

Tuesday, 3 September 2013

at 6.00 pm

Town Hall, Eastbourne

EASTBOURNE

Borough Council

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Planning

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MEMBERS: Councillor Ungar (Chairman); Councillor Harris (Deputy-Chairman); Councillors Hearn, Jenkins, Liddiard, Miah, Murray and Taylor

Agenda

- 1 Minutes of the meeting held on 6 August 2013.** (Pages 1 - 10)
- 2 Apologies for absence.**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct (please see note at end of agenda).**

4 Urgent items of business.

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.

5 Right to address the meeting/order of business.

The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of planning applications/items listed and that these applications/items are taken at the commencement of the meeting.

6 88 Terminus Road. Application ID 130339 (FP) (Pages 11 - 16)

7 88 Terminus Road. Application ID 130340 (ADV) (Pages 17 - 20)

8 The Drive Pub, 153 Victoria Drive (Adverts). Application ID 130304 (Pages 21 - 26)

9 South Downs National Park Authority Planning Applications - verbal report.

Inspection of Background Papers – Please see contact details listed in each report.

Councillor Right of Address - Councillors wishing to address the meeting who are not members of the Committee must notify the Chairman in advance.

Public Right of Address – Requests by members of the public to speak on a matter which is listed in this agenda must be **received** in writing by no later than 12 Noon, 2 working days before the meeting e.g. if the meeting is on a Tuesday, received by 12 Noon on the preceding Friday). The request should be made to Local Democracy at the address listed below. The request may be made by letter, fax or e-mail. For further details on the rules about speaking at meetings please contact Local Democracy.

Disclosure of interests - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

In the case of a DPI, if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation). If a member has a DPI he/she may not make representations first.

Further Information

Councillor contact details, committee membership lists and other related information is also available from Local Democracy.

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Planning Committee

MEMBERS: Councillor UNGAR (Chairman) Councillor HARRIS (Deputy Chairman)
and Councillors JENKINS, HEARN, MIAH and TAYLOR.

(An apology for absence was reported from Councillor Murray)

22 Minutes.

The minutes of the meeting held on 9 July were submitted and approved subject to the following amendments:

Councillors Jenkins declared a personal interest in item 4, 15-19 Prideaux Road as an acquaintance of the objector and remained in the room whilst the application was considered.

Councillor Taylor declared a personal interest in item 4, 15-19 Prideaux Road as the owner of a care home and also being acquainted with the objector and remained the room whilst the application was considered.

Councillor Hearn considered that having previously reached a view in relation to item 3, 24 Vine Square she had pre-determined this application. She therefore withdrew from the room whilst the application was considered.

And the Chairman was authorised to sign them as a correct record.

23 Declaration of Interests.

Councillor Taylor declared a personal interest in item 2, 10 Ashburnham Road as the owner of a care home and remained the room whilst the application was considered.

Councillor Ungar decided to declare a prejudicial interest in item 4, 10-12 St Leonards Road due to his being the Council appointed nominee to the Citizens Advice Bureau, which was located next to the premises which were the subject of the application. He withdrew from the room whilst this item was considered.

24 Report of Head of Planning on Applications.

1) 130168 - Land between 37 – 39 Friday Street - Erection of a single dwelling with parking spaces and vehicular access from Friday Street (outline application) – **LANGNEY**. Seven letters of objection had been received.

The observations of the Highway Authority were detailed within the report.

Councillor Shuttleworth, Ward Councillor, addressed the committee in objection stating that the proposal was inappropriate and an overdevelopment of the site. Councillor Shuttleworth felt that the scheme was incongruous to the street scene and out of keeping with the surrounding area.

Mr Moore, applicant, addressed the committee in response stating that the proposal was for illustrative purposes only to establish the principle of development on the site and that all reserved matters would need to come back to the committee for approval. Mr Moore stated that the scheme was sustainable as it was on a bus route, close to shops and other facilities.

RESOLVED: (By 5 votes with 1 abstention) That permission be refused on the grounds that the proposed development by virtue of the width, depth and height of the proposed dwelling, given the confined size of the plot would have an adverse impact on the character and appearance of the surrounding area and visual /residential amenity and would be contrary to guidance as contained in Policy B2 of the Core Strategy 2013, Saved Policies H06, H07 and UHT1 of the Eastbourne Borough Plan 2001-2011 and relevant guidance as cited in the National Planning Policy Framework 2012.

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.

2) 130177 - 10 Ashburnham Road - First floor rear extension – **UPPERTON**. Three letters of objection had been received.

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

NB: Councillor Taylor withdrew from the room whilst the application was considered.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time Limit 2) Matching materials 3) Plan numbers

3) 130182 - 1-3 Hammonds Drive White Knight Laundry - Alterations to units 1-3 (White Knight Laundry) and erection of 9 new class B1/B8 Units - **ST ANTHONYS**.

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

The observations of the Planning Policy Team and Trees Officer were summarised within the report.

