

App.No: 151262 (PPP)	Decision Due Date: 21 January 2016	Ward: Old Town
Officer: Sally Simpson	Site visit date: 9 December 2015	Type: Planning Permission
Site Notice(s) Expiry date: 20 December 2015 Neighbour Con Expiry: 20 December 2015 Press Notice(s): N/a		
Over 8/13 week reason: The application will exceed its 8 week limit due to the referral to Planning Committee following the Delegated decision.		
Location: 20-23 Albert Parade, Green Street, Eastbourne		
Proposal: Installation of new shopfront incorporating an ATM to no.20, and alterations to the ground floor windows on the south east and south west elevations of the restaurant.		
Applicant: Mr D. PHOTIOU		
Recommendation: Approve, conditionally		

Executive Summary:

The current application seeks permission for some of the proposed works included in application reference 141224, refused by the Planning Committee in January 2015 for:

‘New shopfront with amendments to windows and openings on front elevation to include new fixed planters, decorative screens and gate to external demise line, installation of an ATM and other associated works. Also proposed is new external lighting.’

The applicant now seeks permission for the installation of ATM with associated works to shop front at no. 20 Albert Parade, along with alterations to windows on the front and side elevations (fronting Green Street and Chamberlain Road respectively) of no. 22-23 Albert Parade (the main restaurant).

The original proposal for alterations to the ground floor windows of 22-23 Albert Parade, which included enlarging the openings by lowering the cill height on the elevation fronting Green Street only. This element of the proposal was not supported as the alterations were considered to unbalance the dual fronted façade, of a building located on a prominent corner, which would have benefitted from altering the windows fronting Chamberlain Road. The current scheme, proposes identical alterations to both elevations, thus overcoming the reason for refusal for this element of the scheme.

The shopfront alteration with installation of an ATM was, and is still considered to be supportable and is therefore it is recommended that along with the proposed window alterations, the current application be approved.

This scheme does not promote any development in relation to the external seating area, which formed a major part of the reason for refusing the previous application.

The application was referred to Planning Committee, due to the previous scheme, being decided by Committee.

Relevant Planning Policies:

National Planning Policy Framework 2012

Paragraphs 1-5 (Introduction)

Paragraphs 6–16 (Sustainable Development)

Paragraph 17 (Core Planning Principles)

Paragraphs 56-66 (Design)

Eastbourne Core Strategy Policies

Eastbourne Core Strategy Local Plan 2006-2027

B1 Spatial Development Strategy and Distribution

B2 Creating Sustainable Neighbourhoods

C4 Old Town Neighbourhood Policy

D4 Shopping Green Street (Albert Parade) District Shopping Cen

D5 Housing High Value Neighbourhoods

Borough Plan Policies

Eastbourne Borough Plan 2001-2011

UHT1 Design

UHT4 Visual Amenity

SH7 District Local and Neighbourhood Centres

NE14 Source Protection Zone

Site Description:

The applications relate to the Trident Fish Restaurant and Takeaway at 20 – 23 Albert Parade, occupying the corner of the Albert Terrace parade of shops and has been used for a number of years to house a Fish restaurant and takeaway. The takeaway element, currently located at number 21, would be moved to number 20 (decided under planning application: 140057) creating space to extend the restaurant in to the area currently used as the takeaway and would benefit from the new shopfront proposed under the current application.

Relevant Planning History:

EB/1973/0113

C/u grd/fl & basement from shop to bank Approved Unconditional 1973-02-22

EB/1993/0205

Change of use from bank to fish and chip restaurant and take-away

Refused 1993-06-22 Dismissed

940326

Change of use from bank to fish and chip restaurant and take-away together with new shop front and doorway and replacement windows to ground floor.

Planning Permission Approved conditionally 27/06/1994

950055

Variation of Condition 2 of planning permission EB/94/0192 to extend approved hours of operation from 8.00 a.m. to 6.00 p.m. to 8.00 a.m. to 9.30 p.m. on Mondays to Saturdays inclusive.

Planning Permission Approved unconditionally 23/03/1995

950127

Conversion of existing first floor flat to two one-bedroom flats and construction of mansard roof to provide two additional one-bedroom flats.

Planning Permission Approved conditionally 23/03/1995

080576

Proposed single storey flat roof extension with rooflight at side to enlarge restaurant, together with extension at the rear to form enlarged kitchen and improved customer toilet facilities.

Planning Permission Approved conditionally 28/10/2008

140057

Proposed Change of Use at no. 20 Albert Parade from A1 to A3 (including takeaway) in conjunction with existing restaurant at no. 23. Extension at the rear to form kitchen and food preparation area, together with replacement shopfront. Re-positioning of entrance staircase to existing first floor maisonette (no. 21) from front to rear of property.

