

<b>App.No:</b> 140359 (NMC) 140309 (PPP) 140307 (ADV) 140544 (VOC)	<b>Decision Due Date:</b> 18 April 2014 14 May 2014 23 May 2014 13 June 2014	<b>Ward:</b> Ratton
<b>Officer:</b> Sally Simpson	<b>Site visit date:</b> 27 March 2014	<b>Type:</b> As above
<b>Over 8/13 week reason:</b> To align with committee schedule.		
<b>Location:</b> The Parkfield, Lindfield Road, Eastbourne,		
<p><b>Proposal:</b></p> <p><b>1)</b> Application for non-material amendments to application ref: 120604 for the proposed change of use of public house (A4) to retail (A1) together with demolition of existing single storey extension and erection of two single storey extensions (Ref: 140359)</p> <p><b>2)</b> Advertisement consent for a Totem Advert (Ref: 140306)</p> <p><b>3)</b> Advertisement consent for Various signage (Ref: 140307)</p> <p><b>4)</b> Planning permission for installation of plant (Ref: 140309)</p> <p><b>5)</b> Application for variation of a condition of planning application Ref 120604 relating to landscaping and external finishes (Ref: 140544)</p>		
<b>Applicant:</b> PUNCH TAVERN LIMITED		
<p><b>Recommendation:</b></p> <p><b>1)</b> 140359 (NMC) – Issue non-material amendment</p> <p><b>2)</b> 140306 (ADV) – Refuse advertisement consent</p> <p><b>3)</b> 140307 (ADV) – Approve advert consent with standard conditions</p> <p><b>4)</b> 140309 (PPP) – Approve planning permission subject to conditions</p> <p><b>5)</b> 140544 (VOC) – Issue variation of condition</p>		

### Executive Summary

The report relates to a number of applications at the site following the grant on appeal of the previous application in relation to the change of use from a public house to a retail unit, which was also subject to a lawful development certificate (Ref: 120585). The works to implement this change of use are currently ongoing. The siting of the totem advertisement (Ref: 140306) is considered inappropriate for reasons set out in the report however the other applications, are considered acceptable.

**Planning Status:**

Change of use from A4 (public house) to A1 (retail) granted at appeal. The site is currently undergoing the renovations in association with this previous consent.

**Relevant Planning Policies:**National Planning Policy FrameworkEastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C12: Ratton & Willingdon Village Neighbourhood Policy

D1: Sustainable Development

D2: Economy

D4: Shopping

D8: Sustainable Travel

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development

UHT4: Visual Amenity

UHT12: Advertisements

BI4: Retention of Employment Contributions

BI6: Business and Industry in Residential and Tourist Areas

BI7: Design Criteria

TR4: Quality Bus Corridors

TR6: Facilities for Cyclists

TR11: Car Parking

TR12: Car Parking for Those with Mobility Problems

SH6: New Local Convenience Stores

SH7: District, Local and Neighbourhood Centres

US1: Hazardous Installations

US3: Infrastructure Services for Foul Sewage and Surface Water Disposal

US4: Flood Protection and Surface Water Disposal

**Site Description:**

The site, previously a public house, is situated at the corner of Timberley Road and Lindfield Road and is currently undergoing its transformation to a retail premises to be occupied by Co-Op.

**Relevant Planning History:**

120585

Lawful Development Certificate for the change of use from class A4 (Public House) to class A1 Retail

Issued 04/12/2012

120604

Change of use from public house (A4) to retail (A1) together with demolition of existing single storey extension and erection of two single storey extensions.

Refused 11/12/2012 (Granted at appeal)

131076

Approval of details reserved by conditions 3 (materials) and 4 (landscaping) (EB/2012/0641(FP)) for the 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.

Issued 11/02/2014

### **Description of Development:**

The applicant is seeking planning consent for the following separate applications:

#### **1) Non Material amendment to planning application 120604 (Ref: 140359)**

This application is concerned with non-material changes to the approved (on appeal) application 120604 which have been applied for mainly due to structural issues found having commenced the development, which include:-

- Relocation of the main public access doors on the front (east elevation). These are to be relocated from a central position to be closer to the eastern side of the front elevation, using an existing opening.
- The proposed door on the Northern elevation is to be relocated further along (by approx 8.2m) closer to the rear elevation rather than centrally located on the northern elevation.
- The proposed new door opening on the Southern elevation for access to the plant equipment is to be inserted approx 3.91 from the corner of the rear (West) and southern elevation.
- There will no longer be any additional first floor extension as the main building will retain its original shape and design at first floor level with the only extension being at ground floor level to the rear (west) elevation.
- A small element of levelling and hard surfacing will take place to allow for the extension at the rear elevation (West).

#### **2) Advertisement consent for a totem advert (Ref: 140306)**

The applicant is seeking permission for an externally illuminated totem sign to be erected centrally on the grass verge, within the existing site boundary, to the front elevation.

The proposed totem sign will measure 3.750 in height, 0.810 width with a depth of 0.070m. The sign is proposed to be externally illuminated with an illuminance level of 200.000cd/m which will be static.

#### **3) Advertisement consent for various signage (Ref: 140307)**

The applicant is seeking permission to display the following signage:

##### Sign 1

1 x externally illuminated fascia sign which will project from the existing front elevation by 0.100m with a height of 0.750m width of 15.200m and a depth of 0.100m. The illuminance levels will be 200.00cd/m and remain static.

##### Sign 2

1 x non-illuminated projecting sign which will project from the existing building by 0.460 with a height of 0.490m, width of 0.410m and depth of 0.060m which will be non-illuminated.

