

<b>App.No:</b> 170822	<b>Decision Due Date:</b> 17 August 2017	<b>Ward:</b> Meads
<b>Officer:</b> Chloe Timm	<b>Site visit date:</b> 25 July 2017	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 15 July 2017		
<b>Neighbour Con Expiry:</b> 15 July 2017		
<b>Press Notice(s):</b> 30 June 2017		
<b>Over 8/13 week reason: Given committee cycles the applicaton is reported outside of the 8 week determined period; an extension of time is being negotiated.</b>		
<b>Location:</b> The Pilot, 89 Meads Street, Eastbourne		
<b>Proposal:</b> Two storey extension to the rear of existing building to include demolition of the existing disabled toilet and the construction of a new formal restaurant area with new disabled toilet and new managers studio flat at first floor level.		
<b>Applicant:</b> Ms Lisa Carter		
<b>Recommendation:</b> Approve Conditionally		

**Executive Summary:**

This application is seeking permission for an additional rear extension to the property. The proposal is a two storey extension with the ground floor forming an extended restaurant area with new disabled access toilet and the first floor being for staff living accommodation.

It is considered that the proposed developments are acceptable and would accord with National Advice and Local Policies.

The application has had a number of objections from neighbours, following review of the application there is not sufficient adverse impacts to neighbouring properties or to the character of the immediate and wider area to warrant refusal in this case. The application is recommended for approval subject to conditions.

**Planning Status:**

The pilot is a well-established public house located in the heart of the Meads area of Eastbourne.

**Relevant Planning Policies:**

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
4. Promoting sustainable transport
7. Requiring good design
12. Conserving and enhancing the historic environment

Eastbourne Core Strategy Local Plan Policies 2013

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C11 Meads Neighbourhood Policy
- D5 Housing
- D10 Historic Environment
- D10a Design

Eastbourne Borough Plan Saved Policies 2007

- UHT15 Conservation Area
- HO2 Predominantly Residential Areas
- NE14 Source Protection Zone
- HO20 Residential Amenity
- UHT4 Visual Amenity

**Site Description:**

The site consists of a two storey public house with existing single storey rear extension located on the corner of Meads Street and Holywell Road in the heart of the Meads Conservation Area.

The site benefits from having a courtyard garden and also a carpark court to the rear of the property containing 15 spaces.

**Relevant Planning History:**

EB/1961/0052

Provision of car park and alterations to enlarge vehicle access  
Approved Unconditional  
1961-01-26

120079

Installation of metal fire escape from the first floor accommodation at the rear and erection of secure external store unit in car park.  
Planning Permission  
Approved conditionally  
05/04/2012

120195

Installation of a replacement ventilation/extraction duct on the side/rear elevation.  
Planning Permission

Approved conditionally  
27/04/2012

150047

Demolition of existing single storey toilet accommodation and external store enclosure, and erection of a single storey extension at the side to provide an enlarged restaurant area and toilet facilities, involving the rearrangement of the existing fire escape staircase to first floor.

Planning Permission

Approved conditionally

11/03/2015 this approval has been implanted at the site.

**Proposed development:**

The proposal is seeking permission for an additional rear two storey extension which will form a new dining restaurant area on the ground floor and studio flat for staff accommodation on the first floor.

The proposed extension will be approximately 10m by 6m and to maximum height of approximately 6.32m to the top of the pitched roof. The pitched roof will be half hipped to the southern gable facing the car park entrance.

Ground Floor

The proposal for the ground floor is to create an additional dining area (28 additional covers) for the already established restaurant at the Pilot Inn.

The development will see the existing disabled access toilet removed to create a corridor from the current to the new dining area and a new disabled access toilet installed into the new extension. The new extension will also create a new lobby and will house an internal staircase to the new proposed staff accommodation at first floor level.

To the south elevation will be new double doors into the new lobby with canopy above, to the east elevation will be three small windows, one to service the newly created disabled toilet and two for the new dining area. To the north elevation will be sliding doors leading to the courtyard garden and a separate window and to the West elevation will be bi-fold doors leading to the existing courtyard garden.

Solar shading will be erected to the North West corner of the new extension above the new proposed doorways leading to the existing courtyard garden.

First Floor

The first floor of the proposed extension will see the creation of a studio flat to be used as staff accommodation. The accommodation will be within the pitched roof of the extension.

To the East elevation will be four roof lights, to the West elevation will be one roof light, to the South elevation there are to be no windows to the first floor

and to the North elevation will be glazing to fit the shape of the pitched roof approximately 2m high and 3.94m wide.

Two chimneys will be installed, one to the West side of the extension to service a feature fireplace in the new proposed restaurant and one to the East side to service the new boiler for the accommodation.

A new refuse and recycling store will also be created to the East elevation which will see the relocation of the bins from the driveway entrance to an enclosed area out of public view to the rear facing the car park court.

The kerb within the existing carpark will be modified to provide wider access past the new proposed extension. Approximately 2.7m of the kerb will be removed.

