Tuesday 12 July 2011
at 6.00pm

EASTBOURNE
Borough Council
www.eastbourne.gov.uk

Planning Committee

MEMBERS: Councillor UNGAR (Chairman); Councillor HARRIS (Deputy Chairman); Councillors Mrs HEARN, JENKINS, MIAH, MURRAY, TAYLOR and Mrs WEST.

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9 Minutes.

The minutes of the meeting held on 14 June 2011 were submitted and approved and the Chairman was authorised to sign them as a correct record.

NOTED.

10 Declaration of Interests.

There were none.

11 Report of Head of Planning on Applications.

1) EB/2011/0180 - 45-47 Green Street - Re-installation of air conditioning/ventilation system for ground floor retail unit and retrospective application under section 73a for the retention of a close boarded fence on rear boundary wall – **OLD TOWN.** Two representations had been received.

The planning history for the site was detailed within the report.

The committee raised concerns about noise levels, ventilation and the enclosure of the equipment and requested further information.

RESOLVED: That this application be deferred until detailed technical information could be provided.

2) EB/2011/0193 - 2-8 Upwick Road - Demolition of the garages at the rear of 2-8 Upwick Road and the erection of 6 houses, car parking, landscaping and amendments to vehicular access from Upwick Road, and external alterations to 2/4 Upwick Road to remove entrance door at side and form new entrance door at front – **OLD TOWN.** An extensive number of letters of objections had been received.

The planning history for the site was detailed within the report.

The observations of Planning Policy, Downland Woods and Trees Manager, Highways were detailed within the report.

Mrs Challice addressed the committee in objection stating that there were concerns regarding the safety of motorists and pedestrians accessing the

site, access for 999 services, an increase in double yellow lines restricting parking for existing residents. In addition the development would be overbearing, and out of keeping with the surrounding area.

Councillor Mrs Coles, Ward Councillor, addressed the committee in objection stating that the site did not appear to be in the Strategic Land Availability Assessment, and that access to the local schools would be under increasing pressure. The loss of garages would result in a loss of amenity to the residents, the development would overlook neighbouring properties and Councillor Coles felt that the previous reasons for refusal still stood.

Mr Goacher, applicant, addressed the committee in response stating that the plans have been drawn in consultation with the local Planning department. There was currently 23 garages on the site with original plans for 48. This would constitute considerable traffic to the site – the development of six houses would greatly reduce this.

The committee considered that parking, access, pressure on local schools, the size of the site and affects on neighbouring properties were all areas of concern.

RESOLVED: (**By 6 votes to 2**) That permission be refused on the grounds that the proposed redevelopment of the site in the manner and density proposed is considered to result in a form of development that would be out of character with the general pattern of development in the locality; and by reason of the specific layout, massing, scale and design would also have a detrimental impact upon the amenity enjoyed by the occupiers of the adjoining and adjacent residential properties. The proposed development is therefore contrary to policies UHT1, UHT4, H06, H08 and H020 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.

3) EB/2011/0209 - 2 Park Lane - Erection of a two storey extension at the side to form a granny annexe **– RATTON.**

The planning history for the site was detailed within the report. The observations of the County Archaeologist were detailed within the report.

RESOLVED: (**By 7 votes to 1**) That permission be granted subject to the following conditions: 1) Commencement of development within three years 2) Development carried out in accordance with approved 3) Submission and approval of archaeological works 4) Use of matching materials 5) Hours of operation 6 & 7) Retention and protection of trees 8) Deletion of parking space

4) EB/2011/0220 - 202 Terminus Road - Application for the extension of time for the implementation of permission EB/2007/0377(FP) for the demolition of the existing building and redevelopment to comprise a part five/part six storey building (including basement) with Class A1 (retail) on

the ground floor, ancillary storage/retail in the basement and 44 residential units above, with disabled car parking and cycle parking – **MEADS.** Two representations had been received.

The relevant planning history for the site was detailed within the report.

RESOLVED: (**By 7 votes to 1**) That subject to the prior conclusion (by 12 July 2011) of an amendment to the s106 legal agreement to make relevant updates to the new application number to be made by the developer, permission be granted subject to the following conditions: 1) Time Limit 2) Materials to be supplied 3) Construction and demolition times 4) Foul and surface water details 5) Site Contamination 6) Surface water trapped gully details 7) Details of Hoarding 8) Foundation design 9) Details of Cycle and buggy store 10) Details of Bird deterrent 11) Details of any roof railing 12) Details of wall adjoining Victoria Mansions 13) Shopfront details 14) Details of Flue

5) EB/2011/0259 - 20 Eridge Road - Retention of rear conservatory – **RATTON.** One letter of objection had been received.

