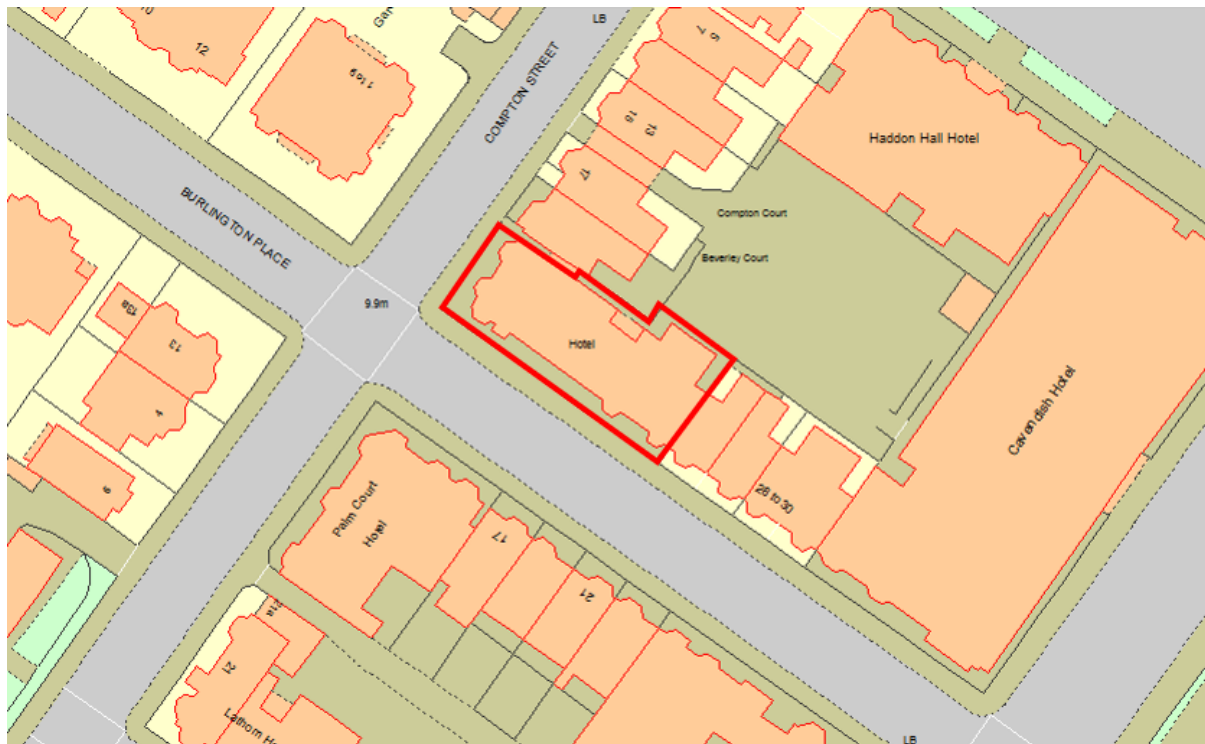


**Report to:** Planning Committee  
**Date:** 17 October 2022  
**Application No:** 220579  
**Location:** Hadleigh Hotel, 14 – 22 Burlington Place, Eastbourne  
**Proposal:** Various extensions and alterations to rear up to fifth-storey level, alterations and opening up of lower ground floor to front elevation and change of use from hotel (C1) to 16 x residential flats (C3) and 12 x holiday let flats (C3).  
**Applicant :** Mr Edmonston  
**Ward:** Meads  
**Recommendation:** Approve subject to conditions and s106 (affordable housing and local labour agreement)  
**Contact Officer:** **Name:** James Smith  
**Post title:** Specialist Advisor (Planning)  
**E-mail:** [james.smith@lewes-eastbourne.gov.uk](mailto:james.smith@lewes-eastbourne.gov.uk)  
**Telephone number:** 01323 410000