### **Consultations:**

Conservation Area Advisory Group:- The proposal was reported to the group as a Pre Application proposal. In response to the pre application proposal the Group felt that the scheme would have a neutral effect on the character and appearance of the conservation area but requested officers to negotiate revisions to the scheme.

### Internal:

Specialist Advisor (Environmental Health) No objections subject to appropriate conditions relating to a construction method statement

Specialist Advisor (Conservation) No objections; their full response is outlined below:-

*This application seeks consent for adaptations to the rear of a commercial property based within the Meads Conservation Area. The Pilot Inn is a popular and successful restaurant and bar situated on Meads Street, the main retail, service and social artery centre at the heart of the conservation area, and this proposal seeks to extend the footprint of the building to provide a new formal restaurant area and disabled WC at ground level, and with a new studio apartment for staff planned for the upper level. The site has already been extended over a number of previous alterations, to take account of changing patterns of consumption and growing demand for its current food and drink services. A pre-application for the build has already been presented to CAAG in May 2017, and following feedback at that session this proposal seeks to adopt a more integrative approach, to address the challenge of creeping drift at the back of the building, one of the issues identified at that CAAG session.*

*In broad terms, the application mainly aims to rationalise the incremental architectural clutter in a more coherent way. This is addressed by a proposal to demolish an existing toilet block and establishing food and disabled washroom facilities within a single new building, thereby establishing a clearer flow between elements of the pub, as well as stronger framing at its*

*rear. Efforts have also been made to reduce the impact of an earlier contemporary window design and to design out the potential for overlook from the new studio apartment into residential property on Meads Street. The area to the side and rear of the car park is overlooked by the rear of other adjacent property, to include a mix of period housing and high-volume modern apartments. There is no sense that works planned will detract from this view, or create an additional adverse effect.*

*In my professional opinion, the application has taken on board feedback from CAAG, helpfully addressing a number of concerns raised about bulk, form and creeping drift in a capable way, such that the item now presents acceptably. As such, I do not wish to register an objection.*

External:

Highways ESCC request further survey work is undertaken to ascertain the availability of spaces within the car park in order to ensure that an appropriate level of parking is retained to support the proposal.

**Neighbour Representations:**

8 representations have been received commenting in the main on the following issues:

- The size of the proposal will cause loss of amenity, light and privacy to adjoining neighbours.
- Concerns over the premises being used for live music, parties and functions.
- The amount of noise the new extension will cause with increased number of customers.
- Concerns the managers flat will be used for guest accommodation and not staff.
- Loss of car parking spaces causing The Pilot customers to park on the streets causing lack of parking for residents who pay permits for parking in the area.
- The proposal is overdevelopment of the site.
- The design of the proposal is not aesthetic to the surrounding Meads area.
- The new entrance to the extension will be closer to the residents and cause more noise.
- The movement of the kerb will bring vehicles closer to neighbouring properties.
- Encouragement for gulls to nest on the roof of the property
- Increased kitchen smells
- Outdoor lighting causes a nuisance to neighbouring properties.
- With an increase of customers there are concerns about an increase in noise and anti-social behaviour.

A letter of support was received from Downs Edge, Holywell Avenue, stating they welcome the moving of the refuse bins from adjacent their boundary,

the proposed extension is well thought out in terms of scale and massing, and would not have a detrimental impact upon their dwelling.

## **Appraisal:**

### Principle of development:

There is no objection in principle to the proposed development 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 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 (2012).

The main issues to consider in the determination of this application are:

1. The effect the proposed development will have to the visual amenities of the surrounding conservation area
2. Implications/impacts upon residential amenity
3. Impacts upon highway parking
4. Expanding local enterprise

### **1. The effect the proposed development will have to the visual amenities of the surrounding conservation area**

#### Design issues:

The proposed alterations to the building have been designed to be sympathetic to the building and are considered appropriate in terms of scale and bulk.

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

The scheme was reported to CAAG at pre application stage and obtained their support subject to detailed design issues; these recommended changes have been incorporated into this scheme and as such is considered to have the support of CAAG.

The property is an unlisted building located in the Meads Conservation area. Whilst the proposed extension is to the rear of the property it will be visible from the public highway due to the property being located on a corner plot and the access driveway to the side providing a view of the extension. However it is set back from the street scene with the majority of the proposal hidden behind the existing property and existing extension. It is not thought that the development will have a detrimental effect on the character of the Conservation Area.

### **2. Implications/impacts upon residential amenity**

#### Adjoining occupiers

It is thought that the proposed development will not adversely affect the amenity of the adjoining properties of 81, 83, 85 and 87 Meads Street due to there being enough distance between the properties and the new proposal. The new proposed first floor may be visible from the properties but should not cause excessive loss of light or overshadowing.

