Tuesday 26 October 2010
at 6.00pm

EASTBOURNE
Borough Council
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Planning Committee

MEMBERS: Councillor Mrs MADELL (Chairman), Mrs SALSBURY (Deputy Chairman), Councillors BLOOM, Mrs GOODALL, HARRIS, MIAH, SZANTO and TAYLOR.

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26 Minutes.

The minutes of the meeting held on 28 September 2010 were submitted and approved and the Chairman was authorised to sign them as a correct record.

27 Declaration of Interests.

None were received.

(NB: Councillor Taylor had retired from the meeting for the consideration of items 2/3/4/5/6 and 8).

28 Report of Head of Planning on Applications.

1) EB/2010/0288 - 9 Paradise Close - Proposed extensions to flank and rear elevations, including side balconies (amended description) **– OLD TOWN.** Two letters of support and eight letters of objection had been received. It was reported that three objection letters had been withdrawn following the submission of amended plans. The relevant planning history was detailed within the report.

Mr Baker addressed the Committee against the proposal on the grounds that the development was inappropriate given the distinctive design of the house and its sensitive position at the end of the close. The bulk and intrusiveness of the extensions would result in a loss of amenity for the occupiers of 8 Paradise Close.

The applicant, Mrs Argyle responded and stated that the proposal would enhance the existing distinctive design of this individual property. Revised plans had been submitted and she had worked closely with planning officers to address the concerns of neighbours in respect of the original application.

RESOLVED: (By 6 votes to 1 with 1 abstention) That permission be granted subject to the following conditions: 1) Commencement of development within 3 years; 2) Approved plans.

2) EB/2010/0341 (CONS AREA) - **Ailsa Craig, 5 Mill Gap Road** - Conversion of loft space into study and bedroom involving installation of dormer windows to the rear and roof lights to the front, side and rear – **UPPERTON.** Two letters of representation had been received.

The relevant planning history was detailed within the report. The Conservation Officer and the Conservation Area Advisory Group at its meeting on 7 July 2010 had raised concerns regarding the four roof lights proposed which was considered excessive. The number of roof lights had been reduced to two which were simple in design and were considered to be acceptable.

RESOLVED: (By 4 votes to 3) That permission be granted subject to the following conditions: 1) Commencement of development within 3 years; 2) Approved plans; 3) Use of matching materials.

3) EB/2010/0444 - 4 Gorringe Road - Erection of two-storey extension to side and rear and ground floor extension to rear of house – **UPPERTON**. One letter of objection had been received. The relevant planning history was detailed within the report. Some Members expressed concern regarding the impact of the extension on the residential amenity of the occupiers of the neighbouring property.

RESOLVED: (By 4 votes to 3) That permission be granted subject to the following conditions: 1) Commencement of development within 3 years; 2) Approved plan refs; 3) External materials to match; 4) Obscure glazing in side windows at first floor.

4 & 5) EB/2010/0463 & EB/2010/0464(LB) - **All Saints Hospital, King Edwards Parade** - Temporary change of use of existing foyer to chapel to sales and marketing suite for two years (FP) & (Listed Building application) – **MEADS.** The relevant planning history was detailed within the report. One letter of objection had been received and the Conservation Officer had raised no objections to the proposal.

RESOLVED: (By 6 votes with 1 abstention) That permission be granted subject to the following conditons: 1) Commencement of development within 3 years; 2) Approved plans; 3) That the use hereby permitted shall cease on 31 October 2012. The foyer to be reinstated as approved under EB/2006/0418 and EB/2006/0419(LB) including reinstatement of the kitchen.

6) EB/2010/0468 (CONS AREA) - 111 Seaside Road and 11 Queens Gardens - Variation of condition 5 of EB/2008/0516(FP) for the conversion of former theatre into twelve two bedroom apartments and two one bedroom apartments to permit changes to fenestration on the front elevation, the provision of an additional dormer at the side and a roof terrace to the rear – **DEVONSHIRE.**

At its meeting on 24 August 2010 the Conservation Area Advisory Group had raised concerns regarding the fenestration, as shown on the originally submitted plans, and had stated that the proposed windows should incorporate decorative mouldings. The Group had requested that the applicant should reconsider the proposals. The Committee was advised that amendments to the fenestration on the front façade had been subject to considerable negotiation with the applicant to overcome the concerns

raised. The Conservation Officer had confirmed that the amended scheme was acceptable.

The Committee discussed the use of UPVC windows on the front elevation. Some Members considered that the use of UPVC windows in such a focal position would be detrimental to the character and appearance of the building and should not be accepted. It was considered that the windows should be timber to match the original windows on the ground floor.

RESOLVED: (By 4 votes to 3) That permission be refused on the grounds that the use of UPVC on the upper floors of the front elevation is unacceptable and would be detrimental to the appearance of the Building of Local interest and the surrounding Town Centre and Seafront Conservation Area. Thereby the development would be contrary to policy UHT15 and UHT 17 of the Eastbourne Borough Plan 2001 – 2011.