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**Map Location:**



## 1. **Executive Summary**

- 1.1 It is satisfied that the existing hotel use of is not viable in the long term and that residential development provides an appropriate re-use of the building and that the formation of 12 x holiday let flats will allow for a contribution towards the tourism economy to be sustained.
- 1.2 The external alterations to the buildings are considered to be sympathetic towards its existing character as well as the character and setting of the surrounding conservation area.
- 1.3 The site is in a sustainable location where reliance on the private motor vehicle would be reduced and there is a good level of accessibility to shops, services and other day to day amenity needs.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework 2021

- 2: Achieving sustainable development
- 4: Decision making
- 8: Promoting healthy and safe communities
- 9: Promoting sustainable transport
- 11: Making effective use of land
- 12: Achieving well designed places

### 2.2 Eastbourne Core Strategy Local Plan 2006-2027:

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C11: Meads Neighbourhood Policy
- D1: Sustainable Development
- D2: Economy
- D3: Tourism
- D5: Housing
- D8: Sustainable Travel
- D10: Historic Environment
- D10a: Design

### 2.3 Eastbourne Borough Plan 2001-2011:

- NE28: Environmental Amenity
- UHT1: Design of New Development
- UHT4: Visual Amenity
- UHT7: Landscaping
- UHT15: Protection of Conservation Areas

HO1: Residential Development within the Existing Built-up Area

HO2: Predominantly Residential Areas

HO9: Conversions and Change of Use

HO20: Residential Amenity

TO1: Tourist Accommodation Area

TO2: Retention of Tourist Accommodation

TR6: Facilities for Cyclists

TR11: Car Parking

2.4 Town Centre Plan 2013:

TC6 – Residential Development in the Town Centre

TC9 – Building Quality

TC10 – Building Frontages

2.5 Employment Land Local Plan 2016:

EL1 – Economy and Employment Land

2.6 Supplementary Planning Documents/Technical Advisory Notes:

Tourist Accommodation Retention

Sustainability in Development

Local Employment and Training

3. **Site Description**

3.1 The site is occupied by a 4½-storey building that comprises what were originally a row of residential villas constructed during the mid to late 19<sup>th</sup> century which have since been interlinked through an internal conversions. One of the villas has been altered substantially through adjustments to the roof and the formation of a relatively modern main entrance to the hotel from Burlington Place. Various extensions have been added to the rear of the building. The building is currently configured with 50 guest rooms along with associated communal areas such as lounge, dining and function areas. The hotel had a 2 star rating when most recently in operation.

3.2 An additional group of villa buildings facing onto Compton Street was also incorporated into the hotel use, with a further link extension provided to facilitate this. Approval has recently been granted for the conversion of the Compton Road building to residential flats.

3.3 There is a small yard area directly to the rear of the building behind which is a hard surfaced car park which is associated with the neighbouring Cavendish Hotel and is accessed from Compton Street via an arched passage that passes through the terrace of buildings at street level.

3.4 The site is located within the Town Centre and Seafront Conservation Area. It falls within the secondary zone of the Tourist Accommodation Area (as defined in the Tourist Accommodation Retention SPD) and also within the outer zone of a groundwater source protection area. There are no other

planning designations or constraints attached to the site or the immediate surrounding area.

#### 4. **Relevant Planning History**

- 4.1 **980001** - Provision of timber decking over light wells immediately either side of main entrance - including rendered brick steps to provide an open verandah (sitting area) – Approved conditionally 19<sup>th</sup> March 1998.
- 4.2 **980034** - Erection of a part two-storey, part three-storey extension at rear to enlarge lounge, stillroom, kitchen, and three bedrooms – Approved Conditionally 16<sup>th</sup> December 1998.
- 4.3 **210919** – Conversion of single building (formerly 21-23 Compton Street) currently forming part of the Hadleigh Hotel complex from hotel (C1 use) to 7 x self-contained flats (C3 use). Remainder of hotel use unaffected.– Approved Conditionally 24<sup>th</sup> March 2022.

