finally realised that they would not sell without parking any way. Furthermore having 65 rooms introduces 21 extra units. By putting a hotel here in its place will not make the parking issue go away – it will actually make it worse.

C) Accessibility

The hotel's proposed entrance opens onto a bus stop in a busy two way main road. Highly inappropriate. Guests will park and unload in what is quite a large bus lane and would cause traffic and congestion. There is limited space for guests to pull up and even deposit their luggage – save for one loading bay on the side of the building which would also have to service deliveries etc. There are also no nearby parking facilities for the disabled.

D) Noise and nuisance

The proposal will include a Whitbread style bar/restaurant which will also be open to the public. There are a number of flats opposite as well as the residential home. This facility will create noise and disturbance. The EHA is aware that there is a very active neighbourhood panel in that area of town and they will repeatedly complain about the problems thereby taking up police and council resources in having to deal with these complaints.

E) Not in keeping with the tourist vision and inconsistent with a high end tourism offer as well as failure to keep a beautiful part of the building

It is an ambition of the town to attract a high end, high spend tourist to Eastbourne – hence all the work that is being put into this aim by the tourism department. It is submitted that this proposal goes against that aim. Not only because of the target market of the applicant but also because of the building that is proposed to be used. (Its location and style).

Also the back part of the building has some beautiful features and should be maintained and not either knocked down or hidden by the applicant's proposals. The EHA understands that there are concerns to be voiced by the Eastbourne Heritage Society.

Objections on the grounds that the TYPE of accommodation being put forward is not appropriate

The EHA have consulted with the Tourism Department who we understand are putting forward objections on the grounds that the town does not need any further Budget accommodation. We adopt this argument. They also object on the following grounds which we too adopt:

Premier Inns already have 2 existing buildings outside of town

National Budget chains such as this add nothing to the tourist offer. As indeed has been evidenced by their other hotels as well as the other budget chain we have in the town.

The D3 policy and the existing TO policies underpin the desire to enhance and improve the current bed stock. A number of properties such as Vernon House, the Afton, Savoy Court (to name but a few) have spent a lot of money improving their facilities and they will be directly impacted upon by the cheaper room rates a chain like this will be putting forward.

Similarly the council have impressed upon hoteliers to improve their facilities and many small bed and breakfasts and guesthouses have also heavily invested. By bringing in a further Budget chain will discourage and deflate the current property owners and will do the opposite of encouraging them to improve their facilities. Accordingly the planning policy and objective of draft D3 and the current Tourism policy in the Borough Plan will be totally undermined.

The Tourism study in 2010 conducted by the tourism department revealed that there is a shortage of top end holiday accommodation (e.g. Boutique style) and luxury 4 star hotels as opposed to budget end. This is crucial for the conference market the town wishes to develop with the Devonshire Park project.

Budget chains such as this add nothing to the tourism economy. They do not join membership schemes such as the council run conference membership scheme, the DMS system and the Holiday Guide. All of these council run resources generate vital funds for the tourism provision in the town and so there will be no potential for the tourism department to directly benefit from this development.

The EHA and its members individually contribute significantly to the tourist offer that made Eastbourne one of the top UK destinations last year. Many hoteliers will see the granting of this application as an attack on their livelihoods and a betrayal of the special relationship that has been developed between the council and the association. This could risk undermining that relationship in the future.

We should further add as an aside that this development would potentially also have 2 restaurants as part of its fabric. Although having a number of restaurants in the same area is attractive – it is clear with recent closures and again with vacant units in Terminus Road that these too are not economically sustainable.

Conclusion

Although on the face of it the offer of a recognisable brand coming to the town is attractive – particularly in light of the current economic conditions and the

fact the building has been empty now for many years – we hope that we have been able to illustrate that there will be serious repercussions should this be given the go ahead and will set a very dangerous precedent. A debate is needed as to the real need of beds in the town as it is clear to us that the planners advising you have no idea of the situation that currently exists. There are some great projects in the pipeline in the town – such as the Devonshire Park Review – which interestingly also earmarks the same car park to be used by the hundreds and thousands of extra (day) delegates they hope to attract. It is submitted that Eastbourne is not yet ready for an increase in its bed stock in the way this application proposes. It is of note that the lead time under the draft plan for this building is "medium term" – which starts in 2017. There is still work to do in the current tourism accommodation area before we turn to opportunities outside it. The hope must surely be that with an increased retail offer that the new extended Arndale centre will bring; there will come a surge in interest for other retail opportunities and that this expands to the co-op building area and truly links the seafront with the retail offer of the town. The committee is urged not to bow down to pressures of convenience and speed and we implore you, for the good of the town, to reject this application.

