

App.No: 140906 140907 140909	Decision Due Date: 2 September 2014 17 September 2014 24 September 2014	Ward: Sovereign
Officer: Mr Wayne Batho	Site visit date: 08 August 2014	Type: Planning Permission & Advertisement Consent
<p>Site Notice(s) Expiry date: 17 September 2014</p> <p>Neighbour Con Expiry:</p> <p>140906: 18 August 2014, and 17 September 2014 140907: 29 August 2014, and 17 September 2014 140909: 30 August 2014, and 17 September 2014</p> <p>Weekly list Expiry:</p> <p>140906: 04 August 2014 140907: 18 August 2014 140909: 18 August 2014</p> <p>Press Notice(s): n/a</p>		
<p>Over 8/13 week reason: Referred to Committee</p>		
<p>Location: Londis, 46 Beatty Road, Eastbourne</p>		
<p>Proposal:</p> <ol style="list-style-type: none"> 1) (Ref 140906) Installation of one cold store, one frozen store, two refrigeration condenser units and one a/c condenser unit. Erection of 1.8m galvanised palisade fence around cold and frozen stores, and plastic-coated corrugated canopy over cold and frozen stores, and replacement of existing east elevation close-boarded timber fence with 2.8m close-boarded timber fence to provide screening. 2) (Ref 140907) Installation of a new external ATM through shopfront glazing, and existing recessed entrance removed and brought forward. 3) (Ref 140909) Two (2) externally illuminated fascia signs plus one (1) externally illuminated projecting hanging sign. 		
<p>Applicant: Mr Simon Court for and on behalf of Morrisons</p>		
<p>Recommendation:</p> <p>140906: Approve conditionally</p>		

140907: Approve conditionally

140909: Approve (Advert – standard conditions)

Executive Summary:

This report relates to a suite of three applications pertaining to the remodelling and rebranding of a local convenience store in the Langney Point area of Eastbourne, from Londis to Morrisons.

No material impacts from the remodelled shopfront, advertisements and ATM and these are recommended for approval. (140907 and 140909.)

There are potential material issues with the chiller/freezer units to the rear of the site. With additional screening supplied by a 2.8m fence the visual appearance of the structure is considered acceptable. Conditions are considered necessary to control potential noise from the chiller units and condenser units. (140906.)

Planning Status:

The site is located on a short parade of shops in a predominantly residential area.

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
7. Requiring good design
8. Promoting healthy communities

Core Strategy Local Plan 2013 Policies

- B2: Creating Sustainable Neighbourhoods
- C13: St Anthony's & Langney Point Neighbourhood Policy
- D2: Economy
- D4: Shopping
- D5: Housing
- D10A: Design

Eastbourne Borough Plan Saved Policies 2007

- UHT1: Design of New Development
- UHT4: Visual Amenity
- UHT12: Advertisements
- BI6: Business and Industry in Residential and Tourist Areas
- BI7: Design Criteria
- SH7: District, Local and Neighbourhood Centres
- HO2: Predominantly Residential Areas
- HO20: Residential Amenity

Site Description:

The site is the ground floor and rear yard of 46 Beatty Road, Eastbourne. Set back from Beatty Road by a small (40 vehicle) car park to the front which serves the whole parade of shops which the site is at the eastern end of, the property is bounded to the east by Hardy Road.

There are flats/apartments above the parade of shops, and to the rear of the property there is an access road servicing the rear yard and a number of garages.

Relevant Planning History:

EB/1971/0506

Installation of new shop front, and erection of internal partitions in ground floor shop.

Granted, subject to conditions. 1971/09/09

EB/1969/0460 (original scheme for the entire block)

Erection of a three-storey block of 8 shops and a supermarket, with 8 maisonettes and a flat over, parking spaces for 40 cars in front and provision of a service road with 10 garages and refuse stores at the rear.

Granted, subject to conditions 1969/10/09

040343

Installation of aluminium powder coated shop front and installation of automatic sliding door, including brickwork infill to side elevation.

Planning Permission

Approved unconditionally 26/07/2004

960453

Display of two externally illuminated fascia signs.

Advertisement

Standard advert approval 01/02/1996

Proposed development:

The applicant is seeking permission for:

140906 – The installation of two cold stores (one refrigerator unit, one freezer unit) in the rear yard, to be enclosed by a 1.8m high palisade and plastic-coated corrugated canopy. In addition there would be two condenser units, one for each of the two cold stores, and a further condenser unit for air conditioning. These condenser units are located on the opposite wall from the proposed chiller/freezer units and sited below the stair-run providing access to the upper floor residential properties. Furthermore the current fencing along the property boundary with Hardy Drive is to be replaced with a 2.8m high closed-boarded timber fence which will screen the chiller/freezer units from nearby properties.

140907 – The installation of a new ATM through the shopfront glazing at the eastern end of the front elevation, and the removal of the existing recessed entrance – the entrance to be remodelled to the outline of the building.

140909 – Advertising comprised of:

- (01) One externally illuminated fascia sign (810mm x 12725mm) along entire front elevation, dark green in colour with yellow and white text.
- (02) One externally illuminated fascia sign (810mm x 7060mm) along part western side elevation, dark green in colour with yellow and white text.
- (03) One externally illuminated hanging sign (1030mm x 800mm x 100mm), dark green in colour with yellow and white text, to be suspended above the eastern end of the front elevation fascia sign.