#### 5. **Proposed Development**

- 5.1 The proposed development includes various external works to the existing building including:-
- Removal of main entrance to front, including glazed foyer and portico and replacement with single door with portico over and an external wall incorporating 2 x ground floor windows;
  - Removal of flat tiled roofing over existing front dormer windows;
  - The ground floor footprint would remain as existing but various upward extensions would be added to the rear of the building;
  - A mono-pitch roof extension across the existing ground and first floor flat roof extensions, bringing height up to second floor level;
  - A central stairwell element to this extension would extend upwards to third-storey level; and
  - An additional storey would be added to the second floor hipped roof extension, with a new gable roof formed over.
- 5.2 The extended building would then be converted internally to provide 16 x residential flats (10 x 1 bed, 6 x 2 bed) and 12 x holiday let flats (9 x 1 bed, 3 x 2 bed). The flats would be accommodated within numbers 14-18 Burlington Place and the holiday flats within 20-22. Each use would have its own designated access from Burlington Place.
- 5.3 The proposal is a zero car parking development. 23 x cycle parking spaces would be provided in a bike and bin storage area formed on the lower ground floor of the building, with direct access available from the yard to the rear of the building.

#### 6. **Consultations**

- 6.1 Eastbourne Hospitality Association

- 6.1.1 The opinion of the Management Committee of the EHA is that we have no objection based on the submitted plans by CKA Architectural Ltd and as per the application which based on the applicants advertised previous developments on their website, appertain to luxury and quality developments.
- 6.1.2 Our one reservation as ever would be that no HMO's (sui generis) or change of use are considered in that location, other than back to its current Category (C1).

## 7. Neighbour Representations

- 7.1 None received.

## 8. Appraisal

### 8.1 Planning Obligations

- 8.1.1 As a major development, the proposed scheme, by default, is required to incorporate affordable housing, amounting to 30% of the total number of units, as per para. 65 of the NPPF and the Council's Affordable Housing SPD, noting that the site falls within a Low Value Area as defined in the SPD.
- 8.1.2 However, the applicant has applied for Vacant Building Credit. This is a national incentive for the development on brownfield sites containing buildings. It operates on the basis that the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought, as per para. 026 of the Planning Practice Guidance for Planning Obligations.
- 8.1.3 In order to qualify as a vacant building, the existing building must not have been abandoned and Local Planning Authorities must consider whether the building has been made vacant for the sole purposes of re-development, in accordance with para. 028 of the NPPF.
- 8.1.4 Vacant Building Credit does not apply to any increase in floor space. In such instances, an affordable housing contribution would be established based on the proportion of the increase in floor space, as per para. 027 of the Planning Practice Guidance. A financial contribution based on the increased floor space will therefore be sought and secured through the use of a section 106 agreement. The proposed extensions would provide an additional 86.6 m<sup>2</sup> of floor space, approx. 5% of the overall floor space and, therefore, affordable housing contributions would be sought at 5% of the standard amount.
- 8.1.5 The section 106 will also be used to secure a local labour agreement along with associated monitoring fee.

### 8.2 Principle of Development

- 8.2.1 Para. 74 of the Revised National Planning Policy Framework (NPPF) instructs that 'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. As the Eastbourne Core Strategy is now more than 5 years old, local housing need is used to calculate the supply required.
- 8.2.2 Para. 11 (d) of the NPPF states that, where a Local Planning Authority is unable to identify a 5 year supply of housing land, permission for development should be granted unless there is a clear reason for refusal due to negative impact upon protected areas or assets identified within the NPPF or if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. This approach, commonly referred to as applying a 'tilted balance' will be adopted in assessing the planning application.
- 8.2.3 The proposal represents a development of a windfall site that would deliver a net gain of 16 residential units, thereby contributing towards the Council's housing delivery target.
- 8.2.4 Para. 120 d) of the NPPF states that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively. Para. 152 notes the benefits of building conversions in terms of sustainability due to it representing the reuse and adaptation/improvement of existing resources.
- 8.2.5 The site is located within the secondary sector of the Eastbourne Tourist Accommodation Area. The loss of tourist accommodation in this area is resisted as per saved policy TO2 of the Eastbourne Borough Plan, policy D3 of the Eastbourne Core Strategy and the Tourist Accommodation Retention Supplementary Planning Document (SPD). However, a change of use is supported where suitable criteria relating to viability of the hotel use are addressed.
- 8.2.6 It is therefore considered that the principle of the development is acceptable. Any benefit offered by the proposed scheme will therefore need to be balanced against potential impacts upon the integrity of the tourism accommodation area as well as other matters identified within the NPPF, such as safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 120), ensuring development is of suitable design, is sympathetic to the character of the surrounding area (para. 130) and historic environment (section 16) and ensuring development does not compromise highway safety (para. 109).