Sussex Police Crime Prevention Officer: - Crime and anti-social behaviour is above the average for the rest of Sussex therefore crime prevention and personal safety should be included in the proposals. Pleased to note that in the applicants BREAAAM pre assessment that security is a category. Sussex Police are committed to working with the applicant through the detailed planning stage and as such conditions should be attached to any approval given.

Southern Water: - Following initial investigations, there is currently inadequate capacity in the local network to provide surface water disposal to service the proposed development. The development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result...Advice that the applicant investigates alternative means for surface water disposal...If supported then a foul and surface water condition be attached.

Councillor Stanley Portfolio Holder for Tourism & Leisure on Behalf of Tourism:-

- Eastbourne is already well provided for with budget accommodation, and are already benefiting from high level advertising campaigns that both Premier Inn and Travel Lodge run so can see no new advantages with another Premier Inn in Eastbourne, other than the obvious of filling an empty headline building.
- From a sustainable point of view for tourism services, Premier Inn do not contribute to this, as they do not take any paid advertising in the holiday guide nor do they participate in the DMS or any membership schemes, there are no opportunities to take commission on bookings, so there is no economic driver to tourism services direct.
- Furthermore the location of the Premier Inn will have a detrimental effect on businesses particularly within the vicinity, there are a number of hotels that have invested significantly, recently (Savoy Court, Vernon House, for example) and they will be effected by the ability of the Premier Inn to offer very low universal tariffs.

- Budget accommodation does not compliment the Tourism Marketing Strategy in terms of attracting a higher yield visitor. The newly launched cultural and sporting packages offer unique accommodation which is one of the selling points of the destination
- The development of the Premier Inn without research that confirms the demand feels premature. Where is the evidence that additional bed-stock is required, The Tourism Development Unit will be undertaking quality visitor profiling research during 2012, this research will define the current visitor and will also ascertain what Eastbourne needs to do to retain its share and indeed grow its share of the market. The research will also underpin the investment and the 'must haves' that Eastbourne needs to remain sustainable. Surely this research should come before any agreement for additional bed stock

Other Representations 09/03/12

A petition with 97 signatures has been received objecting to the scheme and that this petition should accompany the objection from Eastbourne Hospitality Association.

15 objections have been received to the application and their comments have been broadly summarised below:-

- Eastbourne has too many hotels guest houses and Bed & breakfasts
- Budget hotels would devalue Eastbourne as a select premier destination
- This is a retail area not a hotel area
- Parking problems
- Outside tourist accommodation area
- There are a number of vacant hotels with the Tourist Accommodation Area where this hotel could go
- Parking problems would dissuade residents to other hotels from visiting again and re bookings would fall
- B&B's would go out of business and would leave a number of vacant units within the other parts of the town
- Eastbourne has enough budget hotels
- Number of existing trading hotels that are on the market
- Should be a retail use and something like John Lewis would be good
- Further bed spaces not needed
- Existing policies restrict the loss of tourist accommodation
- Very rarely is the existing bed stock full probably 10-12 Saturdays per year
- National hotelier would siphon money out of the town
- Noise and litter would increase
- Such development can only damage the long term viability of smaller establishments such as ourselves as we are unable to compete with the cost cutting by such low budget hotels, particularly during the off season winter months.
- Would not be viable to continue to invest in the upgrading of the hotel stock as the smaller B&B's could not compete
- It is clear from observation along the seafront and discussions with other small hotel and guesthouse owners that, other than exceptional periods such as Airbourne and Tennis weeks, there is always available bed spaces

in the town, so why do we require another 65 bed spaces specifically targeted at the low budget end of the market?

- Whilst the proposed development may appear a boost for the town in the current economic climate and will no doubt generate low paid jobs we would propose that this will only be a short term improvement. The resulting impact medium term will be the closure of smaller hotels and guesthouses driving Eastbourne further towards the lower quality end of the accommodation market with less choice for visitors.
- Direct overlooking and loss of privacy

2 letters of support commenting in the main on the following issues:-

- Many of the Eastbourne Hotels are coaching hotels and as such their clientele do not spend much in the local economy (restaurants bars etc)
- Great place for a hotel
- Great use for the reuse of this building.
- It's a great art deco building and with refurbishment will bring it back to its former splendour

Appraisal:

The main issues to consider in the determination of the application relating to the following:-

- The principle of the new development
- Impacts of competition upon the exiting providers of holiday accommodation within the town
- Loss of the extent of existing retail floor space
- Loss of residential units (approved under earlier consent)
- Parking
- Design and external alterations
- Residential amenity

The principle of the new development: - The Local Plan has within it policies that seek to control the location and retention of tourist accommodation.