Mr Barker addressed the committee in objection stating that he was concerned about the maintenance of the conservatory and roof.

Councillor Murdoch, Ward Councillor, addressed the committee in objection stating that the conservatory was too close to the boundary fencing which would require maintenance and repair.

Mr Hicks, Agent, address the committee in response stating that maintenance should not be an issue as the conservatory was internally glazed and easy to deconstruct for maintenance etc.

(NB: A motion to refuse the application proposed by Councillor Taylor and seconded by Councillor West was lost 5 votes to 1 with 1 abstention)

RESOLVED: (**By 6 votes to 2**) That permission be granted subject to the following condition: 1) Approved plans, 2 Details of surface water disposal

6) EB/2011/0353 - Sovereign Centre Roundabout - Siting of four lion statues on the roundabout – **SOVEREIGN.**

The observations of the Council's Assistant Arboricultural Officer were detailed within the report.

RESOLVED: (**Unanimous**) That subject to no further representations being received by the close of the consultation period, permission be granted the following conditions: 1) Commencement of development within five years 2) No foundations or plinths within 5m of any trees, 3 Details of the external colour of the Lions to be submitted and approved

12 South Downs National Park Authority Planning Applications.

1) Paradise Woods, Paradise Drive, Eastbourne – Use of Paradise Woods for bicycle activity and formation of trails and jumps/ramps. 12 letters and emails of objection and three emails of support had been received

The observations of the County Archaeologist, South Downs Way Officer and the South Downs National Park Authority were detailed within the report.

RESOLVED: (**Unanimous**) That permission be granted subject to the following conditions: 1) Commencement within 3 years; 2) Within 3 months of the date of this permission or such other date as may be agreed in writing with the South Downs National Park Authority, a landscape mitigation strategy in relation to and forming part of the use and operation of the approved development, shall be submitted to and approved in writing by the South Downs National Park Authority; the details shall include:- i) a tree survey, ii) tree protection measures, iii) the type and location of any dead hedging or other natural landscape barriers iv)details of a tree and/or planting scheme all related and integrated with the jumps and routes of the approved cycling areas of the site, v) integrated biodiversity enhancement provision vi) a landscape management plan which shall include an implementation and maintenance programme. 3) The approved details shall be carried out in the first planting season following the date of this permission or such other planting season as may be approved in writing with the South Downs National Park Authority and in accordance with the management plan and maintained thereafter in accordance with the approved implementation and maintenance programme. 4) Any trees or plants (planted as a result of this application) which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the South Downs National Park Authority gives written consent to any variation.

13 Cycling Strategy.

The committee considered the report of the Senior Head of Development and Environment asking Members' views on the Draft Eastbourne Cycling Strategy prior to its submission, and request for authority to consult with stakeholders, at Cabinet on 13 July 2011.

Members were advised that on 14 July 2010, Cabinet resolved that the Council should work in partnership with East Sussex County Council to develop a Cycling Strategy for the Town and that it should continue to work with local groups to ensure that a town wide cycle network was developed and implemented.

The Strategy which would run until 2027, would replace 'A Healthy Cycling Plan for Eastbourne' which was produced by Sustrans in 1994 and would be aligned with the County Council's Cycling Strategy, published in March 2009.

The development of a Cycling Strategy to identify a network of cycle routes across the town was key to increasing the number of cycle trips made and would contribute towards the Council's objectives of becoming a low carbon town, reducing congestion and improving air quality and accessibility.

A further report would be submitted to a future Cabinet on the results of the consultation process and for adoption of the Cycling Strategy.

Mr Riseley, Meads Community Association, addressed the committee stating that Meads was a conservation area and that this should be factored into any plans for cycle routes through this area. It addition Mr Riseley expressed concern over the potential costs of the scheme in the current economic climate. Mr Riseley referred to the consultation with the cycling organisations, without consultation with the residents in area.

Councillor Wallis addressed the committee in support of the Strategy which outlined the Council's aspirations from now 2011- 2027; there had been many consultations with many different groups to ensure that the proposed routes enclosed in the document were feasible. Councillor Wallis highlighted the two currently programmed routes, the Horsey sewer, which would run from the Langney roundabout to the railway station. The work on this route had already started and would be completed in 2013. The proposed Kings Edwards parade was undergoing additional consultation.

The Committee were in full support of the Strategy, making cycling safer in Eastbourne. Members discussed consulting with motoring organisations and the reinstatement of cycling proficiency for all.

NOTED.

