

App.No: 171179 (PPP)	Decision Due Date: 23 November 2017	Ward: Meads
Officer: Anna Clare	Site visit date: 23 October 2017	Type: Planning Permission
Site Notice(s) Expiry date: 23 October 2017 Neighbour Con Expiry: 23 October 2017 Press Notice(s): 9 October 2017		
Over 8/13 week reason: Within time		
Location: 5 Meads Street, Eastbourne		
Proposal: Change of use of ground floor and basement from A2 Professional Services to B1 Offices		
Applicant: Mr Howard Wardle		
Recommendation: Grant planning permission subject to conditions		

Executive Summary

This application is being reported to Planning Committee at the officer's discretion given the district wide implications of the proposal and to allow for the merits of the case to be debated.

This application seeks planning permission to bring a currently vacant building back into use for the administration office and storage space of the Eastbourne Foodbank. No customers/clients will visit the property and the building will not be open to the general public.

As the last use of the property was for Class A2 purposes, not Class A1 retail there is no planning policy reasoning to restrict the change of use.

It is not considered that the proposed use would result in any additional impacts on the surrounding residential properties to warrant a refusal of the application.

No changes are proposed to the external appearance and therefore there will be very limited impact on the Conservation Area.

Therefore it is recommended that the change of use is supported subject to conditions.

Relevant Planning Policies:

National Planning Policy Framework

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
4. Promoting sustainable transport

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

D4 Shopping

D10 Historic Environment

Eastbourne Borough Plan Saved Policies 2007

SH7 District Local and Neighbourhood Centres

UHT15 Conservation Area

HO20 residential Amenity

Site Description:

The application site consists of the currently vacant ground floor and basement of this substantial detached property which forms part of the Meads District Shopping Centre at the corner of Meads Street and Dalton Road. The building is not listed; however it is situated within the Meads Conservation Area.

The upper floors of the building are in the process of being converted into self-contained residential flats which are accessed from the Dalton Road elevation of the building.

Relevant Planning History:

160003

Conversion of an existing maisonette at second and third floor level into two self-contained flats. Enlargement of existing dormer windows and creation of new dormer at rear of property, and use of part of flat roof as a terrace

Approved Conditionally

29 February 2017

160779

Proposed change of use from Class A2 (Financial and Professional Services) to Class C3 (Residential Dwelling) and two floor rear extension.

This application was withdrawn

170022

Proposed change of use from Class A2 (Financial and Professional Services) to Class C3 (Residential Dwelling) and two floor rear extension.

This application was withdrawn

Proposed development:

The application proposes the change of use of the property from Class A2 (Financial and Professional Services) to Class B1 (Offices).

The property is proposed to be used by the Eastbourne Foodbank as an administration office and for storage.

Consultations:

Specialist Advisor (Planning Policy)

The site is located within the 'Meads Neighbourhood' as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013).

Policy C11 is the 'Meads Neighbourhood' policy, which sets out the vision for this area as the following; *'Meads will strengthen its position as one of the most sustainable neighbourhoods in the town. It will make an important contribution to the delivery of housing and increasing its importance to the tourism industry, whilst conserving and enhancing its heritage and historic areas.'* This vision will be promoted through a number of factors, including 'Protecting the historic environment from inappropriate development'. It has been identified in the Core Strategy as the second most sustainable neighbourhood in the borough.

The site is covered by Policy D4 (Shopping) identified in the Core Strategy, with the principle to 'ensure that everyone has access to a good range of shops that meet local needs. The Council will seek to encourage the continuing vitality and viability of shopping centres, whilst preserving the predominance of A1 use class'. It is also covered by policy SH7 of the Eastbourne Borough Plan which states that 'within the district, local and neighbourhood centres, proposals for the change of use of existing ground floor shopping units from Class A1 uses to uses in Classes A2 and A3 will be considered having regard to certain criteria'. As this site is not currently A1 use, nor was it when trading as NatWest, these policies are not relevant to the change of use proposed and will not be have an adverse effect on this policy decision.

Policy B2 of The Core Strategy states that all schemes of development will be assessed against generic criteria. This set of criteria includes 'requirement to protect the residential and environmental amenity of existing and future residents'. As stated in the design and access statement submitted, the Eastbourne Foodbank only intends to do managerial and office work from this site, as well as store ambient food. There will not be any clients accessing the building, nor will they park the van at Meads overnight. This application has proposed a use of the building that will not have an adverse impact on the residential or environmental amenity of residents in the area. Therefore, in terms of this policy, there would be no objection to this application.

To conclude, policy has no objection to the change of use proposed in this application.

Specialist Advisor (Conservation)

Given no external alterations are proposed then there should not be any impacts upon this building in particular and the wider area in general.

Meads Community Association

Object to the application

In May 2017 MCA carried out an analysis of street traders, showing the traders collectively employ 160 people, and although some traders had been in the street for over twenty years, 50% have been trading for 3 years or less, which shows that Meads Street is an attractive location for businesses.

Meads Street has attracted 5 new independent retailers during 2017 which is clear evidence of strong demand for the street as a trading location and its continued commercial viability.

A continues 'A' use in this most prominent of units would significant add to the increasingly diverse range of these retail/leisure businesses and in turn add to the vitality, viability and sustainability of the street.

To change the use of number 5 Meads street to B1 Offices would create a 'non-trading' presence cutting off those units at 1a, 3a and 3b Meads Street.

