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| App.No: 150195 | Decision Due Date: 18 April 2015 | Ward: Devonshire |
| Officer: Richard Elder | Site visit date: 8 May 2015 | Type: Planning Permission |
| Site Notice(s) Expiry date: 27 March 2015 | | |
| Neighbour Con Expiry: 27 March 2015 | | |
| Press Notice(s): n/a | | |
| Over 8/13 week reason: Amendments required to plans and committee cycle | | |
| Location: 1b Lower Parade, Eastbourne | | |
| Proposal: Provision of decking area on the beach for Periwinkles seafood outlet adjacent to the lower promenade together with the removal of 2sections of railings to facilitate access to the deck. (Amended description). | | |
| Applicant: Mr Frank Evans | | |
| Recommendation: Approved conditionally | | |

Executive Summary:

The proposed development is appropriate in terms of its siting, scale and design, and would provide an improved facility on the seafront for tourists. It would have no significant impact on the setting of the adjacent Grade II listed Pier and surrounding conservation area. It would comply with the relevant adopted policies and government guidance.

Planning Status:

Public seafront promenade
Town Centre and Seafront Conservation Area

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure.
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities

9. Protecting green belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals

Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C1: Town Centre Neighbourhood Policy
D3: Tourism and Culture
D10: Historic Environment
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development
UHT4: Visual Amenity
UHT15: Protection of Conservation Areas
TO9: Commercial Uses on the Seafront

Site Description:

The application site comprises a small retail outlet for a shellfish bar immediately adjacent to the lower promenade and beach to the north east of the pier. The application site involves part of the beach area adjacent to the promenade where access would be gained.

The character is identified as a mixed used environment, the concentration of which is within the immediate setting of the Pier, providing a contrast to the openness of the beach and longer views across the sea.

Relevant Planning History:

None

Proposed development:

Provision of decking area on the beach for Periwinkles seafood outlet adjacent to the lower promenade together with the removal of 2 sections of railings to facilitate access to the deck.

The original application involved the provision of a deck measuring 10 metres deep and 20 metres wide. The application has since been amended to reduce the size of the deck to 5 metres deep and 10 metres wide. The deck would be enclosed by an open 1.1 metre high balustrade.

Consultations:

Internal:

Estate Manager – No response

Specialist Advisor (Economic Development) – No response

Specialist Advisor (Conservation) – No objection to amended proposal.

Specialist Advisor (Engineering) – No objection to amended proposal.

External:

Environment Agency – No objection

County Ecologist – No objection

Neighbour Representations:

1 objection has been received and covers the following points:

- Inappropriate at this location, would not serve as a benefit to this part of the promenade and would detract from existing visitor attractions within the area.
- Detrimental impact upon the regeneration benefits and setting of the Grade II* Listed Eastbourne Pier.
- Negative impact upon the setting, character and appearance of Eastbourne Pier alongside the implications upon the vitality and viability of the Pier.
- No need for the additional decking within this area and the implementation of such a development would hinder rather than enhance the tourism offer within Eastbourne.

Appraisal:

Principle of development:

The principle of a deck has already been established to the south west side of the pier where there are beach decks associated with café's and outlets. The proposed deck on the other side of the Pier would improve the offer of the cafes and encourage more customers and a variety of uses, to the benefit of the vitality of the seafront.

Design, Siting and Layout

Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

The siting of the amended proposal is now appropriate and a sufficient distance away from the adjacent groyne. The scale and form of the amended proposal is considered to be appropriate for this location, modest in size and preserves access to the shingle beach for members of the public as well as access for essential repairs and maintenance to the groyne and beach.

The design and layout is relatively standard. The proposal has been designed to reflect the natural environment within which it will be sited, which includes timber decking and balustrades. Whilst the design of the balustrades reflects

the balustrades associated with decking to the west, it is considered that more of a standard design approach to the balustrade, is considered as an enhancement to the existing character of the area. As such, a condition is required to provide further details of the balustrade and details of making good to the existing railings after removal of the 2 bays.

The proposal would, therefore, accord with Policies UHT1 and UHT4 of the Eastbourne Local Plan.

Impact on character and setting of a listed building or conservation area:
Policy UHT15 of the Eastbourne Local Plan states that the character or appearance of conservations areas should be preserved or enhanced.

Policy D10 of the Eastbourne Core Strategy requires all significant heritage assets to be protected and enhanced where practicable. Policy D10a requires new development to make a positive contribution to the townscape and urban heritage.

The application site is situated within the immediate setting of the Pier a Grade II* heritage asset. Located within the Town Centre and Seafront Conservation Area, the contribution to which includes the juxtaposition of natural and built environment, to which the promenade follows the contours of the bay, providing a visual link between the two.

The character of this part of the promenade, which is an extension too and includes the west promenade; includes the activity associated with the concentration of mixed use units, upon and at the foot of the Pier; including cafes, public conveniences and retail units, with kiosks on the upper promenade.

The activity associated with the commercial and retail units at upper and lower promenade, in conjunction with the use of the promenade and beach, for sport and recreation results in an active and vibrant environment.

Additionally uninterrupted views of the sea and beach, which includes the promenade edge, defined by traditional style railings to the east, the natural curve of the bay, rhythm and harmony provided by the groynes, make a positive contribution to the character and appearance of the area.

Whilst the value of the relationship between the promenade and beach includes its permeability, it is acknowledged that the promenade to the east of the Pier is limited to access points, within the railings. Partly due to the various heights between the surface of the promenade and level of the beach, the proposal however to remove two bays of railings to provide access to the proposed decking, is considered acceptable in principle as the contribution the railings make to the character of the area would not be undermined by the removal of two bays.

The reduced depth of the decking to 5m is visually more comfortable than previously proposed and the length is proportionate with the location of Perrywinkles and the depth of the proposed deck.

The proposal would, therefore, accord with Policies UHT15 of the Eastbourne Local Plan and Policies D10 and D10a of the Eastbourne Core Strategy.

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.

Conclusion:

The proposed development is appropriate in terms of its siting, scale and design, and would provide an improved facility on the seafront for tourists. It would have no significant impact on the setting of the adjacent Grade II listed Pier and surrounding conservation area. It would comply with the relevant adopted policies and government guidance.

Recommendation:

Approve conditionally

Conditions:

1. Commencement within 3 years
2. Development in accordance with the approved plans
3. Submission of details of foundations
4. Submission of details of balustrading