The site is located outside of the Tourist Accommodation Zone as identified within the Local Plan and as such only in exceptional circumstances should new tourist accommodation be supported.

The site is located within the Town Centre boundary Eastbourne Town Centre and the site has been identified as a key site with the Town Centre Area Action Plan which is currently at Submission stage and is likely to be adopted following an Examination in Public later this year.

The Town Centre Area Action Plan identifies the site as being suitable for a range of town centre uses and 'hotel' has been specifically identified.

The existing building has been vacant since 2007 and despite active involvement of local national agents and the Councils Economic Development Unit no alternative use has been found. Given the time since the last user occupied the building the external appearance of the building has deteriorated

and in recent months has declined quite dramatically to the extent that its external appearance is considered to have a damaging impact upon the character and appearance of the site.

The deterioration of the external appearance of the building and also the lack of any inward investment to secure a new tenant has resulted in the building being placed with the Difficult Property Group of the Councils who are charged with trying to secure improvements to the external fabric of the building.

It is considered that land use of the site as identified within the Town Centre Area Action Plan added to the desire to secure a new use which would refurbish a building which would stop the building falling further into decline all amount to exceptional circumstances and therefore the principle of hotel accommodation on this site is not objectionable in principle.

Impacts of competition upon the existing providers of holiday

accommodation within the town: - A number of third party correspondents have commented that there is no need for additional bed spaces within Eastbourne as the existing bed stock is not fully occupied and that if supported this scheme would result in a number of existing B&B's going out of business.

As identified in the preceding section and also articulated in the response from Planning Policy the site is considered suitable in planning terms for hotel accommodation and as such the principle on planning grounds is sound.

The inward investment of National operator into Eastbourne's Hotel Market is to be welcomed in planning terms as it would add to the range and type of accommodation available and would provide for local employment opportunities as well as assisting in the development of the local economy. It is accepted that the counter view is proposed by the representatives of the Eastbourne Hospitality Association (EHA).

Members will be aware that issues over the threat to existing trade for existing hoteliers is an objection based wholly on competition and as such can not be given significant weight in the assessment of the scheme.

In addition EHA have suggested that a number of B&B's will go out of business given the loss of trade to this new competitor, however no empirical evidence has been supplied to support this claim, however it is accepted that an element of trade may be diverted to this new establishment. Given the in principle support for the use of the site as a hotel the redistribution of trade in this instance is considered to be acceptable in planning terms.

In addition EHA along with other correspondents go onto claim that the planning system is unfair in that the owners of B&B's could not obtain planning permission for the conversion into more viable and profitable uses. On this issue the Council have established a long standing local plan policy and also supplementary planning guidance which aims to give support and guidance to those looking to offload their tourist asset.

As Members will be aware each and every application that we receive will be judged on the planning merits involved in the case in hand; so in terms of those

looking for changes of use of their tourist asset then the onus of proof in terms of the loss of the tourist accommodation lies squarely with the applicant to prove and not to the Council to disprove. Where the evidence has been justifiable and tested against the Councils policy the Council have accepted the loss of the tourist accommodation.

Loss of the extent of existing retail floor space: - The former use as a Co-op department store traded over a number of floors and this scheme would result in a significant reduction in the available retail/commercial floorspace. Whilst this is regrettable the loss of the retail floorspace has been accepted on the previous scheme.

Acknowledging the sites' key-prominent location within the town centre an element of retail/commercial floorspace is retained on the ground floor at the junction of Terminus Road and Seaside/Trinity Trees. This ground floor space is proposed to be flexible falling within the Use Classes A1 Retail, A2 Financial and Professional Services, A3 Restaurants/cafes, and A4 Drinking Establishments.

If supported the commercial element of the scheme would propose a flexible consent that would allow the use to change between any of the above uses for 10 years from the date of the decision notice without the need for a further specific permission. This is considered to be acceptable as all of the proposed uses are considered to be suitable for the site town centre location and would add to the range of uses on offer in this part of the town centre. In addition even if retail were not to occupy the building then the new use would not result in an over concentration of non retail uses in this part of the town centre.