#### Sign 3

1 x internally illuminated projecting sign which will project from the building by 0.630m with a height of 0.750m, width of 0.630m and a depth of 0.100m. This sign will be internally illuminated with a level of 200.000cd/m

#### Sign 4

1 x Vinyl window graphic will measure 2.4m in height, and a width of 1.750m, whilst the other will be the same height but have a width of 0.875m

#### Sign 5

1 x non illuminated menu sign which will project 0.003m with a height of 2.00m and a width of 0.875m.

#### Sign 6

4 x poster cases which will project from the face of the building by 0.050, measure a height of 0.925m and a width of 0.679m.

### **4) Planning permission for installation of plant (Ref: 140309)**

The applicant is seeking permission to install one external condenser unit, condenser pack and three new air conditioning units. New plant equipment to be situated at the south side of the building.

### **5) Application for variation of a condition of planning application Ref 120604 relating to landscaping and external finishes (Ref: 140544)**

The applicant is seeking permission to vary conditions of planning application 120604 relating to landscaping and external finishes to include in the landscaping plan timber fencing to 2.4m in height to enclose the proposed plant to the southern elevation, and for the installation of bollards to the front of the building adjacent to the parking area.

#### **Appraisals:**

##### Principle of development:

There is no objection in principle to the proposals provided they would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the visual or neighbourhood amenity, or be considered detrimental to highway safety; in accordance with policies of the Core Strategy Local Plan 2013, and saved policies of the Borough Plan 2007.

##### 1) Non Material amendments to planning application 120604 (Ref: 140359)

The proposed amendments are considered to be minor and would therefore have no additional impact on the amenity of adjoining or surrounding occupiers and a minimal impact on the visual appearance of the building. The changes to the entrance doors are due to the structure rather than any aesthetic issues; and there will no longer be any additional first floor extension as the main building will retain its original shape and

design at first floor level with the only extension being at ground floor level to the rear (west) elevation. There will be no impact to the highway network or any access issues by the amendments. It is considered that the amendments are minor alterations to the previously approved scheme and that the application should be refused.

#### 2) Advertisement consent for a totem sign (Ref: 140306)

The application for advertisement consent is to be considered in relation to highway safety and the impact on the visual amenity of the area.

A consultation was undertaken as part of the application to which no objections were received. The highways manager has raised no objection to the totem sign being erected on the verge in terms of an impact on highway safety.

However, the sign is proposed in a prominent location, on a grass verge and in close proximity to existing trees. The location is considered inappropriate and overly visually dominant on the streetscene and it is therefore considered unacceptable in principle. It is considered that the proposed advertisement would result in an obtrusive and overly dominant advertisement detrimental to the visual appearance of the area and as such the application should be refused.

#### 3) Advertisement consent for various signage (Ref: 140307)

It is considered that all the proposed signage would have a minimal impact on both the visual amenity of the area and the amenity for the surrounding residential properties. No objections have been received from residents in relation to the application.

However, in order to protect their visual amenity and the amenity of the surrounding area a condition will be attached to the permission to control the hours of display of any illuminated signage. It is not considered that the advertisements will have a detrimental impact on highway safety and therefore the proposals are considered acceptable.

#### 4) Planning permission for installation of plant (140309)

A noise assessment rating report has been submitted in support of this application with a full report measuring noise levels within the area, specifically to the rear of the Broadway. The conclusion of the submitted report is that the proposed units have been assessed as being below a specific level classed as Marginal Significance and would therefore be acceptable. No objections were received to the application following the consultation period.

In any event a condition is proposed which outlines permitted noise levels as requested by Specialist Advisor for Environmental Health this should ensure that there is no detrimental impact in terms of noise on surrounding residential properties from the proposed plant.

The location of the proposed plant to the side of the premises is considered acceptable with suitable screening to minimise the visual appearance. As such it is considered there will be limited impact on the character and appearance of the building and the surrounding area and therefore it is recommended that planning permission is granted for the proposed development.

5) Application for variation of a condition of planning application Ref 120604 relating to landscaping and external finishes (Ref: 140544)

The applicant is seeking permission to vary a condition of planning application 120604 relating to landscaping and external finishes to include in the landscaping plan timber fencing to 2.4m in height to enclose the proposed plant to the southern elevation, and for the installation of bollards to the front of the building adjacent to the parking area.

The visual impact of the proposed variations to the original application are considered to be acceptable as the timber screening will enclose the plant area improving the visual appearance, and the bollards are considered minor in nature and will have limited impact on the visual appearance of the building. The works will not have any additional impacts on surrounding residential properties and as such the proposed amendments are therefore considered acceptable.

**Human Rights Implications:**

The impacts of the proposals have been assessed as part of the application processes. Consultation with the community has been undertaken on the application for planning permission and advertisement consent 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.

**Summary of Recommendations/conditions:**

**1)** 140359 (NMC) – Issue non-material amendment.

**2)** 140306 (ADV) – Refuse advertisement consent for the following reason;

The proposed totem sign by virtue of its location, size and design would be detrimental to the visual amenity of the area contrary to saved policies UHT1, UHT4, UHT12 of the Eastbourne Borough Plan (Saved policies 2007) and policies B2 and D10A of the Eastbourne Core Strategy Local Plan (2013) and the National Planning Policy Framework (2012).

**3)** 140307 (ADV) – Approve advert consent with standard conditions, approved drawings and condition in relation to hours of illumination limited to no later than 23:00 or after the premises are closed to the public (whichever is the earlier).

**4)** 140309 (PPP) – Approve planning permission subject to conditions;

- 1) Time Limit
- 2) Subject to approved drawings
- 3) Rating Noise level condition.

**5)** 140544 (VOC) – Issue variation of condition.

**Appeal:**

Should the applicant appeal the decision to refuse the application for advertisement consent the appropriate followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.