RESOLVED: (Unanimous) 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission 2) The proposed development shall be carried out in strict accordance with the drawing No.s 12.49.02A, 12.49.04A, 12.49.05, 12.49.06 and 12.49.07, received on 01/03/13 3) The development hereby permitted shall be constructed entirely of the materials detailed and described in the submitted application form and on the approved drawings No.s 12.49.02A,

12.49.04A, 12.49.05, 12.49.06 and 12.49.07, received on 01/03/13 received on 01.03.13 4) The car parking area shown on the approved plan (Drawing No. 12.49.02A) shall be properly constructed with a permanent hard-wearing impervious surface and marked out to the satisfaction of the Local Planning Authority in accordance with the approved drawing including designated disabled spaces, and shall be available for use before the buildings hereby authorised are brought into use and shall be retained permanently for the accommodation of vehicles of the occupiers and users of and visitors to the premises and shall not be used for any other purpose 5) No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate: i) proposed finished levels or contours; ii) means of enclosure including details of boundary treatments; iii) hard surfacing materials; iv) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); v) proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc); vi) planting plans; vii) written specifications (including cultivation and other operations associated with plant and grass establishment); viii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; ix) implementation timetables 6) All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation 7) Before any works commence on site, details of the provision for the storage of waste and refuse, including bin storage areas or buildings, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and to a timetable to be agreed with the Local Planning Authority. 8) That the premises shall be used for Class B1/B8 and for no other purposes without the prior written approval of the Local Planning Authority.

4) 130187 - 10-12 St Leonards Road - Demolition of existing garage/workshop and construction of a new three storey nursery school – **UPPERTON**. A petition of 14 signatures and 5 letters of objection had been received. County Councillor Rodohan's comments were reported at the meeting.

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

Highways raised no objections to the proposal.

NB: Councillor Ungar withdrew from the room whilst this item was considered.

RESOLVED: (By 4 votes with 2 abstentions) That permission be granted subject to the following conditions 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission 2) The proposed development shall be carried out in strict accordance with the drawing No.s 12.49.02A, 12.49.04A, 12.49.05, 12.49.06 and 12.49.07, received on 01/03/13 3) The development hereby permitted shall be constructed entirely of the materials detailed and described in the submitted application form and on the approved drawings No.s 12.49.02A, 12.49.04A, 12.49.05, 12.49.06 and 12.49.07, received on 01/03/13 received on 01.03.13 4) That the proposed glazing at first and second floor levels overlooking the internal courtyard in the southern and eastern elevations shall only be obscurely glazed and incapable of being opened and shall be permanently maintained as such thereafter 5) Before the development hereby approved is commenced, details of measures for bird deterrent shall be submitted to and approved by the Local Planning Authority. The approved measures shall be implemented before the building is first brought into use/occupied 6) That the premises shall be used for a nursery school and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written approval of the Local Planning Authority 7) That, except with the express written consent of the Local Planning Authority, the use on the site shall be carried out only between 0700 and 1900 on Mondays to Fridays (inclusive) and no operations whatsoever shall take place on Saturdays, Sundays or Bank/Public Holidays 8) That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank/Public Holidays 9) There shall be no amplified music or amplified sound at any time within the external courtyard areas 10) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained approval for, an addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with.

5) 130229 - Langney Shopping Centre, 64 Kingfisher Drive -
Extension of existing shopping centre to provide additional retail units, reconfiguration of car park and internal access road, amended service facilities and landscaping – **LANGNEY.**

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

The comments of the Design Review Panel were summarised within the report.

A public exhibition was held on 15 May 2013, and was attended by over 100 members of the public and councillors. Over 70% of consultee responses (of

67 respondees) supported the retail extension and felt it would revitalise the centre.

The observations of the Highways Department, Arboriculturalist, Planning Policy, Retail consultant, Building Control, Environmental Health, Sussex Police, Environment Agency, Wealden District Council and Southern Water were summarised within the report.

The committee discussed the application in particular, the impact on the bus facilities within the site. The committee asked that this be considered by the applicant with a view to improving the current facilities available.

RESOLVED (A) (Unanimous): That planning permission be granted for extension of existing shopping centre to provide additional retail units, reconfiguration of car park and internal access road, amended service facilities and landscaping, subject to the prior conclusion of a S.106 Agreement to secure the bus stop improvement works adjacent to Kingfisher Drive, Local Employment Commitment and a Travel Plan and subject to the following conditions: 1) Commencement of development within three years (full planning permission) 2) In accordance with approved plans 3) Samples of materials to be submitted (++) 4) Plant or equipment on roofs or walls subject to LPA approval 5) Restriction of times for building operations 6) Submission of details of methods to reduce noise emissions (//) 7) Submission of details of ventilation system prior to pre-trading (//) 8) Development to be in accordance with Flood Risk Assessment (++) 9) Submission of details of surface water drainage scheme (++) 10) Submission of details of location of public sewers (++) 11) Submission of details of foul and surface water sewerage disposal (++) 12) Provision of on-site wheel washing facilities during earthworks / excavation 13) No trading until vehicle turning space provided (//) 14) No trading until on-site parking provided (//) 15) No trading until cycle parking provided (//) 16) Submission of a Traffic Management Plan (++) 17) Restricted access and egress for delivery vehicles 18) Tree protection: fencing (2.4m hoarding) 19) Tree protection: no burning 20) Tree protection: excavations 21) Tree protection: earthworks 22) Landscape design proposals: car park layout to include details on tree pit construction (++) 23) Landscape design proposals: proposed and existing functional services below ground (e.g. drainage, power communication cables, pipelines) indicating positioning (++) 24) Landscape design proposals: regarding mitigating the loss of the curved Cupressus hedge to the south of the site adjacent to the existing building (++) 25) Landscape design proposals: planting plan (++) 26) Tree planting 27) Landscape maintenance 28) Surface water drainage to pass through oil interceptor 29) Submission of a scheme to deal with contamination risks (++) 30) Demolition to be carried out in accordance with Method Statement (++) 31) Construction to be carried out in accordance with Method Statement (++) 32) Development to cease if contamination found 33) Submission of Verification Report 34) No goods for sale on open areas of site 35) No deliveries between 19:00 and 07:00 hours 36) No burning of waste on site 37) When market not in use shared surface shall be available for parking 38) Submission of details of refuse storage (//)
(++ Pre-commencement conditions)
(// Prior to commencement of trading)

RESOLVED: (B) (Unanimous): That in the event the S106 Agreement is not concluded to the satisfaction of the Local Planning Authority by 3 November 2013, that delegated authority be given to the Head of Planning to refuse planning permission for the following reason, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.