Loss of residential units (approved under earlier consent):-

It is accepted that there is a valid planning permission for the demolition of the Co-op building to be replaced with a new building providing accommodation for retail floor space with 44 residential units on the upper floors.

If this scheme is supported and subsequently implemented it would result in the loss of these residential units from the planned delivery. This loss of in the delivery of committed residential units is contrary to the aspirations of the local plan specifically HO3 Retaining Residential Use.

Given the current economic climate it is unlikely that a flatted development would be implemented in the short to medium term; as such it is considered that the existing residential consent should not be significantly material in the assessment of this scheme.

Parking: - The scheme cannot accommodate any off street vehicle parking and does not therefore promote any; it relies fully on existing town centre parking facilities to meet its parking demand.

The lack of off street parking is common to a vast majority of tourist accommodation uses across the town and as such a refusal based on the lack of parking here could not be substantiated. The site is located within the town centre of Eastbourne and as such close to a number of public transport links.

The applicant acknowledges that an element of their trade may come from car borne travellers and to mitigate the impacts upon the local highway network they propose to have on their web site a route planner and also identify the location of existing parking facilities within the town. It is accepted the NCP in Trinity Place lies almost adjacent to the rear of the site.

Design and external alterations

The conversion of the existing department store is seen to be a positive element of the scheme. The department store has significant character and as it is situated on a prominent corner. As the proposal seeks to retain and refurbish this structure the benefit to the surrounding character and visual nature of the area is significant.

The proposal is in line with Central Government advice to redevelop previously developed sites and it is considered that the refurbishment of the old department store optimises the development potential of the site, but also responds to the local context and the surrounding area.

The massing, scale and design of the extensions are in keeping with the surrounding area. The addition of one storey on the Trinity Trees and Trinity Place will respect the surrounding area as it does not represent a significant addition.

Considering that the existing department store is to remain one storey higher, the extension along Trinity Trees and Trinity Place will look subservient to the main building and therefore the character of the area is maintained.

It is accepted that the proposal includes significant remodelling of the existing fabric of the building, this remodelling across the existing and new build would give a modern and unified visual appearance to the development and as such would ensure that the short and long range views of the site are maintained and therefore the wider character of the site and surrounding area are not affected.

Alterations to the Trinity Trees/ Trinity Place elevations are such that they remain respectful to the host building whilst not impacting upon the adjacent Conservation Area and or Listed Building (Trinity Trees Church). On this point there are no objections to the part demolition of the building to the rear of the proposed scheme

Residential amenity:-

A key issue is the potential impact on residential amenity including loss of privacy, overlooking, loss of daylight, overshadowing, noise and disturbance.

The reduction in the height as a result of the proposed demolition to the rear of the existing building would improve the outlook and physical relationship with the properties that abut/adjoin the site.

The proposed hotel use would provide for a element of quasi residential use and as such there is the potential for overlooking from windows more so than when the site operated as a department store. This is noted, however the likely loss of

amenity that would result would be likely to be transitory and not long standing and as such a refusal based on the loss of privacy through and by direct overlooking could not be substantiated.

The site is located with the Eastbourne Town centre and as such there is a degree of background noise from other commercial activity, both during the day and night time. Set against this existing background noise level the noise and activity associated with the proposed hotel use would not so severe as to warrant a refusal of permission.

Human Rights Implications:

None

Conclusion:

This application is recommended for approval.

The conversion of the old department store refurbishes a building with significant character in a prominent location and will provide a boost for the local economy as currently the site lies vacant and a 65 bed hotel will provide extra tourist accommodation as well as much needed jobs.

In addition as the ground floor retail/commercial element is to be kept it accords with planning policy as there will not be a significant reduction in retail frontage.

The proposed extensions are also deemed acceptable as an increase in one storey on the Trinity Trees and Trinity Place elevation is not significant enough to harm the character of the area and the rebuilding of the building behind Trinity Place cannot be easily seen from the public realm.

It is not considered that there will be a detrimental impact on residential amenity.

Recommendation:

RECOMMENDATION : Subject to S106 agreement detailing local employment issues then Permission be granted subject to the following conditions:

- (1) Commencement of development
- (2) Samples of materials
- (3) Time restriction for demolition, site clearance or building operations
- (4) Accordance with plans
- (5) Window details and specification drawings
- (6) BREEAM assessment accreditation

- (7) Details of Plant and Machinery
- (8) Details of refuse facilities
- (9) Details of loading and unloading
- (10) Foul and surface water disposal

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.

