

App.No: 160304	Decision Due Date: 24 May 2016	Ward: Devonshire
Officer: Neil Holdsworth	Site visit date: 03 May 2016	Type: Planning Permission
Site Notice(s) Expiry date: 24 April 2016		
Neighbour Con Expiry: 22 April 2016		
Press Notice(s): N/A		
Over 8/13 week reason: Within time		
Location: 3 Susan's Road, Eastbourne		
Proposal: Proposed change of use from vehicle hire centre to Eastbourne Food Bank with associated facilities		
Applicant: Eastbourne Food Bank		
Recommendation: Approve conditionally		

Executive Summary: This application relates to the conversion of a vacant vehicle hire centre located on Susan's Road to a foodbank (sui generis use class) with associated facilities. The main issues in the consideration of this application are the impact of the proposed use on the amenity of surrounding residents along Susan's Road and on the adjacent public highway. The application is considered acceptable in this regard, and is recommended for conditional approval.

Planning Status: The existing use of the premises is as a vehicle showroom/car hire centre (sui generis use class).

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
8. Promoting healthy communities

Core Strategy Local Plan 2013 Policies

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C1: Town Centre Neighbourhood Policy
- C3: Seaside Neighbourhood Policy
- D1: Sustainable Development
- D7: Community, Sport and Health

D10A: Design

Eastbourne Borough Plan Saved Policies 2007

NE18: Noise

UHT1: Design of New Development

UHT4: Visual Amenity

UHT11: Shopfronts

HO20: Residential Amenity

TR2: Travel Demands

TR11: Car Parking

SH2: Business uses Outside the Retail Hierarchy

SH6: New Local Convenience Stores

SH7: District, Local and Neighbourhood Centres

Site Description:

The site comprises a large 750 Sqm former car hire centre located off Seaside Road within Eastbourne Town Centre. It is accessed from a vehicular entrance located along Susans Road, adjacent to a taxi office and a number of shops and restaurants at ground floor level, with residential flats immediately above the premises. The site is not located in a conservation area.

Relevant Planning History:

020171

Change of use from motor trade showroom and workshop to vehicle Rental branch.

Planning Permission

Approved conditionally

20/06/2002

150825

Proposed change of use from vehicle showroom (Sui Generis) to Dance studio with associated facilities (Use Class D2).

Planning Permission

Approved conditionally

15/09/2015

Proposed development:

Planning permission is sought for the conversion of the existing car hire rental centre to a foodbank (sui generis use class). The proposed operation is to be run by 'Eastbourne Foodbank' who are required to relocate from their existing premises on Cornfield Lane due to capacity issues.

Consultations:

External:

Sussex Police: No objection to proposed development.

Town Centre Neighbourhood Panel: Support application. Plans considered to be an asset to wider neighbourhood area.

Internal:

Crime Reduction Partnership Co-ordinator: There is a low risk that the proposed use would result in anti-social behaviour arising as long as it is managed effectively.

Neighbour Representations:

Four objections have been received and cover the following points:

- Impact on congestion in surrounding area through additional parking demand.
- Concern about the blocking and obstruction of adjacent taxi rank.
- Concern about people gathering outside premises creating an obstruction to local residents, businesses and visitors.

Appraisal:

This application relates to the conversion of the former vehicle showroom that is located along Susans Road, close to the intersection with Seaside Road. The most recent use of the site was as a car hire centre which ceased prior to 2014 and the site has been vacant for over two years.

The proposed alternative use for the site is as a foodbank to be managed by Eastbourne Foodbank who are currently based at Cornfield Road. Eastbourne Foodbank is an established operator within the town who have stated that they need to move out of their current premises due to having exceeded its capacity.

An operational management plan has been submitted for the development by the applicant which states the following:

- Clients will collect 3 days food from the site and obtain advocacy & advice when required. We will store our stock of food on site. Our delivery / collection van will leave around 10.00 am and return at around midday. We will have our admin offices on site. A training room will provide facilities for small groups to receive lifestyle & basic skills training.
- Deliveries are made by our own transport once a day. The van leaves to collect food returning at midday. External deliveries of supplies are very

rare. Sometimes members if the public drop off stock for us to use. This operation should not cause any parking issues.

- We propose to be open for the collection of food from 10.00am to 12.00 midday Monday to Friday. In the afternoon we will be open for other one to one client services. The length of the day is normal office hours.
- Clients will call to the property as required via our reception. They will be accompanied at all times during their visit - usually around 30 mins.

Land use issues:

The existing premises were most recently used as a vehicle rental branch. Such a use does not fall in to any established planning use and is regarded therefore as 'sui-generis'. The proposed use as a foodbank is also regarded as a 'sui generis' use.

The site is not located in a shopping area and there are no detailed policy criteria to be applied either in respect of the loss of the existing facility or to assess the suitability of the new facility against. Policy C1 of the Core Strategy sets out the neighbourhood priorities for the Town Centre, this seeks to maintain a diverse range of services and facilities and provide additional community and health facilities to meet local needs.