The proposed development would fail to secure the provision of bus stop improvement works adjacent to Kingfisher Drive, local employment commitment and a Travel Plan.

6) 130353 - Roborough House, 1 Upper Avenue - Conversion and extension of Roborough House to create an International Study Centre, together with a new lecture theatre, student accommodation, landscaping and demolition of The Bourne Unit and other redundant buildings - **UPPERTON**. Nine objections had been received. One further letter of objection was reported at the meeting. County Councillor Rodohan's comments were reported at the meeting.

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

The observations of the Design Review Panel were summarised within the report.

At their meeting on 16 July 2013 the Conservation Area Advisory Group raised no objections, and were pleased to see the building being brought back into use.

The observations of Highways, Planning Policy, Conservation Officer, Economic Development, Arboriculturalist and Cleaning Contracts were summarised within the report.

Consultation was carried out by letter to 470 neighbouring residents and businesses, and site notices were displayed close to the site. In addition, the proposal was posted in the local paper. A public exhibition was held over 3 sessions in February and March, and the consultation responses were incorporated into the proposal between sessions.

Mrs Lee addressed the committee in objection stating concern about the potential noise levels and overlooking.

Mr Waddy, Agent, addressed the committee in response highlighting detailed surveys including noise levels, daylight surveys. The plans had been developed with a view to limit the impact on neighbouring properties. The site would be protected by five live in wardens, Security guard and CCTV within the grounds. Mr Waddy also stated that the applicants were willing to attend residents meetings to resolve any issues promptly.

RESOLVED: (Unanimous) (A): That permission be granted for the conversion and extension of Roborough House to create an International Study Centre, together with a new lecture theatre, student accommodation, landscaping and demolition of The Bourne Unit and other redundant

buildings, subject to the prior conclusion of a S.106 Agreement to a Travel Plan, Highways Contribution and Local Employment commitment and subject to conditions; Phase 1 – Remodelling of existing building: Roborough House: 1) Time limit (3 years) 2) In accordance with approved plans 3) Closing off of main driveway and access (junction of Carew Road / Upper Avenue) 4) Pedestrian access restricted to Upper Avenue only 5) Parking areas prior to occupation – phase 1 6) Cycle parking prior to occupation – phase 1 7) Samples of materials and detailing to be submitted (++) 8) Samples of gate materials and detailing to be submitted (//) 9) Submission of details of surface water drainage scheme (++) 10) Development to cease if contamination found 11) Tree and natural feature protection fencing (++) 12) Landscape design proposals (//) 13) Tree Protection – Excavations (++) 14) Tree Protection – Earthworks (++) 15) Tree planting (//) 16) Landscape maintenance programme (//) 17) Retention of boundary screening – protection of retained trees 18) Restriction of times for demolition / building operations 19) Provision of on-site wheel washing facilities during earthworks / excavation 20) Phase 1: Demolition method statement, incorporating Root Protection Areas (++) 21) Phase 1: Construction method statement, incorporating the location of site offices, access routes and material storage areas (++) 22) No burning of waste on site

(++ Pre-commencement conditions for phase 1)

(// Prior to occupation for phase 1)

Phase 2 – Construction of the student accommodation: 23) In accordance with approved plans 24) In accordance with approved landscape maintenance programme 25) Pedestrian access restricted to Upper Avenue only 26) The residential accommodation to be C2 use only 27) Parking areas prior to occupation – phase 2 28) Cycle parking prior to occupation – phase 2 29) Samples of materials and detailing to be submitted (++) 30) Development to cease if contamination found 31) Tree and natural feature protection fencing (++) 32) In accordance with approved landscape design proposals 33) Tree Protection – Excavations (++) 34) Tree Protection – Earthworks (++) 35) Tree planting (//) 36) In accordance with landscape maintenance programme 37) Retention of boundary screening – protection of retained trees 38) Restriction of times for demolition / building operations 39) Provision of on-site wheel washing facilities during earthworks / excavation 40) Phase 2: Demolition method statement, incorporating Root Protection Areas (++) 41) Phase 2: Construction method statement, incorporating the location of site offices, access routes and material storage areas (++) 42) No burning of waste on site

(++ Pre-commencement conditions for phase 2)

(// Prior to occupation for phase 1)

Phase 3 – Construction of the new dining room and lecture theatre: 43) In accordance with approved plans 44) In accordance with approved landscape maintenance programme 45) Pedestrian access restricted to Upper Avenue only 46) Parking areas prior to occupation – phase 3 47) Cycle parking prior to occupation – phase 3 48) Samples of materials and detailing to be submitted (++) 49) Development to cease if contamination found 50) Tree and natural feature protection fencing (++) 51) In accordance with approved landscape design proposals 52) Tree Protection – Excavations (++) 53) Tree Protection – Earthworks (++) 54) Tree planting (//) 55) In accordance with landscape maintenance programme 56) Retention of boundary screening – protection of retained trees 57) Restriction of times for demolition / building operations 58) Provision of on-

site wheel washing facilities during earthworks / excavation 59) Phase 3: Demolition method statement, incorporating Root Protection Areas (++) 60) Phase 3: Construction method statement, incorporating the location of site offices, access routes and material storage areas (++) 61) No burning of waste on site
(++ Pre-commencement conditions for phase 3)
(// Prior to occupation for phase 1)

RESOLVED B: That in the event that the S.106 is not signed by 3 November 2013 that delegated authority be given to the Head of Planning to refuse planning permission, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.

