

App.No: 161322	Decision Due Date: 5 th January 2017	Ward: Sovereign Harbour
Officer: Thea Petts	Site visit date: 4 th January 2017	Type: Planning Permission
Site Notice(s) Expiry date: 3 rd December 2016		
Neighbour Con Expiry: 23 rd February 2017		
Press Notice(s): N/A		
Over 8/13 week reason: Cycle of Planning Committee Meetings and Submission of Further Information		
Location: Unit 2, Pacific House, 1 Easter Island Place, Eastbourne		
Proposal: Change of use to mixed use Sui Generis and B1 - Ambulance Community Response Post (to include welfare facilities and ambulance parking etc.)		
Applicant: Mr Steve Elliott - SECAmb		
Recommendation: Approve conditionally		

Executive Summary:

This application is reported to planning committee at the discretion of the Senior Specialist Advisor (Planning) given the wide community implications of the proposal and that in supporting the proposal it would result in the loss of high value employment space.

The proposed scheme would see one of the ground floor units at Pacific House given over to ambulance crew for welfare facilities and office space. This proposal is contrary to policy, however it is considered that the granting of this consent would be significantly in the public's benefit and as such is recommended for conditional approval.

Planning Status:

Office building in a mixed use area

Relevant Planning Policies:

National Planning Policy Framework 2012

8. Promoting healthy communities

Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C14: Sovereign Harbour Neighbourhood Policy

D1: Sustainable Development
D2: Economy
D7: Community, Sport and Health

Eastbourne Borough Plan Saved Policies 2007

HO2: Predominantly Residential Area
HO20: Residential Amenity
UHT4: Visual Amenity

Employment Land Local Plan 2016 (ELLP)

EL1 – Economy and Employment Land
EL4 – Sovereign Harbour

Site Description:

Pacific House stands on the corner where Pevensey Bay Road meets Easter Island Place. It is the first building encountered when the Sovereign Harbour's North Harbour is accessed from Pevensey Bay Road, acting visually as a gateway building into the area. Its design is modern and it is a highly prominent feature of the landscape. It is served by a car park accessed from Easter Island Place.

Identified in the newly adopted Employment Land Local Plan, the building provides office space for small and start-up businesses. The particular unit within Pacific House which is the subject of this application is Unit 2, a ground floor unit and an area of the car park in which to retain one or two ambulances until they are required to answer emergency calls within Eastbourne and across the wider area.

Relevant Planning History:

880342

MIXED USE DEV FOR RES, COMMERCIAL HOTEL, LEISURE & RETAIL NOT EXCEEDING 240,000 SQ FT GROSS ALSO INCL CONSTR HARBOUR & ASSOC WORKS OUTLINE

Approved conditionally
20/05/1988

920313

VARIATION OF CONDITION 1 ON 86/431 TO EXTEND THE OUTLINE IMPLEMENTATION TIME PERIOD

Approved conditionally
31/03/1992

001330

Application for variation to Condition no. 1 of EB/1992/0048 (as amended 2 April 1992) to provide five years extension of time.

Planning Permission
Approved conditionally
15/02/2001

050771

Mixed use development comprising office (Class B1) and non-food retail(Class A1) floorspace with associated re-profiling of existing shingle mound, access, servicing and car parking.

Outline (some reserved)

Refused

08/11/2005

130967

Harbour Innovation Mall - Construction of new building consisting of three storeys totalling 2,323m² net internal area for use within use classes B1(a)(b) and (c), occupying a site of 0.64ha and incorporating 130 car parking spaces.