### 8.3 Loss of Hotel Use:

- 8.3.1 Para. 2.15 of the Tourist Accommodation Retention SPD acknowledges that Eastbourne has a large concentration of smaller independent two and three star hotels, a significant proportion of which previously catered for the coaching market. Consequently, some of the smaller independent hotels towards the lower end of the quality spectrum are increasingly struggling to compete as they cannot offer the quality of accommodation that visitors expect.
- 8.3.2 It goes on to state, in para. 2.18 that a 'reduction in this accommodation stock is required to ensure that it should help stimulate investment in better quality accommodation appealing to a broader range of visitors. Leading on, para. 2.19 maintains that 'this can be achieved by allowing obsolete accommodation in secondary locations to exit the market, thereby allowing average room rates to increase and a tourist accommodation provider to invest in increasing the quality of their offer. This in turn will allow Eastbourne's tourist accommodation to develop more organically and in turn appeal to and attract new markets.
- 8.3.3 Para. 5.1 of the SPD states that 'when assessing a proposal for the change of use or redevelopment of tourist accommodation, the key consideration is whether or not the continuing use of the land as tourist accommodation is viable and economically sustainable.
- 8.3.4 Should the hotel use be considered unviable, the SPD then instructs a hierarchical approach to be followed to establish a suitable alternative use, with the provision of serviced, un-serviced or partial change to alternative use to be considered in sequence prior to considering a complete loss of the tourist use of a building. The proposed development would maintain a substantive element of tourist use in the form of 12 x holiday flats.
- 8.3.5 Para. 5.8 'The SPD sets the principle that a lower level of evidence is needed in the Secondary Sector to demonstrate that tourist accommodation is unviable. However, this does not necessarily mean that proposals for the loss of tourist accommodation in the Secondary Sector will automatically be granted planning permission.
- 8.3.6 Notwithstanding the above, the commercial hotel agent has provided a statement on the applicants behalf which sets out a number of viability issues impeding continued use of the building as a hotel, economic and otherwise.
- 8.3.7 The nature of the building, it being an amalgamation of 5 terraced villas, has resulted in an awkward internal layout with many changes in level and narrow corridors that are not conducive to hotel use.
- 8.3.8 It is stated that the building is in a poor state of repair and suffers from water ingress and damp. A comprehensive condition survey has been submitted in support of this statement and a number of photographs are included which show damaged and deteriorating conditions to the building exterior and interior. The costs of renovation and restoration to hotel use, which are estimated to be

approx. £2.5 million, are stated as a barrier to any viable continuation in hotel use.

- 8.3.9 The statement identifies a shift in the demographic and expectations of tourists in Eastbourne, noting that there has been a long decline in coach groups, which the Hadleigh Hotel had catered for, exacerbated by the impact of COVID-19. This has resulted in a subsequent deterioration in the building which has resulted in significant difficulties in securing any loans to fund repairs and renovations.
- 8.3.10 The economic statement also notes that the holiday flats would be serviced and that this use would therefore create some employment as well as continue to provide accommodation for tourists who would contribute to the local economy.
- 8.3.11 The SPD provides a list of attributes that are encouraged to be incorporated within new holiday flat uses. Whilst this list relates to un-serviced flats it would appear reasonable to apply it to a scheme for serviced flats such as the proposal. Desirable features include provision of a separate entrance from any tourist accommodation or residential uses, internal layouts to cluster holiday flats together for ease of management and minimise potential noise impacts and conflicts with other uses, ensuring that main bedspaces are located within bedrooms and not within lounges or other non-bedroom spaces and ensuring that holiday flats have all of the facilities that would be required by a visitor. The proposed holiday flats broadly comply with the above although it is noted that flat 3 does not have a separate bedroom.
- 8.3.12 A condition will be used to ensure the holiday let flats remain in that use and are not converted to permanent flats. This is necessary to ensure the site continues to contribute to the tourist offer and economy, as both uses fall within the same use class.
- 8.3.13 From an economic perspective, it should also be noted that residential development in town centres can make a positive contribution to the town centre economy as a whole. As para. 4.19 of the Town Centre Local Plan acknowledges, 'there is considerable benefit in attracting more people to live within the Town Centre. It is both socially and economically sustainable. Increasing the population of the Town Centre also benefits local businesses and employers. It also enhances the viability of public transport in the Town Centre through introducing a larger potential customer base as well as reducing the potential need for people to make journeys by car because of the availability and proximity of a range of services.' This is also echoed in para. 86 f) of the NPPF.
- 8.3.14 It is therefore considered that the loss of the existing hotel use is acceptable in this instance and that benefit would be delivered within the wider tourism area through the improvement of the appearance of the building and the retention of good quality serviced tourist accommodation.