Signed:

I declare that I have no prejudicial interest in this application

Case Officer:..... Date:

B & DC Manager:..... Date:

Item 7

App.No.: EB/2012/0123 **Decision Due Date:** 04/04/12 **Ward:** Hampden Park

Officer: Leigh Palmer **Site visit date:** Numerous at pre application and post submission stage **Type:** Full Permission

Site Notice(s) Expiry date: 21/03/12
Neigh. Con Expiry: 21/03/12

Over 8/13 week reason: Within time

Proposal: Change Of Use From Indoor Go Kart Track (Sui Generis) To Mix Use, Motor Vehicle Auctions, Car And Van Rental Offices, Vehicle Body Shop And Garage, Mot Testing Station And Associated Offices, Restaurant And Parking, Together With Associated External Alterations Including Demolition Of Part Of Existing Building At 46 Brampton Road

Applicant: Eastbourne Car Auctions

RECOMMENDATION:

Grant Planning Permission subject to Conditions

Proposed development:

Members may recall that under planning permissions EB/2011/0563 & 0556 consent was given in December 2011 for the comprehensive redevelopment of the above site to provide a new site and buildings for three businesses (Eastbourne Car Auction (ECA) , Highfield Vehicle Repairs and Choice Vehicle Rentals)

Since the planning permission was granted and the ownership secured by ECA, a more detailed assessment has been carried out of the site and buildings. This has shown that more of the building can be retained, refurbished and reused to suit the operational needs of ECA and the other businesses that will be relocating to the site. There are obvious financial savings with the retention and refurbishment of more of the building and it makes sense commercially to have a scheme which can be implemented quickly.

In practice, the proposed change to the scheme is little different to the scheme which has already been approved by the Council.

Because the majority of the existing building is being retained, and no new floorspace is being constructed, the revised application is a simple change of use of the existing site and buildings to facilitate the mix of uses envisioned by ECA in the original application

Physically, once the small area of the southern end of the building has been demolished (comprising some 900 sqm), the retained building will require a new end wall with roller shutter openings. There will be other minor elevational changes and a new area of roof above the proposed new sales hall to increase natural light and provide a more open feel to this part of the building. The uses within the refurbished building of 46 Brampton Road and the newly refurbished building on 46B Brampton Road are intended to provide ECA and the other relocated companies from the Highfield site with the flexibility to continue their operations and serve their customers. The mix of uses across the site will continue to comprise a facility for holding motor vehicle auctions with associated offices and restaurant, car and van rental offices, vehicle body shop and garage together with an MOT testing station

The means of access and circulation remain as per the original approved scheme but one advantage of the changes to the main building on 46 Brampton Road has been the potential to increase the area of on-site parking for customers on sale days. Most of the area to the south of the building was originally to be covered by the new steel frame structure and incorporated into the sales display parking. However, as this area is now mostly uncovered, there is greater flexibility for it to be used either for sales parking or for customer parking.

As described above, having secured planning permission and ownership of the site, ECA now wish to press on with a modified scheme which they can deliver quickly and efficiently whilst still realising all of the benefits to their business and the wider local economy

The size of the retained building is some 4,000sqm and will provide all of the facilities as proposed within the previous scheme namely car storage, valet area, viewing and auction area and service-support accommodation. In addition the scheme proposes the retention of more of the existing office accommodation at the site; this will be surplus to the requirements of the operators of the site and it is the intention that this accommodation will be sublet to other businesses in the locality.

Supporting Documentation

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

Planning Statement t:- 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.

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.

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 on-site 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 Curry's 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
- EB/2011/0563 - Demolition Of 46A And 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 1)
- 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 Body Shop 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 2)

Consultations:

The Council have adopted the same consultation regime as the original scheme. At the time of drafting no responses have been received. Given the similarities to the original scheme the responses received under the original applications have been reported below:-

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.

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 planning permission has already been granted and the site is currently operational for the three businesses (ECA, Highfield and Choice).

On the earlier approval it was identified and acknowledged that there was a high level of synergy between the three businesses and their retention within the Borough would help to support the profile of the Town and also support the local economy.

The comprehensive redevelopment as previously granted has been placed on hold given the current economic climate and as a result the upgrading in visual terms that a new building would have brought to the site and surrounding area will now not occur.