Neighbour Representations:

It should be noted that the three applications under consideration here were initially subject to individual neighbourhood consultations involving the standard neighbour consultation letters over what was considered to be an appropriate area. (Please see title page for dates.)

Following input from local residents and the subsequent referral of the suite of applications to Committee, a further neighbourhood consultation combining all three applications was undertaken. This involved more neighbour consultation letters (over an increased area following concerns about the extent of the original consultations) and site notices.

140906

Objections have been received and cover the following points:

- Potential increase in noise from fridge/freezer and additional condenser units.

140907

No consultation responses have been received.

140909

No consultation responses have been received.

There have also been representations on matters **not directly related** to the content of the three applications under consideration here on the following points:

- Concern that the new operators of the store have permission for extended opening hours, which will include the sale of alcohol potentially encouraging problem drinking.
- Concern that the extended opening hours may cause disturbance within the local area due to cars and individuals visiting the premises.
- Concern that there could be more delivery movements, potentially at unsociable hours. (Suggestion of 07:00-19:00 restriction.)

- Concern that the initial levels of public consultation were limited.

Appraisal:

The main considerations in the determination of this suite of three applications relate to the:

- Principle of development
- The impact of proposed development(s) on amenity of adjoining neighbours and surrounding area
- Impacts upon the local economy

Principle of development:

There is no objection in principle of making alterations to the building provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity or the character of the area and is in accordance with the policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007 and the National Planning Policy Framework.

In addition the NPPF and the Core Strategy both promote that schemes/applications that support the local economy and foster economic growth should be supported. It is clear from these applications that a National retailer is seeking to invest in refurbishing a building with a view of maintaining the retail function of the key facility in this local parade. In maintaining a retail presence at the site the applicant may secure existing jobs and also there is the potential for job creation.

As such there are no objections to the principle of any elements of the scheme reported here.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

140906 – Chiller/freezer units and condensers:- There is some concern that the siting of the two cold units and associated palisade in the yard at the rear of the store could result in the loss of the use of the rear as an option for taking deliveries. If this were to be the case there are limited other options available, namely the use of the front car park (causing undue disturbance, and potentially causing damage to the surface of the car park – as seen on site – which was never intended to support heavy vehicles), or the use of the section of Hardy Road adjacent to the store (with the potential, again, to cause undue disturbance).

The applicant has supplied vehicle tracking plans that clearly demonstrate that with the size of the vehicle they intend to service the building the chiller/freezer units do not fetter the potential for rear servicing.

Members should note that whilst officers have requested this servicing information and the applicant will use their best endeavours to comply there are no planning conditions that exist on the site and none that could now be imposed to require the site to be serviced from the rear.

The proposed chiller/freezer units and the condensers that support their operational requirements are new features to the site and given that this parade is located within a predominantly residential area and residential flats on the upper floors, the existing background noise levels are considered to be quite low in the evening and early hours of the morning. As such, the proposed operational noise levels as indicated on the application plan may give rise to noise related complaints from the neighbours and given the existence of 6 other external units, may result in a cumulative noise impact. A noise report has been submitted by the applicants and has been forwarded to Environmental Health Officers for comment. These comments will be reported to the planning committee and any relevant conditions that may be necessary to address any potential undue noise problem.

The proposed chiller/freezer units are of a size that would be seen over the existing close boarded fence. Revised plans have been submitted showing a 2.8 metre high fence to the boundary which would screen the chiller units, palisade fence and plastic corrugated canopy. As such, it is considered that the proposal would not have any adverse visual impact within the streetscene along Hardy Road and from houses opposite and is thus considered acceptable on visual amenity grounds.

As commented above the applicant has demonstrated that there still remains the potential for rear servicing and that they will use their best endeavours to service the site from the rear service road.

140907 – The installation of an ATM will provide a useful service to the local area. It is located within a prominent part of the ground floor shopfront that commands a significant amount of active surveillance and as such it complies with the elements of secure by design. No objections are raised to the degree of illumination or the advertisement material that the ATM carries and would not have any adverse impact on the appearance of the building or shopfront.

The remodelled store entrance in filling the corner section of the shopfront provides a unified, consistent entrance and would be in keeping with the appearance of the existing building and shopfront. As such, it is considered that the proposed alterations are acceptable and would not be out of character with the rest of the shopping parade.

140909 – With regard to the proposed fascia signs, the proposed advertisements show the applicants corporate rebranding of the store. The proposed fascia signs on the front and side of the building are to be externally lit and as such the degree of illumination is more muted than internally illuminated signs as such they are considered not to give rise to any material

visual impact upon the site and surrounding area especially given the commercial nature of the ground floor of this parade. As such, it is considered that given the fascia signs location, standard design and appearance, they would not give rise to any material highway safety or visual amenity issues.

Given the small size of the proposed hanging sign which is similar to that of the existing Londis hanging sign, it would not give rise to any issues with visual intrusion or highway safety and therefore is considered to be acceptable.

Human Rights Implications:

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.

Conditions:

140906 – Approve subject to conditions:

1. Time limit
2. Subject to approved drawing numbers.
3. Noise condition relating to chiller and condensing units.
4. Notwithstanding the details shown on the plans hereby approved, prior to the commencement of the retail operation, the 2.8 metre side fence to the flank boundary of the site shall be provided and permanently retained as such for the duration of the use.

140907 – Approve subject to conditions:

1. Time limit
2. Subject to approved drawings

140909 – Approve advert consent with standard conditions

Appeal:

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