#### 8.4 Design:

- 8.4.1 The proposed development would make limited external alterations to the existing building, aside from cosmetic works to improve its appearance.
- 8.4.2 The most noticeable alteration, within the context of the street scene, would be the removal of the existing hotel entrance. The existing entrance is considered to be a somewhat unsympathetic addition to the original building and is not considered to play a positive role in the setting of the Conservation Area. Its removal would enable to access arrangements and building frontage to revert to an appearance more consistent with the original appearance of the building. The portico arrangement over the new access door would replicate that over original doors within the building frontage as would the cornice and moulding arrangement. New doors would also be installed at the entrance to numbers 20-22, replacing the existing unsympathetic design with timber doors of similar appearance to those on other parts of the building.
- 8.4.3 To the rear, the assortment of single-storey extensions currently in place would be rationalised within the proposed upward moo-pitch extension. The general appearance of the existing hipped roof extension would be maintained following its upward extension by way of reforming a hipped roof over it. Neither of the rear extensions would be visible from the Conservation Area and, although they will be of greater height than the existing extensions, it is considered that they would not overwhelm the original building as they would remain lower than it and are of modest scale in terms of footprint. Whilst the extensions would be visible from the car park to the rear of the site, it is noted that the character of all surrounding buildings is more functional from this perspective and that the general character of this aspect of the building would remain as such, although the existing sense of clutter would be reduced through the amalgamation of a number of flat roof rear extensions into a singular feature.
- 8.4.4 Part of the lower ground floor of the building would be utilised for bin and bike storage, thereby providing a good level of security whilst also ensuring bins would not be left out on the highway or cycles chained to railings where they would have a harmful impact upon the visual quality of the street scene.
- 8.4.5 It is therefore considered that the proposed external works would improve the appearance of the existing building and, by that virtue, enhance the character and setting of the Conservation Area.

#### 8.5 Impact of the proposed development on amenity of adjoining occupiers

- 8.5.1 The proposed development comprises a mix of permanent occupancy flats and holiday let flats that are considered to be compatible and consistent with the existing complexion of uses in the surrounding environment, which predominantly comprises a mix of hotel, guest house and residential flats. The overall scale and capacity of the building would not be significantly increased, It is

therefore considered that the proposed development does not represent an over-intensive or disruptive use in the context of the surrounding environment and that the relationship between the use of the building and surrounding residential uses would not be significantly altered.

- 8.5.2 It is noted that there are residential flats at 'Victoria Court' (24-26 Burlington Place) which have rear facing windows positioned close to the proposed extensions. There are also side facing windows facing towards the site, but these are small and appear to serve bathrooms or a stairwell. It is noted that the proposed extensions would be built over the existing building footprint and, although they involve an increase in height, it is considered that the relationship between them and neighbouring windows would not be substantially different to the existing relationship. It is also noted that the neighbouring flats are to the south of the site and, as such, the proposed extensions would not provide a direct obstruction to natural light. None of the windows within the building, either existing or proposed, face directly towards neighbouring properties.
- 8.5.3 It is therefore considered that the proposed development would not result in any unacceptable harm upon the amenities of neighbouring residents.