79 Meads Street shares its boundary with the existing courtyard garden and the carpark of the site. The proposal will be visible from the rear garden of this property and will introduce overlooking into the rear garden, it is considered that this relationship gives rise to a potential for overlooking and as such may result in a loss of residential amenity. As the scheme is acceptable in all other respects it is recommended that the high-level gable end window is either, fitted with obscure glass and fixed shut, and/or deleted from the scheme. It is considered that there remain 4 roof lights with the development providing sufficient light and ventilation to this apartments and thereby providing an adequate living environment for the occupiers of the unit.

#### Noise and Nuisance

The proposal is for commercial purposes and will be used to increase the amount of covers connected to the existing restaurant of The Pilot and to provide staff accommodation above. Whilst there are resident concerns' regarding additional noise from the new location of the entrance lobby to the new restaurant area the site as existing currently is an entrance and exit to the courtyard garden, it is not thought that the new proposed entrance will cause any increase in noise to surrounding residents sufficient to substantiate a refusal of planning permission.

The removal of part of the kerb from inside the carpark is not thought to have any detrimental impact to the adjacent properties. The removal of the kerb is required to widen the access due to the layout of the carpark and the angle that vehicles will have to enter the carpark this will not bring vehicles any closer to the neighbouring properties and as such is not considered to be a determinative issue.

The new proposal incorporates a pitched roof and as such is common with many other developments across the town and there is nothing intrinsic to this design to encourage/discourage nesting birds. Any noise pollution issue that results from nesting birds will be investigated by Specialist Advisor (pollution) with appropriate action taken under environmental health legislation.

The proprietor will have to submit an application for variation to the license which will include any amendment to regulated entertainment, this issue will be determined under the relevant licencing legislation.

Conditions will be set to control construction management issues.

### **3. Impacts upon highway & parking**

#### Parking & Highway Issues

Using current parking standards the existing pub would require 19 spaces and the extension would require a further 12 (31 in total). It is clear that this quantum (existing or proposed) cannot be accommodated within the existing off-street parking area connected with the pub and as such it is recognised that the pub has successfully operated with a lack of parking.

Given the parking scenario as outlined above it is acknowledged that the proposal will have the potential to place greater burden on the parking spaces within the existing parking court and also those available spaces on the wider public highway network. However it is considered that the loss of two spaces from the existing car park will be mitigated by requiring formal marking out of spaces thus ensuring that parking is more efficiently allocated and that the provision of cycle parking will encourage non-car trips.

The proposal will see the car parking spaces decrease from fifteen to thirteen. The Pilot is located within the heart of the Meads Conservation Area and also close to on the main shopping street of Meads and therefore there will always be demand for on street public parking. The loss of two parking spaces from The Pilot's dedicated carpark for the reasons outlined above is not thought to be enough to warrant refusal of the application when the scheme is acceptable in all other respects.

### **4. Expanding local enterprise/business**

It is recognised that across the country there are many public houses that are closing with many being converted into residential properties, set against this background the desire of the owners to expand the current business is reflective of their current confidence and should be supported in principle.

It is considered that the expansion of the existing business would help to foster the local economy not only in terms of direct employees but also within the wider supply chain.

It is considered therefore that support for this initiative will help to sustain this important community facility into the future.

#### **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:**

It is considered that the proposed development will not negatively impact the amenity of the occupiers of surrounding properties or be detrimental to the character and appearance of the area, nor would the issues that result from the lack of parking be sufficient to justify a refusal of planning permission when the scheme is acceptable in all other respects. The proposal therefore complies with local and national policies and is recommended for approval subject to conditions.

**Recommendation:**

Approve Conditionally

**Conditions:**

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved drawings submitted on 22 June 2017:

- Drawing No. 1712-P-109 Proposed Ground Floor
- Drawing No. 1712-P-110 Proposed First Floor
- Drawing No. 1712-P-111 Proposed Roof Plan
- Drawing No. 1712-P-112 Proposed South Elevation
- Drawing No. 1712-P-113 Proposed East Elevation
- Drawing No. 1712-P-114 Proposed North Elevation
- Drawing No. 1712-P-115 Proposed West Sectional
- Drawing No. 1712-P-116 Existing and Proposed Parking

Reason: For the avoidance of doubt and ensure that development is carried out in accordance with the plans to which the permission relates

- 3) Works of construction or demolition, including the use of plant and machinery, necessary to implementation of this consent shall be limited to the following times.

Monday-Friday      08:00 - 18:00 Hours  
Saturday              09:00 - 13:00 Hours  
Sundays and Bank Holidays no work permitted.

Reason: To protect the amenity of the surrounding properties.

- 4) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area.

- 5) The first floor accommodation hereby approved is to only be used by members of staff and at no time is to be used for separate residential or guest accommodation.

Reason: To protect the amenity of neighbouring properties and future occupiers.

- 6) Notwithstanding the details shown on the plans hereby approved the first floor window in the northern elevation facing no 79 Meads Street shall either be deleted from the proposal or be fitted with obscure glass and be non-openable. No further windows/doors/roof lights/dormer windows shall be inserted into the external fabric of the building without prior written approval from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

### **Informative**

An application for variation to the license will need to be submitted prior to the use of the new ground floor of the extension.

### **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**.