1. Meads Street is a district shopping centre, consent for the application would be contrary to this policy
2. Any consent for the proposed application would remove this key strategic retail unit from the centre and be totally contrary to policy D4.
3. Proposal is contrary to Policy D2 as would remove a viable key strategic retail unit that has potential to provide full time employment.
4. Policy D3 identifies the importance to the town of visitors and the role of the SDNP. Meads is the gateway to the NP consent for the application will weaken the potential offer of the DSC and therefore its ability to contribute to these policy objectives.
5. Consent for the proposal risks setting a precedent.

Appraisal:

Principle of development:

Eastbourne Foodbank currently operation out of a commercial unit on Cornfield Lane. At Cornfield Lane they have office space for administration of the Foodbank service, and office space for things like advocacy, debt and benefit advice including by appointment and drop in sessions. They also have extensive storage for food and other products, clothes etc.

Eastbourne Foodbank have been served notice to vacant the Cornfield Lane site which will be re-developed to residential flats in the near future. Following unsuccessful attempts to find a suitable site for the operation as it currently runs the Foodbank have revised their business model. Therefore the proposal for No.5 Meads Street would be different to the current use of the Cornfield Lane property. Eastbourne Foodbank has opened several satellite foodbanks across the town. Some will be incorporated into existing organisations and others will operate on a pop up model in community centres and church halls in areas of demand such as at Shaftsbury Centre in Milfoil Drive, St Elizabeth's Church in Victoria Drive, Willingdon Trees Community Centre, and Community Wise in Old Town. The model of satellite foodbanks means people do not need to travel into town to receive services.

The statement submitted with the application states that no clients would visit the application property. The property would be a 'head office' where some professionals will occasionally visit for meetings and all the Foodbank Administration would be undertaken. Approximately 6 members of staff would use the office Monday to Friday 0830 to 1600, and the basement would be used to store ambient foods (room temperature/long life).

The Foodbank also have a lock up store for additional storage, including larger items. The Foodbanks van would be parked overnight at the lock up store and driven to the Meads Street office to take stock from the building to the pop up foodbanks around 0930 every day, they would also bring food/goods to the site for sorting and storing once a day.

Policy D4 of the Core Strategy Local Plan identifies Meads Street as a District Shopping Centre (DSC). This policy at paragraph 4.4.13 states that within the district shopping centres, a range of shops, services and facilities will be encouraged. Shops, services and facilities that meet people's day to day needs will be supported, whilst preserving the predominance of A1 use classes. In this way the Council will seek to encourage the continuing vitality and viability of shopping centres.

Saved Policy SH7 provides more states that within DSC's proposals for the change of use from Class A1 to uses within Classes A2 and A3 will be considered having regard to specific criteria.

However as the existing property is not in Class A1 retail use it is considered that this policy is not relevant to the determination of the application. Therefore in principle there is no policy objection to the proposed change of use.

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

The existing use as a Class A2 would likely see more comings and goings from customers than a Class B1. It is not considered that the change of use would have any significant impacts on the amenity of residents. Visitors to the building can be restricted by condition, as can opening hours but it is considered unlikely that the nature of the use would be noisy or detrimental to surrounding residential properties to such an extent to warrant/sustain a refusal of planning permission.

Design issues and impact on character and setting of a listed building or conservation area:

No external alterations are proposed to the building as part of the application. The only impact therefore on the appearance of the building or the character of the area would be from signage. Some signage could be displayed without the requirement for advertisement consent. The foodbank have expressed the only advertisement they will require will be limited to 30cm by 15cm non illuminated sign adjacent to the door for identification purposes.

Impacts on highway network or access:

The Class A2 use would likely generate more traffic and parking demands in the local area than the proposed office use given no customers will be visiting the site. No off street parking is provided at the site, the applicant states approximately 6 members of staff would use the office, this and the vehicles which visit to drop off and collect food would be unlikely to exceed the trips by car associated with the previous A2 use.

Therefore it is not considered that the change of use would result in significant impacts on the local highway network or the demand for on street parking to warrant the refusal of the application in accordance with section 4 of the National Planning Policy Framework.

Other matters:

The Town and Country Planning (General Permitted Development) (England) Order 2015 removed the need for planning permission for a number of changes of use, including properties within Class A and B uses to residential uses. This legislation allows under permitted development the change of use from Class A2 to B1 however this is limited to 150m² of floorspace, the property is larger than this and therefore the change of use does require planning permission. As a fall- back position, if this application is resisted then the applicant may choose to modify the extent of the floorspace to comply with the legislation and therefore control is lost to the Council over the potential to control the future use/operation by condition.

At this time the above legislation allows for the change of use from Class A2 to Class C3 (under Class M) and Class B1 to Class C3 residential (under Class O). However Class M changes of use are limited to 150m² of floorspace, and Class O changes of use are limited to buildings in that use on 29th May 2013 or if not on that date when it was last in use.

It is therefore considered that at the time the granting of the permission would not thereafter allow an application under prior approval for the change of use of use to residential and formal planning permission would be required for residential 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 property has been vacant for a period of 3 years since the cessation of the use by NatWest Bank. The proposed change of use to Class B1 office is considered in line with current policy and would not have any additional impacts on the surrounding residential properties. The use of the building as an office would still contribute to the vitality of the District Shopping Area through employment, but it is agreed with no visiting members of the public would not introduce footfall to the shopping area. However it is not considered there is a policy reason for refusing the application given the previous use was not Class A1 and is therefore not protected by current planning policies.

Recommendation: grant planning permission subject to conditions;

Conditions:

1. Time for commencement.
2. The building shall not be open to members of the public other than for consultation by appointment only,
3. No food shall be allocated/distributed direct to the customer/client from the site
4. Shall only be open to members of staff between the hours of 0800 and 1800 Monday to Saturday.

Informatives

1. This consent does not grant permission for any external alterations to the building.

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.