7) 130359 - 27 – 29 Elms Avenue (Camberley Hotel) - Change of Use from Hotel to HMO – DEVONSHIRE. Five letters of objection had been received.

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

The observations of the Historic Buildings Advisor and Planning Policy Manager were summarised within the report.

Mr Pattenden addressed the committee in objection stating that the bin storage was in issue in the area and that there were enough HMO's in the vicinity.

Mr Lear addressed the committee in objection stating that there was a sufficient number of HMO's in the area and that the site would be unguarded as the owner / occupier would not be based on site. Mr Lear felt that this type of development would result in short stay residents who would not be interested in preserving the area, which would have a knock-on effect for neighbouring residents.

Mr Baig, applicant, addressed the committee in response stating that the current use of the building operated as a hotel for 8 months of the year which was not viable for potential buyers. An extensive refurbishment would take place to attract professionals, improving the area. A communal area would be provided within the development to discourage loitering outside of the property. Mr Baig also stated that a management company would be appointed to maintain the site, which would ensure quick resolution to any issues arising.

RESOLVED: (By 4 votes to 1 with 1 abstention) That permission be granted subject to the following conditions: 1) Time Limit 2) Any external flue / vents / ducting or any other pipework to be sited on the rear elevation of the property 3) No kitchen worktops or similar fixtures to be sited within 1m of the windows to the principal elevation of Elms Avenue 4) Bin Storage and Cycle storage shown on submitted plans to be approved by council prior to usage and maintained thereafter following occupation of the premises as an HMO 5) Approved Plans.

25 South Downs National Park Authority Planning Applications.

None reported.

NOTED.

The meeting closed at 8.40 pm.

**Councillor UNGAR
(Chairman)**

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Agenda Item 6

Application ID: 130339 (FP)	Decision Due Date: 03.08.2013	Ward: Devonshire
Officer: Mehdi Rezaie	Site visit date: 09.08.2013	Type: Minor
Site Notice(s) Expiry date: N/A		
Neigh. Con Expiry: 17.07.2013		
Weekly list Expiry:		
Press Notice(s): N/A		
Over 8/13 week reason: Backlog of applications in connection with staff changes and organisational restructure.		
Location: 88 Terminus Road, Eastbourne, BN21 3LX.		
Proposal: Change of Use with installation of new shop front, installation of x2 satellite dishes, Ariel & x2 condenser units to the rear.		
Applicant: William Hill Organisation Ltd.		
Recommendation: Approve, subject to conditions		

Planning Status:

- Secondary Shopping Area.
- Source Protection Zones.

Relevant Planning Policies:

- Policy UHT1 from the Eastbourne Borough Plan 2007
- Policy UHT4 from the Eastbourne Borough Plan 2007
- Policy TC6 from the Eastbourne Borough Plan 2007
- Policy C1 from the Eastbourne Core Strategy Local Plan 2013
- Policy D1 from the Eastbourne Core Strategy Local Plan 2013
- Town & Country Planning (Use Classes) Order 1987 (as amended)
- General Permitted Development Order 1995 (as amended)
- National Planning Policy Framework 2012

Site Description:

In terms of local context, the application site falls off the eastern end of Terminus Road adjoining onto Cornfield Road. The area is defined within the Eastbourne Policies Map 2013 (Town Centre Inset Map) as a 'Secondary Shopping Area', opposite the entrance to the Andale Shopping Centre which is classified as the 'Primary Shopping Area', two doors away from HSBC Bank (74 Terminus Road) which is classified as a building of 'Local Historic Interest'.

In terms of its immediate context, the application site falls amid a row of terrace properties that are three and four storeys in height; at ground floor these properties retain a retail frontage. The premise has remained unoccupied for an unknown period of time, the last known and operational planning use for the site fell under the category of 'A1 Retail' in accordance with the Town and Country Planning Use Classes Order 1987 (as amended).

Relevant Planning History:

No relevant planning history for the site, some minor applications submitted for works carried out on the public highway adjacent to 88 Terminus Road which include:

Application for Advertisement Consent submitted on 08.09.2008 (Application No: EB/2008/0533) for the display of an internally illuminated advertisement panel on BT payphone kiosk. Application approved at committee on 17.09.2008.

Application for Prior Approval submitted on 11.08.2008 (Application No: EB/2008/0537) for the replacement of two BT payphone kiosk with internally illuminated advertisement panel. Application approved unconditionally at committee on 17.09.2008.

There is also an application for Advertisement Consent submitted on 08.06.2013 (Application ID: 130340) for the display of an internally illuminated fascia sign and one internally illuminated projecting sign.

Proposed development:

The applicant seeks planning permission for the change the use to their existing premise from an 'A1 Retail' into an 'A2 Financial and Professional Services', serving as a licensed betting office.

The applicant further seeks planning permission for the installation of a new shopfront aswell as two satellite dishes, an aerial and two condenser units.