Planning Permission Approved conditionally 26/03/2014

141224

New shopfront with amendments to windows and openings on front elevation to include new fixed planters, decorative screens and gate to external demise line, installation of an ATM and other associated works. Also proposed is new external lighting. Planning Permission Refused 07/01/2015

141225

Main restaurant signage to include: 2no. fascia signs Halo illuminated formed lettering (Trident Restaurant) on an aluminium signage fascia, 1no. projecting sign box with internal spotlight over entrance and internally illuminated menu totem sign. Signage for takeaway to include 1no. projecting sign and 1no. Halo illuminated formed lettering on an aluminium signage fascia. Also proposed is the installation of new retractable awnings to front (Green Street) and side (Chamberlain Road) elevations.

Advertisement Approved conditionally 07/01/2015

141594

Erection of an upper ground floor rear extension to the rear of 20-23 Albert Parade, together with repositioning of entrance staircase to existing maisonette (no. 21) in association with the change of use of no.20 Albert Parade from A1 to A3 (including takeaway) (Previously approved under reference 140057).(AMENDED DESCRIPTION)

Planning Permission Approved conditionally 11/02/2015

151013

Discharge of conditions 3 (render) and 5 (ventilation system) of permission 141594 for the erection of an upper ground floor rear extension to the rear of 20 - 23 Albert Parade,

together with repositioning of entrance staircase to existing maisonette (no. 21) in association with the change of use of no.20 Albert Parade from A1 to A3 (including takeaway) (Previously approved under reference 140057).

Approval of Condition Discharged 24/11/2015

Proposed development:

The applicant is seeking planning consent to install a new shopfront, incorporating an ATM at No. 20; together with alterations to the ground floor windows on the south east (fronting Chamberlain Road) and south west (front Green Street) elevations of the restaurant.

The proposed shopfront and door would be powder coated aluminium – grey – RAL No. 7037 with the insertion of an ATM towards the North West corner of No. 20 Albert Parade.

The proposed restaurant windows along the ground floor will be aluminium powder coated frames – grey – RAL No. 7037 with sliding sash windows with the upper half comprising of 9 individual panes and the lower half being clear glazed. Additionally, the cill height of all ground floor windows on this corner building will be reduced by approximately 0.30 metres, in order to improve the internal dining experience by creating better external views.

There will be no changes to the position/layout of the existing windows within the elevations of the building other than the alterations described above.

Consultations:

Neighbour Representations:

No objections have been received.

Appraisal:

Principle of development:

There is no objection in principle to 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 policies of the Core Strategy 2013, saved policies of the Borough Plan 2007 and the guidance outlined in the National Planning Policy Framework (2012).

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

Policy HO20 of the Eastbourne Local Plan requires new development proposals to respect residential amenity and Policy B2 of the Eastbourne Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

The proposed alterations which include the enlargement of the windows at ground floor level, changing from multi-panelled timber frame to a clear glazed sliding sash, whilst improving the outlook and dining experience for the patrons of the restaurant, is not considered to result in any significant loss of amenity to any of the adjacent residential occupiers, by way of any impact to privacy and would not have any significant detrimental impact towards the visual appearance of this part of the parade of shops.

No other externally accessed ATMs are located along the parade of shops, the last being removed from the location when a branch of Halifax closed a number of years ago. The re-introduction of an ATM at this end of the parade would be a useful addition to this popular and busy parade of shops and is not considered to result in any significant loss of residential amenity by way of noise and disturbance relating to the use of the ATM.

Design issues:

Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Borough Plan state that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials, setting, alignment and layout.

The proposed change in material of the windows is considered to be suitable for the location, and as all of the ground floor windows of the corner building will be altered identically, the existing symmetry and balance of the façade will be retained, which contrasts to the previous refused submission, which proposed to address one elevation only over the dual fronted-façade.

It is considered that the current proposal successfully overcomes the reason for refusal of the previous scheme, and therefore is considered supportable in design terms.

Additionally, the new proposed shop front alterations are considered wholly appropriate for the location within a parade of shops.

Impact on character and setting of a listed building or conservation area:

This property is not listed nor is it located in a conservation area.

Impacts on trees:

There are no trees on the site that would be affected by this proposal. The nearest tree, located on Chamberlain Road is considered to be a sufficient distance from the location of where the proposed works will occur.

Impacts on highway network or access:

There are no changes to the existing access or available on street vehicle parking as a result of this proposal.

Sustainable development implications:

Paragraph 18 of the NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity.

Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable

growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

The re- introduction of an ATM together with the upgrade of the existing windows to the restaurant at the end of this shopping parade will help ensure the vitality and use of this District Shopping Centre continues.

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 new shopfront with ATM; together with the replacement windows to the ground floor are recommended for approval, subject to conditions as it is considered to have minimal impact in terms of scale, design, visual and neighbour amenity and therefore complies with policies B1, B2, C10, D5 & D10A of the Eastbourne Core Strategy Local Plan (2013), policies UHT1, UHT4, HO2, HO20 of the Eastbourne Borough Plan (Saved Policies 2007) and the guidance outlined within the National Planning Policy Framework (2012).

Recommendation: Approve, subject to conditions

Conditions:

1. TIME

2) APPROVED DRAWINGS:

- Site Location & Block Plan received 25 November 2015
- Drawing number 223000-16 Revision b received 26 November 2015

3) MATERIALS AS PER EMAIL DATED 13/01/2016

Appeal:

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.**