(A motion to approve the application was lost by 3 votes to 4).

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

7) EB/2010/0480 (CONS AREA) - Pearl Court, Devonshire Place - Formation of car park on rear communal garden/amenity space – **MEADS.** 11 letters and emails of support and 11 letters and emails of objection had been received. An additional letter of support from the Director of Pearl Court (Eastbourne) Ltd was reported at the meeting.

The Conservation Officer and the Conservation Area Advisory Group at its meeting on 24 August 2010 raised no objections to the proposal. The Local Highway Authority had recommended that the application be refused.

RESOLVED: (Unanimous) That permission be refused on the grounds that the access arrangement for the proposed car park would result in a conflict of vehicles entering and leaving the site to the detriment of highway safety, and the number of parking spaces would be an over-provision for the site and therefore contrary to policy TR11 of the Eastbourne Borough Plan and Planning Policy Statement 1: Delivering Sustainable Development; and Planning Policy Guidance Note 13: Transport.

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

8) EB/2010/0491 - 19 Roselands Avenue - Conversion of loft to habitable accommodation involving the installation of dormer windows to front and rear in addition to internal alterations and creation of vehicular access – **ST ANTHONYS.** Two letters of objection had been received.

RESOLVED: (By 6 votes to 1) That permission be granted subject to the following conditions: 1) Commencement of development within 3 years; 2) The proposed development shall be carried out in accordance with the following drawing(s) 1-6 and 11; 3) That all materials used in the external

surfaces of the development hereby permitted shall match those on the existing building in terms of type, texture and colour.

9) EB/2010/0512 - **Land North of Cross Levels Way -** The erection of a 20 bedroom inpatient and day hospice with associated office and support facilities together with new access road, parking and landscaping - **HAMPDEN PARK.** One letter of objection had been received.

The observations of the County Archaeologist, Crime Prevention Design Adviser at Sussex Police, Natural England, the Council's Economic Development Officer and the Friends of Hampden Park were detailed within the report. The scheme had been revised following recommendations on a number of design issues made by the Design Review Panel.

The Environment Agency and the Highway Authority raised no objections to the proposal subject to conditions. The Council's Arboricultural and Planning Policy officers supported the proposal. Two additional letters from the Friends of Hampden Park in support of the proposal were reported at the meeting. The Committee was advised that the required financial contributions had been received.

Councillor Thompson addressed the Committee in broad support of the site proposed but referred to a number of concerns raised by the Friends of Hampden Park. He referred to the importance of screening to soften the appearance of the development from footpaths and roads, the screening of the mounding and fencing of the southern boundary and an increase in planting along the northern boundary. A further comment had been made that any security lighting should not overflow into any other areas beyond the car park.

The Development Manager reported that the lighting would be controlled and that the submission of a lighting scheme was required by condition. The proposed landscaping scheme was comprehensive and it was noted that the majority of the trees would be retained, including the mature trees along the eastern and northern boundary which would mitigate the impact of the development from both short and long range views, including Hampden Park.

Mrs K Bishop, Chief Executive of St Wilfrid's Hospice addressed the Committee and gave an overview of their aspirations, the site appraisals undertaken and the reasons why the application site met the majority of their future needs.

RESOLVED (Unanimous) That planning permission be granted subject to a Section 106 Agreement to secure a Travel Plan and associated audit fee and also contribution to Flood Attenuation and subject to the following conditions: 1) Commencement of development within 3 years; 2) Drawing Nos. of approved plans; 3) Samples of materials to be submitted (++); 4) No plant or equipment on roofs or walls; 5) T3 Tree Protection: General (++) 6) T6 Tree Protection: Excavations (++); 7) T8 Tree Surgery (++); 8) T10 Landscape Design Proposals (++); 9) T14 Landscape Management Plan (++); 10) T15 Landscape Maintenance (++); 11) H1.4 Junction details

(++); 12) Visibility Splays (++); 13) H5 Provision for Disabled People; 14) Restriction of times for building operations; 15) Submission of details of refuse storage (++); 16) Development to be in accordance with Flood Risk Assessment and mitigation measures detailed within FRA (++); 17) Submission of details of site investigation to deal with risks associated with contamination of the site (++); 18) Unsuspected contamination; 19) Submission of details of surface water drainage scheme (++); 20) Submission of details of foul water sewerage disposal (++); 21) Provision of on-site wheel washing facilities; 22) On site parking spaces shall at all times be retained for the parking of vehicles; 23) No occupation until cycle parking provided; 24) Submission of a Traffic Management Plan (++); 25) Submission of Travel Plan prior to commencement of use of the building; 26) No burning of waste on site; 27) Submission of details of lighting (++); 28) Submission of a Site Management Scheme (++); 29) Condition Storage of Oils Fuels and Chemicals; 30) Submission of details of boundary treatment (to include green walls/screens/hedges; 31) The hedges along the northern and eastern boundaries of the site (with the exception of those trees to be removed to provide the proposed access) shall at all times be retained; 32) Submission of details of a footpath link through the site from Cross Levels Way to Broadwater Way/Elm Grove (++); 33) Finished floor levels to be no lower than 2.9 metres AOD; 34) Submission of details and implementation of measures to enhance the biodiversity of the site (++). (++ Pre-commencement conditions)