Applicant's Points:

A Planning Statement was submitted on 12.04.2013 by Mr. A. E. Watson (acting agent on behalf William Hill Organisation Ltd), making reference to:

- Various Borough Plan Policies (TC6 in particular) remain extant
- Planning appeal decision for: 78 Terminus Road.

Consultations:

Neighbour notification letters were sent out on 26.06.2013 to several nearby and neighbouring properties, which include: 52, 55A, 55, 82-86, 88, 94 Terminus Road. Public consultation period expired on 17.07.2013.

Neighbour Representations:

Three objections received, all objections refer to the prominent position of the site 'Secondary Shopping Area 9' stating the proposed use class would fall contrary to the criteria as set out in 'Policy TC6' from 'Eastbourne Borough Plan 2007'.

- Objection received on 15.07.2013 from Mr. R. Irving (planning consultant for IDP Planning).
- Objection received on 17.07.2013 from Mr. A. Hall (planning consultant for Crickmay Chartered Surveyors).
- Objection received on 05.08.2013 from Ms. S. Reay (planning consultant for DPP).

Statutory Consultee:

- Letter for statutory consultee sent to Highways Authority (East Sussex County Council) on 26.06.2013.
- Letter for statutory consultee sent to Environmental Health (Eastbourne Borough Council) on 19.07.2013.
- Letter for statutory consultee sent to Planning Policy (Eastbourne Borough Council) on 20.08.2013.

Statutory Consultee Response:

- East Sussex County Council has no comments to make on this application.
- Internal Memo received on 01.08.2013 from Mr. A. Albon (Specialist Advisor for Environmental Health), stating that the standard conditions for air conditioning units should be attached.
- Internal Memo received on 20.08.2013 from Mr. M. Hitchin (Planning Policy at Eastbourne Borough Council), stating the proposed change of use would not be acceptable in policy terms. The proposed scheme falls contrary to saved Policy TC6 from the Eastbourne Borough Plan on 'Town Centre Shopping Areas' and Policy D4 from the Core Strategy on 'Shopping'. A report has been produced which includes a retail survey that calculates the current and proposed 'A1' percentage to 'Non-A1' percentage for the area.

Appraisal:

The newly proposed facade includes a window and door arrangement that aligns with the frontages of its adjoining neighbours which falls below 6.5m at 5.9m. Specific detailing to include the transom, mullion, cill, freeze and fascia follow adjoining horizontal and vertical lines, displaying a sympathetic approach to its design which complements the character and appearance of streetscene. The decorative features found on the existing shop front are minimal, there are no mouldings, cornice, corbels or console brackets to be preserved.

Notwithstanding this, the newly proposed frontage retains the existing pilasters and its stallriser, to include blue powder coated aluminium and glazing frames to match. It is therefore considered, the proposal for a new shopfront would not fall to the detriment of visual amenity, in accordance with 'Policy UHT1' (a, b) on the 'Design of New Development' and 'Policy UHT4' (c) on 'Visual Amenity' from the 'Eastbourne Borough Plan 2007'.

The applicant also proposes to install on the roof of their premise two satellite dishes and an aerial (side nearing the front elevation that faces onto Terminus Road). These pieces of equipment are well screened from public sight, as they have been placed behind the gable roof. Additionally, the applicant further seeks permission to install two A/C condenser units on the roof (rear elevation), again, the equipment is set away from the public realm and placed behind the profile of adjacent buildings. It is therefore considered, all equipment proposed create no detriment on visual amenity in accordance with 'Policy UHT4' (c) on 'Visual Amenity' from the 'Eastbourne Borough Plan 2007'.

Planning permission is sought to change the use on the existing premises from an 'A1 Retail' to form an 'A2 Financial and Professional Services' establishment. In determining the application for the newly proposed Use Class, and any possible cumulative impact that may arise, consideration has been placed on the Town & Country Planning (Use Classes) Order 1987 (as amended 2005) and subsequent new legislation from the General Permitted Development Order 1995 (as amended 2013) which expressly states that 'a planning application is not required for change of use from A1 or A2'.

Class D of the 2013 amendment to the General Permitted Development Order allows the change of use of a building from Class A1 (shops) (among other uses) to a flexible use falling within Class A1 (shops) and Class A2 (Financial and Professional Services) (among other uses), for a single continuous period of up to two years. An application for prior approval for the change of use would not be required, as the footprint of the premise shall remain unaltered at 119m², its operational floor space covering an area no greater than 89m², below the 150m² requirement for permitted development. Additionally, the proposed operational floor space and new frontage by comparison to adjoining and nearby properties remains relative. The scheme also adheres to saved 'Policy TC6' (b, c) on 'Town Centre Shopping Areas' from the 'Eastbourne Borough Plan 2007'.

Taking into consideration the nature and character of the use proposed, including the level of activity associated with it, it has been determined that there shall be no rise on unacceptable noise or disturbance. It has been considered that the proposed use falls in accordance with saved 'Policy TC6' (a,

d, e) on 'Town Centre Shopping Areas' from the 'Eastbourne Borough Plan 2007'.

Additionally, an application for change of use at: 78 Terminus Road (EB/2011/0733) was refused and later approved by the inspectorate (APP/T1410/A/12/2170342/NWF) which made reference on policy and the area, also holds weight to the determination of this application. The inspectorates report, paragraph 10, in part states:

"the proposal would bring about an increase in non-A1 uses further above the threshold set out in the table to the 2003 Local Plan Policy. However, this strict percentage approach should be read along with the permissive policy wording which sets out the considerations for a balanced decision. In this case that balance lies in the grant of permission having regard to the circumstances of the location, the neighbouring uses and the intended use, and the change of use would not be likely to adversely affect the vitality and viability of Eastbourne town centre".

