

App.No: 190645	Decision Due Date: 14 October 2019	Ward: Ratton
Officer: Anna Clare	Site visit date: 4 September 2019	Type: Planning Permission
Site Notice(s) Expiry date: 13 September 2019		
Neighbour Con Expiry: 13 September 2019		
Press Notice(s): n/a		
Over 8/13 week reason: n/a		
Location: Westlords Pavilion, Westlords, Eastbourne		
Proposal: : Proposed removal of pavilion and installation of single storey building for use as a community hall, changing rooms and storage for Westlords Playing Field.		
Applicant: Mr Colin Belsey		
Recommendation: Grant permission subject to conditions		
Reasons for recommendation: Proposal supports the wider community		

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1 Executive Summary

- 1.1 The application is brought before planning committee given the applicant is a current elected Councillor.
- 1.2 The proposal is acceptable in principle subject to a number of restrictive conditions regarding the use of the proposed building. The site is an existing recreational sports and public open space, the use for recreational sports would be improved by the erection of changing and pavilion facilities however conditions over the use are recommended to safeguard the amenities of surrounding residents.

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework 2019

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places

2.2 Eastbourne Core Strategy 2013

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C12 Ratton & Willingdon Village Neighbourhood Policy
- D7 Community, Sport and Health
- D10a Design

2.3 Eastbourne Borough Plan Saved Policies 2007

- NE18 Noise
- NE28 Environmental Amenity
- UHT1 Design of New Development
- UHT4 Visual Amenity

3 Site Description

- 3.1 The site is an existing public open space/playing field, consisting of a large grassed area, which is used by local clubs (football and cricket) and also in general for dog walking etc.
- 3.2 There is pedestrian and vehicular access from Willingdon Road with an area of hardstanding to the south of the site. Historically a pavilion was in situ on the hardstanding area to the south of the site but this was removed a number of years ago.
- 3.3 The site is bounded in the majority by mature trees and vegetation on all sides.

4 Relevant Planning History

- 4.1 010413
Structure to provide temporary changing accommodation
Planning permission
Approved 29 November 2001

This permission granted consent for the siting of a temporary changing facility on the existing hardstanding to the south of the site. The permission was subject to a condition requiring the structure to be removed by 31 May 2003 (18 months after the permission was granted). This condition was subsequently varied by application reference 030241 to allow the structure to remain on site until 31 July 2005.

- 4.2 010210
Provision of single storey sports pavilion together with provision of mesh fencing along part of the north-eastern boundary of the site.
Planning Permission
Approved 13 August 2001

This application proposed the construction of a single storey pavilion building, providing changing facilities, first aid room and kitchen area. The building was proposed just north of the existing entrance to the site, with the existing hard standing providing car parking. This development was not implemented and has now expired.

5 Proposed development

- 5.1 The application proposes the installation of a temporary modular building, to provide changing facilities and community space.
- 5.2 The proposed structure is to be sited on the existing hardstanding to the south of the site. The structure would be connected to existing water/waste services.

6 Consultations

- 6.1 None.

7 Neighbour Representations

- 7.1 Objections have been received from 1 and 3 Westlords covering the following points;

- Function room is not appropriate in this residential location;
- Hours the use can be in operation should be restricted;
- Type of structure will soon deteriorate and become an eyesore;
- Vandalism and anti-social behaviour;
- Loss of privacy;
- Would not like to see removal of any trees or vegetation;
- Use of the grounds are for recreational sports, use should be limited to uses in conjunction with recreational sports;
- If the gates remain locked for vehicles this would lead to parking in the surrounding area.

8 Appraisal

- 8.1 To the south the site borders Westlords, a residential development of which properties 1-4 face the boundary fence of the playing field. The fence is well kept and the boundary is attractive with mature trees and vegetation which offers screening to the properties.
- 8.2 These properties will undoubtedly be able to view the proposed structure, but given the size of the proposal will not be affected by a loss of light or outlook. There will be some impacts in terms of noise, this development would likely bring activity closer to these properties, however it is considered this is public open space with a history of community use so the use is not considered unacceptable and with good management there is no reason to consider that the use would be significantly detrimental to warrant the refusal of the application.
- 8.3 A set of conditions to restrict the use are recommended to retain control over the future use of the building/site.
- 8.4 The applicant suggests that the building could be used by the community for events, meeting etc. This is rather broad and it is recommended that the use is restricted and the time the building can be occupied is also restricted. It is not considered that the site is suitable for unregulated 'community' uses, this is a recreational sports site with limited access and car parking facilities. Opening the site to a wide range of community uses could be detrimental to the amenity of the surrounding residential properties. To be considered appropriate the applicant could apply to vary the condition at a later date with details of proposed uses, with a management plan in place etc to alleviate these concerns.
- 8.5 The proposed structure is a now unused modular classroom. Given the structure is not new the lifespan is unknown. Whilst the site is largely hidden from public viewpoints, the site is a public open space and as such the visual appearance of the structure is important. A condition requiring the removal of the structure by a certain date is recommended. The applicant can thereafter apply to extend this period if the building is in a suitable condition to do so.
- 8.6 There are concerns over the security of the building, and the potential for antisocial behaviour given the seclusion. However, with good management and security measures, CCTV etc, it is considered this could be minimised and that this as a means of refusal for planning permission could not be justified.
- 8.7 The site is covered by a Tree Protection Order. No works to the trees are proposed as part of this application. Given the proposal is to bring the structure to the site and place on existing hard standing it is not considered that there would be any detrimental impact on the trees. Some vegetation would be removed from the site, however this could be undertaken without any consent of the council. Conditions in relation to works to trees are proposed to safeguard this amenity.

9 Human Rights Implications

- 9.1 The impacts of the proposal have been assessed as part of the application

process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10 Recommendation

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of permission.

Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2) No more than two years from its first placement on the site the building hereby permitted shall be removed and the land restored to its condition immediately prior to the development authorised by this permission, unless agreed otherwise in writing by the Local Planning Authority.

Reason: The building hereby approved is not considered suitable as a permanent form of development to safeguard the visual amenity of the area.

- 3) All existing trees and hedgerows shall be retained, the building shall be bought onto the site and sited on the existing hard surfacing and no ground works shall be undertaken unless agreed in writing by the Local Planning Authority, thereafter the groundworks shall be carried out in accordance with the approved details.

Reason: To avoid damage to health of existing trees and hedgerows.

- 4) The building hereby permitted shall not be occupied, for any reason/purpose except between the hours of 8am and 8pm on any day.

Reason: To safeguard the amenities of the locality.

- 5) No amplified music/sound shall be played within, or external to, the building hereby permitted at any time.

Reason: To safeguard the amenities of surrounding residential properties.

- 6) The building hereby permitted shall only be used in association with recreational sports operating on the playing field unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of surrounding residential properties.

Informatives:-

- 1) In association with condition 2, if ground works are required any submission should be accompanied by a tree survey and assessment of the impact on the existing trees given they are covered by a Tree Preservation Order.

11 Appeal

- 11.1 Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.