## 8.6 Living Conditions for Future Occupants

- 8.6.1 Para. 119 of the NPPF states that planning decisions 'should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' Para. 127 advocates the use of design policy, guidance and codes as a means to create better spaces to live and work in. Eastbourne Borough Council does not currently have an adopted design code and, in these circumstances, national documents should be used to guide decisions on applications as per para. 129 of the NPPF. These national documents are the National Design Guide (2019) and the National Model Design Code (2021).
- 8.6.2 Para. 134 of the NPPF states that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.'
- 8.6.3 Para. 126 of the National Design Guide (2019) states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.'
- 8.6.4 The Technical housing standards – nationally described space standard (2015) defines minimum levels of Gross Internal Area (GIA) that should be provided for new residential development, based on the amount of bedrooms provided and level of occupancy. All flats within the proposed permanent residential element of the development meet or exceed the minimum GIA set out in the

national space standards for their respective tenure. Individual room sizes also meet or exceed minimum standards. A small number of the holiday flats fall marginally below the space standards but they are not applicable to short term occupation given they would not need to provide space for the same amount of possessions and furniture nor provide the amount of functions permanent accommodation is expected to.

- 8.6.5 All habitable rooms would be served by large glazed windows/doors that would have an unobstructed outlook and provide good levels of access to natural light and ventilation. All rooms are considered to be functional and adaptable, being of a good size and with awkward shapes and overly long corridors being avoided as far as practicable when working within the constraints of the existing building floorplan.
- 8.6.6 The main access to the building would be from Burlington Place and would enjoy a good level of natural surveillance from surrounding buildings as well as from the street. One of the lower ground floor holiday flats is only accessible from the rear of the site but it is not considered that this access would be unacceptably secluded as it would be well overlooked by flats to the rear of neighbouring buildings as well as from the large car park to the rear of the site.
- 8.6.7 All floors of the permanent flats are accessible by lift, allowing for wheelchair access to all floors, although there is a need to negotiate steps to access the building. A condition will be used to ensure arrangements are made to provide ramps or lifts where required to ensure step free access to the building.
- 8.6.8 There would not be any outdoor amenity space available within the site due to the existing building occupying the full envelope. Given the proposed flats would be unlikely to be occupied by families on account of their size, as well as the proximity of the site to nearby public amenity spaces along the seafront and in local parks, it is considered that the lack of availability of private amenity space is acceptable in this instance.
- 8.6.9 It is therefore considered that the proposed development makes efficient use of the existing building, utilising modest extensions to improve internal space, accessibility and living conditions.

## 8.7 Landscape and Ecology

- 8.7.1 The Environment Act (2021) includes the provision to amend the Town and Country Planning Act (1990) in order to require biodiversity net gain to be delivered as a condition of a planning permission. The Act provides a two-year transition period (expiring 2023) before this mandatory requirement comes in to force. In the interim, the Council have adopted a Biodiversity Net Gain Technical Advice Note (TAN) to reflect the direction of travel and also provide clarification on NPPF requirements that 'planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity (para. 174) and that, when determining planning applications, local

planning authorities should apply the principle that 'opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity' (para. 180)

8.7.2 Major developments within the Borough are expected to deliver 10% biodiversity net gain. In this instance, the existing building occupies almost the entire site envelope and the remainder is covered by hard surfacing. As such, the baseline biodiversity value of the site is considered to be minimal. There do not appear to be any realistic opportunities to enhance biodiversity due to the constraints of the site and, due to both of the factors mentioned above, it is considered unrealistic to require a landscaping scheme to be required as a condition of any approval.

## 8.8 Highways and Access:

8.8.1 The proposed development does not include any provision of on-site car parking, nor would it be feasible to do so given that the existing building occupies the majority of the site envelope.

8.8.2 ESCC Highways guidance on parking demand generated by non-residential uses suggests that a hotel use generates a demand of 1 parking space per room along with additional single parking spaces per resident staff or per 2 non-resident staff. Whilst it is noted that the Hadleigh Hotel has most recently received a large proportion of its trade from coach parties it is not restricted to this form of custom and so, if the building remains in its current use, it is considered that it would generate demand for up to 50 on street car parking spaces.