The proposed new use and shopfront shall in effect rid the area of a dead frontage, delivering redevelopment in keeping with 'Policy C1' on 'Town centre Neighbourhood Policy' from the 'Eastbourne Core Strategy Local Plan 2013'.

Human Rights Implications:

It is considered that there are no adverse Human Rights implications.

Conclusion:

The proposed installation of new shop front, two satellite dishes, an aerial & two condenser units shall blend in well to its context, materials and details maintain and reflect the local variations as appropriate. Furthermore, by creating an active frontage and use, the proposed change of use shall improve the vitality and viability of the town centre. The developed scheme accords with saved policies from the Eastbourne Borough Plan (2007); the Eastbourne Core Strategy Local Plan (2012) and the National Planning Policy Framework (2012). Having regard to the material considerations and all other matters raised, the Local Planning Authority considers that the balance of considerations therefore weigh in favour of granting planning permission, subject to the following conditions.

Recommendation: Permission be granted approval subject to the following conditions:

(1) Time Limit for Commencement of Development

(2) Restrict Use of Premise

That, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), the change of use from 'A1' to 'A2' is hereby permitted for a period of two years from the granting of this planning permission, after such time, the use as Class A2 shall cease and the use of the premises shall revert back to the lawful Class A1 use unless .

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of the premises in the interest of safeguarding the amenities of the area and to comply with policy.

(3) Compliance with Drawings

(4) Compliance with Materials

(5) Hours of Operation - 7.00am and 10.00pm on Monday to Fridays and 7.00am and 10.00pm on Saturdays and 7.00am and 10.00pm on Sundays and Bank or Public Holidays.

(6) Restrict Use of Premise - as a licensed betting shop and for no other purpose (including any other purpose in Class A2)

(7) Standard Air Conditioning Unit Conditions - Rating level – night and Rating level - day

Summary of recommendations:

The proposed installation of new shop front, two satellite dishes, an aerial & two condenser units shall blend in well to its context, materials and details maintain and reflect the local variations as appropriate. Furthermore, by creating an active frontage and use, the proposed change of use shall improve the vitality and viability of the town centre. The developed scheme accords with saved policies from the Eastbourne Borough Plan (2007); the Eastbourne Core Strategy Local Plan (2012) and the National Planning Policy Framework (2012).

Agenda Item 7

Application ID: 130340 (ADV)	Decision Due Date: 03.08.2013	Ward: Devonshire
Officer: Mehdi Rezaie	Site visit date: 09.08.2013	Type: Advertisement
Site Notice(s) Expiry date: N/A		
Neigh. Con Expiry: 26.06.2013		
Weekly list Expiry:		
Press Notice(s): N/A		
Over 8/13 week reason: Backlog of applications in connection with staff changes and organisational restructure.		
Location: 88 Terminus Road, Eastbourne, BN21 3LX.		
Proposal: 1.No. Internally illuminated fascia sign and 1.No. internally illuminated projecting sign.		
Applicant: William Hill Organisation Ltd.		
Recommendation: Approve, subject to conditions.		

Planning Status:

- Secondary Shopping Area.
- Source Protection Zones.

Relevant Planning Policies:

- Policy UHT1 from the Eastbourne Borough Plan 2007
- Policy UHT4 from the Eastbourne Borough Plan 2007
- National Planning Policy Framework 2012.
- Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Site Description:

The application site falls amid a row of terrace properties, at ground level these properties are host to a presence of retail frontages. The site and surroundings fall part of Eastbourne's 'Secondary Shopping Area'

Relevant Planning History:

No relevant planning history for the site, some minor applications submitted for works carried out on the public highway adjacent to 88 Terminus Road which include:

Application for Advertisement Consent submitted on 08.09.2008 (Application No: EB/2008/0533) for the display of an internally illuminated advertisement panel on BT payphone kiosk. Application approved at committee on 17.09.2008.

Application for Prior Approval submitted on 11.08.2008 (Application No: EB/2008/0537) for the replacement of two BT payphone kiosk with internally illuminated advertisement panel. Application approved unconditionally at committee on 17.09.2008.

Proposed development:

The applicant seeks Advertisement Consent to install one internally illuminated fascia sign and one internally illuminated projecting sign, both onto the front elevation of their premise (north facing).

Applicant's Points:

No Planning Statements have been submitted with this application.

Consultations:

Neighbour notification letters were sent out on 26.06.2013 to several nearby and neighbouring properties, which include: 52, 55A, 55, 82-86, 88, 94 Terminus Road. Public consultation period expired on 17.07.2013.

Statutory Consultee:

- Letter for statutory consultee sent to Highways Authority (East Sussex County Council) on 26.06.2013.

Statutory Consultee Response:

- East Sussex County Council has no comments to make on this application.

Neighbour Representations:

No comments received in relation to the proposed signage.

Appraisal:

The proposed fascia sign to be placed on the facade of the premise overlooks Terminus Road, adjacent to the entrance of the Arndale Centre, and in a prominent position. The main fascia sign spans across the width of the building at 6.2m with a height no greater than 1.35m, set off ground level by 3.1m and 4.4 at its highest peak. The proposed fascia is to be internally illuminated,

static, with no mention being made of the illumination levels (candelas), nonetheless, a condition will have to be placed to control the luminance levels and to prevent any hazardous glares from being reflected onto road users. The proposed fascia sign is fenestrated in line with the signs from its adjoining neighbours, visual amenity for the area shall be enhanced. The proposed scheme falls in keeping with 'Policy UHT1' (a) on the '*Design of New Development*' and 'Policy UHT4' (c) on the '*Visual Amenity*' from the '*Eastbourne Borough Plan 2007*'.