Planning Permission

Approved conditionally

31/03/2014

131002

Outline planning permission for the development of sites 1, 4, 5, 6, 7 and 8 at Sovereign Harbour, Eastbourne:

Site 1 - up to 72 dwellings and access

Site 4 - Commercial and employment uses (A1-A5 3,200sqm)(B1, C1 and D13,600sqm)

Site 5 - Community use (800sqm)

Site 6 - Employment and office uses (B1 up to 15,000sqm)

Site 7 - Mix of employment uses (B1 6,700sqm) (C1 & C2 up to 5,500sqm)(D1 up to 200sqm), up to 70 dwellings and open space (0.80 ha)

Site 8 - Up to 8 dwellings, open space and berth holder facilities

Outline (some reserved)

Approved conditionally

02/12/2014

Proposed development:

The applicant seeks planning permission to change the use of the subject unit to provide welfare facilities (including toilets, microwave, kettle, recreation and relaxation facilities) as well as office space for the emergency response team (operating the ambulances) and management staff. At present, ambulance response teams have no consistent access to welfare facilities. It is also stated by the applicant that no medication would be stored within the unit as such things are acquired from the area's main ambulance post in Polegate.

In addition, one or perhaps two ambulances would need to be parked in the car park of the building to ensure that the ambulance team can respond quickly to emergency calls. It is proposed that the vehicles would be parked in the south west corner of the car park.

Pacific House has been identified by the SECAMB for the purposes of this proposal due to its location within an area (with a half mile radius) where the emergency response team can effectively respond to emergency calls effectively. There is an ambulance post in the Town Centre, however it is difficult for the ambulances to reach their destinations from there within the time required by Government. In recent times, ambulances have been using a makeshift response post in the car park serving Asda at the Crumbles, but here the crews have no welfare facilities. Further to this, talks with Asda about improving facilities for the emergency response teams have reportedly broken down and it is not considered possible to develop facilities there as was hoped in the past.

Consultations:

Internal:

Specialist Advisor (Environmental Health) – recommends condition

- Would like the Transport Assessment attached added as part of the approval (if given)
- Condition is to in the main to include the items regarding not leaving engines running, switching off reversing beepers and only using sirens when essential on leaving the site

Specialist Advisor (Planning Policy) –

- It is considered that the proposed split Sui Generis/B1 use would be an 'other employment generating use'; however the policy means that this will only be acceptable once the full amount of B1 allocation has been delivered. Currently 3,000sqm (GEA) has been delivered on Site 6 in the form of Pacific House.
- It is considered that this application would be contrary to Local Plan policy.

Neighbour Representations:

Sovereign Harbour Limited (Freeholder) submitted the following comments:

- No assessment of the proposal against the newly adopted ELLP was initially submitted
- Pacific House was built using public subsidy in order to provide Eastbourne with dedicated office space
- SHL support the need to ensure emergency services are appropriately provided for
- Unit 2 equates to 2.4% of the total 2,463.49sqm of lettable space within Pacific House and is still a departure from recently adopted policy EL4

One objection has been received and covers the following points:

- Interference and disturbance to the residential properties nearby due to sirens and flashing lights from ambulances:
 - Daytime general interference to enjoyment of property
 - Night time sirens disturbing sleep
 - Night time flashing lights disturbing sleep

Appraisal:

Principle of development:

The principle for the element of office use on the site is considered acceptable and in-line with policy. The principle for the facilities serving the ambulance crew other than office space is contrary to policies of the ELLP and the Core Strategy. However, the development is considered to be in the public interest and as such, this departure given the limited floorspace involved is not considered to be a material departure from the Local Plan. In this regard the support for the scheme is considered to be acceptable as the wider public benefits of the proposals are considered to outweigh the impacts of the loss of this office floorspace.

Given the above assessment it is considered that in policy terms the principle of the development is acceptable.

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

Although Pacific House is somewhat close to residential properties, it is a greater distance away from residential properties than the ambulance post located in the Town Centre (Devonshire Ward). This proposed ACRP, therefore, has good potential to operate causing even less disruption to nearby residents. The applicant has stated that staff would seek to be as respectful as possible with regards to activity during unsociable hours. Further to this, it has been stated that the sirens of the ambulance would only likely to be used when leaving the Pacific House site if traffic congestion had occurred and ambulance teams needed to make other road users aware. It is not anticipated that this situation would likely occur during unsociable hours. In consultation, the Specialist Advisor for Environmental Health stated that the new location would likely have little effect on the nearest residents and has no objections or recommendations for the grant of permission. It is considered therefore, that noise is unlikely to be an issue. However it is noted that some objections have been received against the scheme for this reason.