Notwithstanding the previous comment the retention of the existing building, as amended by this proposal would result in a building that is not of character with the site and surrounding area and as such a refusal based on design grounds could not be sustained.

Job retention and Job creation Local Economy

As illustrated by the planning approvals and this application 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 there is the potential that this long standing Eastbourne Company would very likely have to relocate to a location outside of Eastbourne and as such Eastbourne would loose 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. Moreover this issue was assessed and concluded to be acceptable given the previous approvals at the site.

Traffic Issues

Officers are aware that there are some parking and access issues that have arisen at the site; this is a temporary issue during the construction phase of the development and when complete there should be adequate off street parking for all businesses at the site. It is important to note that the retained building is smaller than the previously approved scheme; as a result there is the potential to accommodate further off street parking spaces than that previously agreed to.

A planning condition is recommended requiring further details on the staff/customer requirements to be submitted and approved.

The original application was accompanied by a traffic impact report, this concludes that as the uses already exists 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 27 March 2012

Item 8

App.No.: EB/2012/0178 **Decision Due Date:** 20 March 2012 **Ward:** Hampden Park

Officer: Jane Sabin **Site visit date:** 8 March 2012 **Type:** Minor

Site Notice(s) Expiry date: N/A

Neigh. Con Expiry: N/A

Weekly list Expiry: N/A

Press Notice(s)-: N/A

Over 8/13 week reason: Referred to Committee by Chair

Location: Parklands Infant School, Brassey Avenue

Proposal: Provision of two single mobile classrooms, to be located to the south-west (site A) and north-east (site B) of the main school building for a temporary period of four years to August 2016.

Applicant: East Sussex County Council Children's Services

Recommendation: No objections be raised

Planning Status:

N/A

Relevant Planning Policies:

UHT1 - Design of development
HO20 - Residential amenity

Site Description:

This substantial school site is located off Parkfield Avenue, and is bounded by Lindfield Road, Roffrey Avenue and Brassey Avenue. There are separate buildings for the infant and junior schools.

Relevant Planning History:

None relevant.

Proposed development:

Permission is sought for the siting of two single mobile classrooms measuring 9m by 8m and 3.5m high, finished in "East Sussex Green". One unit is to be sited on the north side of the school building, whilst the other would be on the south side, adjacent to the junior school building and facing the playing field.

The application has been submitted to East Sussex County Council as the local planning authority, and this Council's views are sought on the application.

Applicant's Points:

- As a result of significant recent increases in births in the town, there is likely to be a marked shortage of Year R (reception) places. Parklands intake of 60 pupils per year is likely to be increased by more than 30 in the next few years.
- It is proposed to install one unit in 2012, and another in 2013 to follow the intake of pupils; permission is sought until August 2016.
- Temporary accommodation is a recognised way of providing additional places, and provides a valuable and flexible resource.
- If the increase becomes a longer term trend, the Education Authority will consider providing permanent accommodation, subject to funding being available; the Authority needs to be certain that there is a long term need before doing so to ensure that it doesn't add surplus capacity to the system which may then create viability issues in times of low pupil numbers.
- A review of primary places in Eastbourne is ongoing and this will inform proposals for long term provision in the town, if appropriate.
- The canopy of one tree will have to be reduced to permit the siting of one unit.
- Two additional parking spaces will be provided.
- There will be four additional members of staff.

Consultations:

N/A

Neighbour Representations:

One objection has been received (direct) from a resident of Parkfield Avenue, who is concerned about the increase in traffic and dangerous/inconsiderate parking as a result of the increase in pupil numbers; if the lack of infant school places is a problem, then she would like to know why Hampden Park Infants was closed down, as it seems it should not have happened.
(E-mail received 13 March 2012)

Appraisal:

The main issues to take into account in determining this application are the impact on visual amenity, and the impact on nearby residents.

The units are sensitively located within the school site, so that one would be facing the playing fields and the other close to the main building. There would be ample distance from nearby residential properties, and neither would be directly facing them.

The increase in pupil numbers would be unlikely to have any noticeable impact on residential amenity, given the size of both schools taken together. This would also apply to parking issues, which are of a temporary nature twice each, and is the same at every school in the borough.

Human Rights Implications:

None.

Conclusion:

It is considered that the proposed development would have not have an adverse impact on visual or residential amenity.

Recommendation:

No objections be raised.