The proposed projecting sign is to be a double sided box, internally illuminated and hung 3.4m above street level, projecting over the pavement by 1m. The applicant's proposal falls in keeping with the development trend found throughout Terminus Road, in turn creating minimal disruption on visual amenity. The proposed projecting fascia sign accords with saved policy 'UTH1' (a) and 'UTH4' from the '*Eastbourne Borough Plan 2007*'.

The fascia sign and the projecting sign are to be 'blue powder coated aluminium' (RAL 5013), on 'polycarbonate vinyl' with text colour to include 'yellow on white on blue'. The applicants choice in material and finishes falls in keeping with the surrounding area and that of neighbouring properties, therefore in accordance with 'Policy UHT1' (b) on the '*Design of New Development*' from the '*Eastbourne Borough Plan 2007*'.

Human Rights Implications:

It is considered that there are no adverse Human Rights implications.

Conclusion:

The proposed fascia sign and double sided projecting sign would blend in well to its context and on the streetscene, materials and details maintain and reflect the local variations as appropriate. The developed scheme accords with saved policies from the Eastbourne Borough Plan (2007); and the National Planning Policy Framework (2012). Having regard to the material considerations and all other matters raised, the Local Planning Authority considers that the balance of considerations therefore weigh in favour of granting advertisement consent, subject to the following conditions.

Recommend: advertisement consent be granted approval subject to the following conditions:

- (1) Compliance with Drawings
- (2) Signage (Illumination Levels) – to submit details in relation to the level of illumination of the signage.
- (3) 5 Standard Advert Conditions.

Summary of recommendations:

The proposed fascia sign and double sided projecting sign would blend in well to its context and on the streetscene, materials and details maintain and reflect the local variations as appropriate. The developed scheme accords with saved

policies from the Eastbourne Borough Plan (2007); and the National Planning Policy Framework (2012).

Agenda Item 8

Application ID: 130304	Decision Due Date: 09.07.2013	Ward: Old Town
Officer: Mehdi Rezaie	Site visit date: 08.04.2013 and 05.08.2013	Type: ADV
Site Notice(s) Expiry date: 21.06.2013		
Neigh. Con Expiry: 22.06.2013		
Weekly list Expiry:		
Press Notice(s): N/A		
Over 8/13 week reason: Determined within given timeframe.		
Location: The Drive Pub, 153 Victoria Drive, East Sussex, BN20 8NH.		
Proposal: Fascia signs.		
Applicant: Sainsbury's Supermarkets Ltd.		
Officer Recommendation: Approve, subject to conditions.		

This application was differed from Planning Committee of 9th July 2013 for a site visit to be undertaken. Members subsequently conducted a site visit and the application is presented back to Committee for a decision; the original report is below for consideration.

Planning Status:

- Predominantly Mixed Use Area

Relevant Planning Policies:

- Policy UHT1 from the Eastbourne Borough Plan 2007
- Policy UHT4 from the Eastbourne Borough Plan 2007
- Policy TR11 from the Eastbourne Borough Plan 2007
- Policy D1 from the Eastbourne Core Strategy Local Plan 2007-2027
- National Planning Policy Framework 2012

Site Description:

The application site lies on the corner of Beechy Avenue and Victoria Drive, bounded by a residential dwelling (1 Beechy Avenue) on its west elevation and

the Eastbourne Ladies Bowling Club on the south. The surrounding area is predominantly mixed use, adjacent to a parade of shops otherwise known as Albert Parade (east elevation).

The site covers an area no greater than 2000m², with the building amounting to 596m², a two-storey detached property of no particular architectural style.

Relevant Planning History:

Application for Full Planning Permission (EB/2013/0191) to remove and reconstruct a boundary wall with the provision for hard landscaping, parking and bollards, application withdrawn.

Application for Full Planning Permission (EB/2013/0167) conversion of first floor pub into 2.No. two bedroom self-contained flats, 1.No. one bedroom self-contained flat, application withdrawn.

Application for Full Planning Permission (EB/2013/0140) ventilation and extraction units, approved conditionally on 08.05.13.

Application for Full Planning Permission (EB/2013/0139) exterior alterations and modifications, approved conditionally on 08.05.2013.

Application for Full Planning Permission (EB/2013/0119) demolition of conservatory and infilling side elevation at ground floor level, approved conditionally on 08.05.2013.

Application for Full Planning Permission (EB/2013/0118) Re-grading, resurfacing and redesign of car park area and layout, approved on delegation and overturned at committee on 12.06.2013.

Application for Full Planning Permission (EB/2013/0027) Installation of ATM to front elevation together with extension of roof overhang, approved conditionally on 03.04.2013.

Proposed development:

Advertisement Consent is sought for several fascia signs to be erected and inserted on the applicants building and associated parking areas, but limited within the confines of their own site.

Site inspection:

At the request of the Councillors following the committee meeting held on 09.07.2013, a site visit was arranged for 05.08.2013.