10) EB/2010/0523(HH) - 49 Cherry Garden Road - Two-storey extension and decking at side of house – **OLD TOWN.**

One letter of no objection and six letters of objection had been received. An additional letter of support from the applicant and a letter of objection from Councillor Mrs Heaps on behalf of local residents were reported at the meeting.

Some Members considered that given that the extension would be on land that is significantly higher than the neighbouring gardens of properties in Manvers Road, the development would have a substantial impact on the residential amenity of residents in Manvers Road. Reference was made to the narrow gardens of neighbouring properties and the overpowering impact the two-storey extension would have. Concerns were also expressed that the decking area which would lead into the main garden would be intrusive and would result in a loss of privacy for neighbouring residents, given the elevated position of the garden.

The visual impact of the current 3 storey property on the occupiers of properties in Manvers Road was acknowledged but it was felt that allowing a further extension would exacerbate the loss of visual amenity.

The Regulatory and Litigation Lawyer advised the Committee on potential reasons for refusing the application and the implications of such a decision.

RESOLVED: (By 6 votes to 1 with 1 abstention) That permission be refused on the grounds that the proposed extension by reason of its position, size, design and external appearance would be an intrusive and un-neighbourly development out of scale and character with the prevailing

pattern of development in the locality, as well as having a serious and adverse effect on the amenities enjoyed by occupants of neighbouring properties in Manvers Road. The proposal is therefore contrary to policies UHT1, UHT4 and HO20 of the Eastbourne Borough Plan 2001 – 2011.

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

11) EB/2009/0570 - **1A Upper Kings Drive -** Erection of single storey extension to front and side of dwelling – **RATTON.** One letter of objection had been received. The relevant planning history was detailed within the report.

Mrs Tucker addressed the Committee against the proposal on the grounds that the extension was an obtrusive overdevelopment which would result in overlooking of neighbouring gardens. She stated that she would be overlooked from the raised patio area which would face her property. The applicant operated a child minding business which already caused noise and disturbance and concerns were raised that the additional rooms would be used to cater for additional children. It was requested that if approved conditions should be attached to ensure that the residential character of the area was maintained.

The applicant, Mrs Groves responded and stated that the extension would be for family use only and that she had no intention of increasing the number of children she minded.

With regard to the concerns of overlooking from the extension, the Committee was advised that a condition was proposed that windows in the east elevation be obscure glazed.

The Development Manager advised the Committee that a residential property may be used for childminding without the need for planning permission, as a general rule for up to 6 children.

Some Members supported the concerns raised and considered that the application was an overdevelopment which would impact on neighbouring residential amenity.

RESOLVED: (By 5 votes to 4 on the casting vote of the Chairman) That permission be granted subject to the following conditions: 1) Commencement of development within 3 years; 2) Approved plan refs; 3) External materials to match; 4) Obscure glazing to windows in east elevation; 5) Flat roof not to be used as roof terrace; 6) Glazing in windows.

29 Draft Warrior Square Area Appraisal.

The Committee considered the report of the Planning Policy Manager seeking authority to publish the draft Warrior Square Conservation Area Appraisal for public consultation.

The Council was required to review, formulate and publish appraisals and management plans for the preservation and enhancement of the Borough's 12 Conservation Areas. The draft Warrior Square Conservation Area Appraisal was the second of a rolling programme which would cover all the remaining conservation areas in the Borough. The consultation on the Upperton Conservation area appraisal had been completed and the next area on the Programme would be Meads.

The purpose of the draft area appraisal was to define the special architectural and historic interest of the designated area in the form of a detailed character analysis and included a review of the Conservation Area boundary. The Committee was advised that it was recommended that the boundary should remain unchanged. The draft appraisal also contained a Management Plan, which aimed to manage change in ways that maintained and strengthened the area's special qualities.

Members noted that internal consultation had been carried out on the draft appraisal and that the Conservation Area Advisory Group had also been consulted. Consultation would be carried out with residents and occupiers of the area concerned by means of a letter drop. During the 12-week consultation period the document would be available to view via the Council's website and statutory consultees and any other targeted groups would be contacted directly. Members were invited to submit their comments on the appraisal to the Conservation Officer.

The Committee was advised that a further report would be submitted on the outcome of the consultation and to approve the final content of the area appraisal document.

RESOLVED: That public consultation on the draft Warrior Square Conservation Area Appraisal be approved.

The meeting closed at 8.17 p.m.

Councillor Mrs Madell
(Chairman)