8.8.3 The ESCC car parking demand tool estimates the proposed permanent residential use would generate demand for 9.79 car parking spaces. Figures are not provided for estimated use associated with holiday let flats but, applying the standard residential criteria, these would generate a demand of 7.34 spaces. The combined demand of the development of approx. 17.13 spaces is therefore significantly lower than that generated by the existing hotel use. This estimation is also based on an aggregation of car ownership data across the whole Meads ward, which includes areas on the fringe of Eastbourne.

8.8.4 The application site is considered to be in a highly sustainable area in the town centre, close to bus stops frequently served by local and regional services, within approx. 500 metres of the primary shopping area, approx. 750 metres of the main line train station (which can also be reached by bus) and close to a range of services and potential sources of employment. Due to the positioning of the site, it is considered that occupants of the proposed flats would not be dependent on the use of a private motor vehicle.

8.8.5 Cycle storage facilities would be provided in a secure location within the building where stored bikes would be protected from the elements. The yard and passage to the rear of the site would allow easy access to the cycle store from the highway and the proposed

development would therefore include facilities to encourage the use of sustainable modes of transport.

- 8.8.6 A bin storage area would also be provided within the building and accessible to residents of the permanent flats via the main stairway. Occupants of the holiday lets would be able to access from the yard area to the rear of the building. Bin crews would be able to collect by accessing via the car park to the rear of the site, with the refuse vehicle remaining on Compton Street. Bins could be positioned adjacent to the gate serving the rear garden on collection day to ensure that they are no more than 25 metres from the refuse collection vehicle, as per good practice guidance.

## 8.9 Flooding and Drainage:

- 8.9.1 The site is within Flood Zone 1 and, therefore, not identified as being at significant risk from tidal or fluvial flooding. Risk of surface water flooding is also identified as being low, although it is noted that the car park to the rear is identified as being susceptible to it and it is therefore important that the proposed development does not exacerbate this but discharging surface water onto neighbouring land. The proposed extensions will all be positioned within the existing building footprint and it is noted that the current site is covered by buildings or hard surfacing almost in its entirety. It is therefore considered that existing surface water drainage infrastructure can be utilised to service the development and it is considered that the renovation of the building will likely include maintenance and repairs to existing rainwater goods, improving their effectiveness.

- 8.9.2 It is therefore considered that the proposed development would not result in any unacceptable increase in flood risk within the site, neighbouring property or on the public highway.

## 8.10 Sustainability:

- 8.10.1 The development involves the re-use of an existing building and this, in itself, is considered to represent sustainable development by providing a more efficient use of the building. The site is also in a sustainable location meaning occupants will be less reliant on motorised transport.
- 8.10.2 The extensions and alterations to the building allow it to be used efficiently and would improve the quality and adaptability of the internal space as well as facilitate the installation of a lift that would serve all floors of the building.

## 9. **Human Rights Implications**

- 9.1 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.

## 10. Recommendation

10.1 It is recommended that the application is approved, subject to the submission of acceptable landscaping details as reserved matters and to the conditions listed below.

10.2 **Time Limit:** The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

10.3 **Approved Plans:** The development hereby permitted shall be carried out in accordance with the following approved drawings:-

- 3233 31 - Site Location and Block Plans
- 3233 52 Rev A - Proposed Lower Ground Floor
- 3233 53 Rev A - Proposed Ground Floor
- 3233 54 Rev A - Proposed First Floor
- 3233 55 Rev A - Proposed Second Floor
- 3233 56 Rev A - Proposed Third Floor
- 3233 57 Rev A - Proposed Roof Plan
- 3233 58 Rev B - Proposed South West Elevations
- 3233 59 Rev B - Proposed North West Elevations
- 3233 60 Rev A - Proposed North East Elevations
- 3233 61 Rev A - Proposed South East Elevations
- 3233 62 Rev A - Proposed Elevations (Sections)
- 3233 63 Rev A - Proposed South West Elevations (showing lower ground floor)

Reason: For the avoidance of doubt and in the interests of proper planning.