Applicant's Points:

A supporting Planning Statement has been submitted to the Council on 29.07.2013, relevant extracts from the document state:

“The proposed sign faces onto Victoria Drive, with the Co-operative supermarket on Albert Parade directly opposite. The fascia signage at the Co-operative permitted under application reference No. 070107 is internally illuminated to a level of 400 candelas/sqm. This level of illumination is significantly greater than that of the proposed sign which will be externally illuminated to 250 candelas/sqm – a full 150candelas/sqm less than that permitted for the Co-operative fascia sign. Further, as the proposed signage will be down-lit, light spill will be further reduced. As such, the level of illumination proposed is considered to be significantly less than that of the signage in place at the adjacent Co-operative, which has been deemed acceptable by the Council”.

And:

“At present, there is an existing Sainsbury’s Local at 122-134 Seaside, Eastbourne. Signage for this store was approved under permission No. 120615. The level of illumination of the store’s fascia sign is the same as that proposed at Victoria Drive (250 candelas/sqm)”.

Consultations:

- A site notification was placed nearby; this ‘Notice of Application for Planning Permission’ was carried out on 31.05.2013, which expired on 21.06.2013.
- Neighbour notification letters were sent out on 30.05.2013 to several nearby properties, consultation date expired on 22.06.2013.

Statutory Consultee:

- Letter for statutory consultee sent to Local Highway Manager on 30.05.2013.

Statutory Consultee Response:

- Email received from Mr. C. John (Highways Officer at East Sussex County Council) on 25.06.2013 stating:

“We do not wish to comment on this application, the illuminated signage is set back from the highway, the totem signage is replacing an existing sign, and the car park signage (one-way, no-entry, and disabled parking) is there to ensure that the car park functions correctly”.

Neighbour Representations:

In total, 10 letters of objections have been received; all 10 letters were from a non material planning perspective. The following comments and concerns were raised, but hold no substance in relation to this application:

- Use of the building.
- Impact to existing traders.

- Impact on increased traffic, noise and pollution.

Appraisal:

The applicant proposes to introduce a sign onto the front elevation of their building (east elevation) which overlooks onto Victoria Drive. The proposed signage measures a distance of 8.2m by 0.6m and has a lumination level of 250cd/m², additionally, two LED lighting units are proposed onto the top of the fascia throughs and brackets which are to have an illuminated level no greater than 250cd/m². This externally static sign, its scale, positioning and lumination level is considered appropriate and shall in no way present any hazardous glares to oncoming vehicles, nor shall it conflict with existing road traffic signs.

Additionally, extra signage (non illuminated) is proposed on the entry/exit points to the site, in the form of four metal panelled signs, each measuring 450cm x 450cm placed on bollards which are to not exceed a height greater than 2.55m, similarly a disabled parking bay sign and two further dibond panels fixed to the wall of the main building. A further sign is placed nearing the entrance, retaining an overall height no greater than 5.6m. These signs are to be erected to control and direct the flow of traffic to minimise congestion and hazard to oncoming road users. All elements of the proposed scheme therefore adhere to 'Policy D1' on '*Sustainable forms of Development*' from the '*Eastbourne Core Strategy Local Plan 2007-2027*' and 'Policy TR11' on '*Car Parking*' from the '*Eastbourne Borough Plan 2007*'.

The proposed fascia sign is visible from the public realm, notwithstanding this; the sign is located approximately 4m above street level and distanced some 15.2m away from the highway, considered unintrusive as it would not dominate its surroundings. As a whole, the architectural framework of the existing building is considered chaotic; the building does not relate well to its elements, the proposal however, to include a new colour scheme (beige) would introduce a centralised design concept and much needed renewal of its facade, revamping the aesthetic quality on three elevations. The proposed fascia sign is well fenestrated and shall therefore have a positive impact on the visual amenity, the proposed scheme therefore adheres to 'Policy UHT1' (a) on the '*Design of New Development*' and 'Policy UHT4' (c) on the '*Visual Amenity*' from the '*Eastbourne Borough Plan 2007*'.

Windows on all three elevations (north, east and south) are to be internally frosted with a grey coloured sheet, by virtue of material choice, the proposed fascia (east elevation), its scale, colouring, lettering style relates well on the architectural composition of the building on which it is fitted, in keeping with the surrounding scale and townscape, and would not detract the visual amenity of the streetscene. The applicants choice in material and finishes falls in keeping with that on the main building and therefore in accordance with 'Policy UHT1' (b) on the '*Design of New Development*' from the '*Eastbourne Borough Plan 2007*'.

Human Rights Implications:

It is considered that there are no adverse Human Rights implications.

Conclusion:

The newly proposed illuminated signage, the totem signage and car park signage are of a sensitive design which blends in well to its streetscene, moreover, enhancing the character of the building. Applicant's choice of materials and details maintain and reflect the local variations as appropriate. The developed scheme accords with saved policies from the Eastbourne Borough Plan (2007); the Eastbourne Core Strategy Local Plan (2012) and the National Planning Policy Framework (2012). Having regard to the material considerations and all other matters raised, the Local Planning Authority considers that the balance of considerations therefore weigh in favour of granting planning permission, subject to the following conditions.

Recommend: Permission be granted approval subject to the following conditions:

- (1) In accordance with plans
- (2) External Materials
- (3) Standard Advertisement Conditions (x5)

Summary of recommendations:

The newly proposed illuminated signage, the totem signage and car park signage are of a sensitive design which blends in well to its streetscene, moreover, enhancing the character of the building. Applicant's choice of materials and details maintain and reflect the local variations as appropriate. The developed scheme accords with saved policies from the Eastbourne Borough Plan (2007); the Eastbourne Core Strategy Local Plan (2012) and the National Planning Policy Framework (2012).

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