

Planning Committee

MEMBERS: Councillor UNGAR (Chairman) Councillors COLES (as substitute for Murray) COOKE, HEARN, JENKINS, MIAH and MURDOCH (as substitute for Taylor).

(Apologies for absence were reported from Councillor Taylor, Councillor Murray and Councillor Harris)

45 Minutes.

The minutes of the meeting held on 30 October 2012 were submitted and approved and the Chairman was authorised to sign them as a correct record.

46 Declaration of Interests.

None declared.

47 Report of Head of Planning on Applications.

1) EB/2012/0609 - Parkfield Public House, Lindfield Road, Eastbourne - Lawful Development Certificate For The Change Of Use From Class A4 (Public House) To Class A1 Retail - **HAMPDEN PARK**

The relevant planning history for the site was detailed within the report.

RESOLVED: (By 6 votes with 1 abstention) That the proposed change of use be permitted by Class A, Part Three, Schedule Two of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2005.

2) EB/2012/0624 - Eastbourne District General Hospital, Kings Drive - Erection of single storey portacabin and link extension together with reconfiguration of car park – RATTON.

The relevant planning history for the site was detailed within the report.

The observations of the Highway Authority, the Environment Agency, the County Archaeologist, the Council's Arboriculturist and the Sussex Downs College were detailed within the report.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Temporary permission until 31 December 2015 2) Approved plans reference 3) Finish to match Polegate ward 4) The proposed parking spaces be available prior to the new ward/building coming first

3) EB/2012/0636 (OL) - Garage block on south side of St James Road - Redevelopment of site including demolition of existing garages and erection of a terrace of three houses with associated parking (outline application) – **DEVONSHIRE**. Five letters of objection had been received.

The relevant planning history for the site was detailed within the report.

The observations of the Environment Agency, Policy and Highways were detailed within the report.

The committee agreed that there was insufficient information to be able to determine the application. A motion to refuse the application proposed by Councillor Jenkins and seconded by Councillor Miah, was lost 2 votes to 3.

RESOLVED: (by 5 votes to 2) That permission be deferred to allow officers to seek further information to allow the committee to determine the application at a future meeting.

4) EB/2012/0641 - Parkfield Public House, Lindfield Road - Change Of Use From Public House (A4) To Retails (A1) Together With Demolition Of Existing Single Storey Extension And Erection Of Two Single Storey Extensions – **RATTON**. 12 letters of representation and a petition of 306 signatures had been received.

The relevant planning history for the site was detailed within the report.

The observations of the Local Highways Authority, Environmental Health, the Council's retail consultant and Planning Policy Department were detailed within the report.

The committee were advised that an additional disabled parking space had been provided at the behest of the County Highway's department.

Mr Thompson addressed the committee in objection stating that he appreciated that the law had to be taken into account but a local pub was needed. Mr Thompson stated that residents did not want another shop. If the hall adjacent to the pub was demolished it would result in a loss of a public amenity with no proposal for replacement. Other pubs were too far away i.e. Red Lion and Wheatsheaf at Willingdon, with no other pubs in 'immediate vicinity' as claimed by applicants.

Councillor Belsey, Ratton Ward councillor addressed the committee in objection stated that the site was on boundary of Ratton and Hampden Park wards. Councillor Belsey stated that he found the application strange, having known pub for some 40 years, some facts in submission flawed. Mr Belsey referred to the recommendation to approve but highlighted that planning policy was against approval. The Council's Retail Consultant had stated that the proposed new retail store could lead to closure of other shops in the area. Councillor Belsey referred to the other public houses mentioned within the report, and did not agreed that there were any within the 'immediate vicinity' Councillor Belsey highlighted the application site as a community facility that should be allowed to remain.

Mr Dunlop, Applicant's Agent, addressed the committee in response stating that the officer's report was comprehensive and that the change of use was permitted development. The two small extensions would improve the appearance of the building. There had been no objections regarding access, parking or noise. The current building was in a poor state of repair and this proposal would guarantee investment in the building and immediate re use. Mr Dunlop stated that Punch Taverns had not been able to keep continuous trade at the premises.

In his opening address the Chair referred to saved policy LCF24 in the local plan put in place to safeguard loss of pubs as a community facility and stated that the application should be refused on basis of that policy.

The Development Planning Manager explained that the policy was now irrelevant in relation to changes of use to retail as these were now covered by the amendment to the GPDO .The policy could still relate to proposed changes to residential properties. It was acknowledged that the original purpose of the policy was to retain pubs where appropriate, for community use.

The Chair asked whether any compensatory benefit had been offered within the application for the loss of community benefit provided by the pub. The Development Planning Manager advised that the applicant did not need to provide this.

The committee further discussed the application and felt that Policy LCF24 was a crucial factor of the application and that the application was contrary to the Core Strategy. The committee agreed that there was no other facility of this nature in close proximity. The committee were aware of the points of law but felt that communities should have a focal point. Members also felt that the applicant had not demonstrated that the site was no longer financially viable as a Public House.

The Chair request that the Development Planning Manager remind members of the consequences of refusing the application. Members were advised that the premises could be converted tomorrow without planning permission and that a refusal would expose the Council to an appeal and costs.

RESOLVED: (Unanimous) That permission be refused on the grounds that the submission has not demonstrated to the Councils satisfaction that the existing operating business (The Parkfield Public House) is no longer financially viable and the applicant has not provided evidence that they would be providing compensatory accommodation to equivalent community benefit in the immediate vicinity. In the absence of this information/evidence it is considered that the proposal would result in the loss of a significant community asset which would materially affect this neighbourhood and would therefore be contrary to Policy LCF24 of the Eastbourne Borough Plan 2001 - 2011

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

5) EB/2012/0651 - 25 South Avenue - Two storey extension at the side
- **OLD TOWN.**

RESOLVED: (by 5 votes to 2) That permission be refused on the grounds that it has an adverse impact on residential amenity by virtue of its close proximity to No.15 Cavalry Crescent and it has an adverse impact on visual amenity given its close proximity to the two neighbouring roads and the poor design of its roof and therefore fails to comply with Policies UHT1, H020 and UHT4 of the Eastbourne Borough Plan and the NPPF.

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.

48 South Downs National Park Authority Planning Applications.

None reported.

NOTED.

The meeting closed at 7.20pm.

**Councillor Ungar
(Chairman)**