Aside from noise related concerns, it is not considered that any other potential amenity issues would likely result from the implementation of the scheme.

Policy issues:

It is also noted that the proposal is contradictory to policy - in particular, the ELLP. The application site lies within 'Site 6', a site identified by the ELLP as "*the locations for where the majority of the B1 development should be delivered*". However, it is recognised that an element of office use will be retained as part of this proposal.

In a statement submitted on 25th January 2017, the applicant states that:

- policy EL4 – in suggesting that *“B1 floorspace to be provided in a flexible format within Pacific House”* – could be read to support this proposal and reiterates that the size of the unit is negligible (0.25%) when compared with the amount of floorspace provided overall in Sovereign Harbour.
- In order to fulfil requirements of Policy D7 of the Core Strategy the Council should *“work together with other relevant organisations to ensure that appropriate health care facilities, including new provision and enhancements to existing facilities, are provided in the most appropriate locations to meet existing and anticipated needs”*.
- Pacific House is considered *“the only viable option”* which fulfils the location requirements and provides the required facilities.
- It is claimed that the use is still an employment generating use and the Council is urged to be flexible in this instance.
- That their specific needs would not lead to a proliferation of similar applications being submitted and that therefore, there should be limited concern that support of this scheme would create a precedent.
- The operational activities of the site would not lead to a loss of residential amenity as the sirens would only be used in accordance with current practices and where the highway/traffic issues require them to be deployed. This would be the exception rather than the rule.

These points are accepted on a wholly exceptional circumstance basis and as such support for the scheme would not set an undesirable precedent that would lead directly or indirectly to the incremental loss of office floor space within this flagship development.

It must be noted that the ELLP states that funding was secured from across the area in order to offer Pacific House to businesses and in an attempt to ensure that sustainability in Sovereign Harbour is improved. The ELLP states that *“Pacific House has provided 2,350 Sqm NIA of serviced employment floorspace”* and if this application is supported, a portion of this office space will be lost. However, it is noted that the building has not yet been fully filled since it opened in 2015. This being the case, and in these special circumstances it is considered that the use of the unit as an ambulance post until it is no longer needed by SECamb, will not do significant harm to the integrity of the office space offered by Pacific House.

Design issues:

There are no external alterations proposed by this application aside from the parking of one or two ambulances in the car park serving the building. This being the case, it is not considered that any design concerns would arise as a result of the granting of planning permission. The parking of the ambulance(s) is not likely to affect the character and appearance of the area

as the car park is designed for use by motor vehicles. Further to this, it is not likely that an ambulance will be parked in the Pacific House car park all of the time. Often the vehicles will be out on call and will be absent from the car park.

Other matters:

During the life of the application, the applicant has submitted further information in response to concerns raised early on regarding the departure from policy. This includes a statement from the landlord who appears to have no objection to the proposal as long as the office use is reinstated when SECamb vacate the unit. Although this is technically not a material planning matter, it goes some way to show acceptability from the landlord and furthermore, there has not been an excessive response from the public (support or objection) as a result of consultation. To a certain extent, therefore, it can be surmised that those physically closest to Pacific House are unmoved by this application and the resultant change of use.

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 scheme is considered to be of significant public benefit. The wider public benefits are considered to be the overriding material consideration in this application and as such the non-compliance with the Local Plan policies are not considered to result in a significant departure from the Local Plan. The scheme is recommended for removal.

Therefore, subject to the condition that when the unit is vacated by the ambulance emergency response teams and the use ceases, the unit is reverted back to the previously authorised office use.

Recommendation:

Approve conditionally

Conditions:

1. Time
2. Drawings
3. The Use shall be operated in accordance with the applicants supporting statement submitted on the 25th January 2017.
4. The application hereby approved shall be restricted to that applied for namely (Ambulance Community Response Post to include welfare facilities and ambulance parking) as operated by SECamb. No other use/activity shall

occur at the site unless previously approved in writing by the Local Planning Authority.

5 On the cessation of the use as approved by this consent and limited by Condition No 4 above the use/parking shall revert to its former use as a Class B1 Office Floorspace.

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**.