The applicant states that the facility responds to a local need on the basis that the existing facility has exceeded its maximum capacity. Within 2015 the foodbank dealt with 1,160 clients in Devonshire Ward, out of a total of 4,351 clients across the Borough. Within 2016 the foodbank have helped 282 clients within Devonshire Ward out of a total of 1,153 in total. As such, the proposal is considered to help achieve the objectives of Policy C1 of the Core Strategy by providing a new community facility, and is therefore considered acceptable in land use terms.

Impact on Residential Amenity

The site is located close to the town centre location with a number of residential uses on the other side of Susans Road and directly adjacent to the premises at 15 Susans Road. In addition there are residential uses immediately above the proposed use that form part of the application site.

The proposed use would involve the deliveries and storage of food, a section for picking, office space and a waiting area. There are no industrial processes that would create noise disturbance for adjacent residents. On balance it is considered that – as long as the operation is effectively managed - the impact of the foodbank on neighbouring residents would be no different to any other retail use or the previous use on the site. Conditions are recommended relating to opening hours, deliveries and compliance with the operational management plan that should help manage the impact of the use

on adjacent residents. As such the application is considered to comply with the relevant policies on protecting residential amenity including policy HO20 of the Borough Plan (saved policies) and policy B2 of the Core Strategy.

Impact on Crime and Anti-Social Behaviour.

The Police have raised no objections to the application and the Crime Reduction Partnership Co-ordinator states that as long as the use is effectively managed and closed before the evening every day it should not result in a draw for anti-social behaviour. The management plan submitted by the applicant states that clients will only access the foodbank premises from 10am to 12am (in line with their existing facility), and the plans show a waiting area to be provided within the site avoiding the potential for a queue of people to form on the street outside.

There is no evidence arising from the consultation that the proposal would result in an unacceptable impact in terms of crime or anti-social behaviour and it is considered that the issue can be managed by appropriate conditions. An informative has been added to the decision notice that advises the applicant to work closely with the local Neighbourhood Panel and local Neighbourhood Policing Team on the ongoing management of the premises to avoid any issues arising associated with anti-social behaviour.

Transportation/Highway Impact

The site is adjacent to a taxi officer and rank which has been established for over ten years. Four objections have been raised on the grounds that the application premises would result in additional vehicular movements that would block the public highway.

There is an existing drop kerb outside the premises and an access route to the garage premises. Any additional vehicular movements generated by the proposed use must be assessed against the impact of the previous use. The applicant states that the vehicular movements associated with the site would be those associated with the delivery van, which picks up food and would enter the premises via the existing dropped kerb. A condition is recommended that would require the area shown on the plans for deliveries being retained for deliveries and vehicular parking and no other purpose. This is to avoid delivery vans waiting outside the site and creating congestion on the public highway.

There may be some additional vehicular movements generated by other deliveries to the site, staff travelling to work on the premises, and users of the foodbank accessing the premises by car. It is considered that on balance the overall impact of these movements would be broadly similar to the site in its lawful existing use, or any alternative retail or other town centre use on the site in question. Furthermore, the town centre location of the site makes it well located for access by staff, users and visitors using public transport. As

such the proposal is considered acceptable in Highways and Transportation terms.

A condition requires that the development is carried out in accordance with the Operational Management Plan submitted to the Council as part of this application. It is noted that, in this statement, the applicant states the intention to convert the centre in to a hub for other community related uses. An informative states that should other uses be proposed alongside the foodbank use the applicant will need to submit an amended operational management plan to ensure the uses are effectively integrated into the surrounding residential environment.

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 application is considered to be acceptable in land use, amenity and highways terms and is recommended for conditional approval.

Recommendation: Approve conditionally.

Conditions:

- 1) Development within three years
- 2) Development in accordance with the approved plans.
- 3) Opening hours for service users and deliveries restricted to 8.30 am to 6 pm daily, with the front doors kept locked shut outside of these times.
- 4) You must implement this permission in accordance with the email dated 24th March 2016 from Eastbourne Foodbank to Lee Watson and referred to hereafter as the 'Operational Management Plan'. You must not change the operating procedures of the proposed foodbank use (or any other ancillary uses) without the written approval of the Local Authority through the submission of an amended Operational Management Plan.
- 5) You must retain the area shown on the approved plans as 'deliveries' for the purpose of vehicular parking, loading and unloading in relation to the foodbank use permanently. You must not use this area for any other purpose at any time.

Informatives:

1. To help protect the amenity of local residents and surrounding residential and commercial occupiers you are strongly advised to work with the Neighbourhood Panel and Neighbourhood Policing Team to help manage the risk anti-social behaviour arising as a result of the proposed use.
2. This application hereby approves the use of the premises as a foodbank in accordance with the operational management statement submitted in support of this application. Should you wish to expand the use to other community related uses you must submit an amended operational management plan under the terms of condition 4 of this planning permission.
3. Condition 3 restricts the opening hours of the premises from 8.30am to 6pm daily. Outside of these hours the front doors must be kept locked shut and the premises must not be open to the public or other service users outside these hours.

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**.