10.4 **Use Restriction:** The 12 x flats occupying 20-22 Burlington Place shall be used for holiday lettings only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: In order to maintain the viability and vitality of the Tourist Accommodation Area and to prevent the establishment of substandard permanent dwellings in accordance with saved policies TO1 and TO2 of the Eastbourne Borough Plan, policies B2, D1 and D3 of the Eastbourne Core Strategy and para 81, 120 and 130 of the NPPF.

- 10.5 **Register of Occupiers (Holiday Use):** The owners or operators of the holiday let flats shall maintain an up-to-date register of the names of all occupiers of the accommodation, and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the holiday premises are not used as residential dwellings in the interest of maintaining the viability and vitality of the Tourist Accommodation Area in accordance with saved policies TO1 and TO2 of the Eastbourne Borough Plan, policy D3 of the Eastbourne Core Strategy and para 81 of the NPPF.

- 10.6 **Occupancy Time Limit (Holiday Use):** The holiday let accommodation hereby approved shall not be occupied continuously by the same persons for any single period of time exceeding 28 days.

Reason: In order to ensure that the accommodation is used as a holiday let benefiting tourism and the visitor economy in accordance with saved policies TO1 and TO2 of the Eastbourne Borough Plan, policy D3 of the Eastbourne Core Strategy and para 81 of the NPPF.

- 10.7 **CMP:** No development shall take place, including any further site clearance, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- means of reusing or recycling any existing materials present on site for construction works,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- Works to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- include details of the use of protective fences, exclusion barriers and warning signs;

- provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- details of any external lighting.

Reason: In order to safeguard environmental and residential amenity and in the interests of highway safety and the wider amenities of the area having regard to saved policies UHT1, NE28 and HO20 of the Eastbourne Borough Plan, policies B2, D1 and D9 of the Eastbourne Core Strategy and para. 174 of the NPPF.

- 10.8 **Bin & Cycle Storage:** Prior to the first occupation of any part of the development hereby approved, the bin and cycle storage facilities shown on the approved plans shall be installed in accordance with those details and shall thereafter be maintained in place thereafter throughout the lifetime of the development.

Reason: In the interest of environmental amenity and in order to encourage the use of sustainable modes of transport in accordance with saved policies UHT1, NE28 and HO20 of the Eastbourne Borough Plan, policies B2, D1 and D8 of the Eastbourne Core Strategy and para. 112 of the NPPF.

- 10.9 **Sustainability Measures:** The proposed development shall not be occupied until full details of all renewable/carbon saving/energy and water efficiency measures to be incorporated into the scheme have been submitted to and approved by the Local Planning Authority. All measures approved shall thereafter be provided prior to the occupation of any dwelling and maintained in place thereafter throughout the lifetime of the development.

Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with policies B2 and D1 of the Eastbourne Core Strategy and para. 152 of the NPPF.

- 10.10 **Step Free Access:** Prior to the first occupation of the development hereby approved, details of how step free access to all floors of the building would be achieved must be submitted to and approved by the Local Planning Authority and all approved arrangements must be in place and, thereafter, maintained in place throughout the lifetime of the development.

Reason: To ensure that the development meets the need of a wider section of the community in accordance with policy B2 of the Eastbourne Core Strategy and para. 92, 93 and 112 of the NPPF.

- 10.11 **Secured by Design:** Prior to the first use of the development hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would adhere to the principles of Secured by Design. This includes external areas, with particular reference to the passageway to the side of the building. The development shall be carried out and retained in accordance with the agreed details.

Reason: In order to provide a healthy and safe environment for future occupants of the development and the wider public in accordance with policies B2 and D1 of the Eastbourne Core Strategy and para. 92 of the NPPF.



10.12 **External Materials:** Notwithstanding the approved plans, no external materials or finishes (including windows, windows frames, doors and door frames) shall be applied until a schedule of materials has been submitted to and approved by the Local Planning Authority, The development shall thereafter be carried out in accordance with those details and maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity, sustainability and the character and setting of the Conservation Area in accordance with saved policies UHT1, UHT4 and UHT15 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 130 of the NPPF.

11. **Appeal**

11.1 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.

12. **Background Papers**

12.1 None.