14 Proposed Submission Eastbourne Town Centre Area Action Plan.

The committee considered the report of the Senior Head of Development and Environment asking Members' views on the proposed submission Eastbourne Town Centre Area Action Plan prior to its submission to Cabinet on 13 July 2011, requesting approval to publish for the community and stakeholders to make final representations and in preparation for formal submission of the document to the Secretary of State.

Members were advised that on 26 May 2010, Cabinet approved the Eastbourne Town Centre Area Action Plan (AAP) – Issues and Options Report for community consultation. This stage of the process of preparing the Area Action Plan was known as the 'Regulation 25 consultation' reflecting the government's procedures.

The 12 week consultation period began on 14 June and ended on 6 September. The consultation was one of the most extensive and most innovative undertaken by the Council on a Planning document and was of major importance, as the AAP would form a key component of the Council's Local Development Framework (LDF).

The report outlined the comments received and how the Area Action plan responded to those comments. Responses to all of the comments received during the Issues & Options consultation were detailed in a background paper to the report.

The preparation of the Proposed Submission Area Action Plan, had also involved cross-Council working, led by a small project team of key Officers and the document has been supported and guided by both political parties which sit on the LDF Steering Group.

The AAP had now reached its penultimate stage before the formal process of submission to the Secretary of State. It was proposed that the Proposed Submission Town Centre Area Action Plan would be published between July and September this year. This would provide the people of Eastbourne and other stakeholders, a final opportunity to shape the document before it proceeded to the formal Submission stage. This stage of the process of preparing the Area Action Plan was known as 'Regulation 27' reflecting the government's procedures. Copies of the document had been placed in the Members Room.

The report was the culmination of major work aimed at putting the regeneration of the Town Centre back on track with a new policy direction. The Committee expressed their full support for the Plan.

NOTED.

15 The Eastbourne Plan: Consultation Report.

The committee considered the report of the Senior Head of Development and Environment asking Members' views on the report prior to its submission to Cabinet on 13 July 2011.

Members noted that the Consultation Report summarised all the representation received following the publication of the Proposed Strategy Submission Core Strategy (the Eastbourne Plan) in December 2010. It was intended to sit alongside the Submission version of the Core Strategy when it was published later this year, and explained how the community was involved in this latest consultation and how the representations received were reflected in the Core Strategy. The final Submission version incorporating the agreed proposed changes would be the subject of a further report to Cabinet timetabled for 7 September 2011.

The Core Strategy was the main central document of the Council's Local Development Framework (LDF). It sets out the Council's spatial planning vision and objectives for Eastbourne up to 2027, and the primary land use policies that would deliver them. Once adopted it would be used to guide future development in the Borough and provide a policy framework against which planning applications would be measured. The production of a Local Development Framework of which the Core Strategy forms part was a statutory requirement under the Planning and Compulsory Purchase Act 2004. The form and content of the Core Strategy were prescribed in the

Town and Country Planning (Local Development) (England) Regulations 2004 (as amended).

The Eastbourne Core Strategy had been prepared in accordance with the relevant government regulations and guidance and once agreed by it had now reached the stage of final approval by the Council before formal submission to the Government as the Borough Council's proposed spatial strategy for Eastbourne. Four main stages of the development of the strategy were highlighted within the report.

The formal Submission stage which would take place after approval by the Council in September, and would include a six week publicity period to provide stakeholders and interested parties with the opportunity to make representations on the 'soundness' of the Strategy.

The most recent collection of views on the draft Proposed Submission version of the Core Strategy before the approval of a formal 'Submission' version was carried out as an extra consultation stage, to enable any final adjustments to be made to reflect local issues and opinions. This was intended to lead to the Council's preferred document being more likely to be found sound by the governments Planning Inspector at the public examination, scheduled for March/April 2012. Public consultation was regarded as a very important part of the process for preparing the Core Strategy; the local community needed to be involved throughout, and the Council would be required to satisfy the Secretary of State that this had been done and that it was in accordance with commitments on community involvement set out in the approved Statement of Community Involvement.

The Committee raised queries regarding aspects of the Strategy regarding the proposals for Gypsies and Travellers and the clarification of neighbourhood areas and their sustainability ranking - particularly the proposals for Sovereign Harbour and Kingsmere. Notwithstanding this, the Committee expressed their full support for the Plan.

NOTED.

16 Section 106 Database and Monitoring.

Members considered the report of the Development Manager updating members on the current position in respect of Planning Obligations received since 1990.

Members were advised that Planning obligations were legal agreements entered into generally between the local planning authority and the applicant, developer and or any others who have an interest in the land. They were mechanisms to ensure that matters required to make a development acceptable were secured. From the 700 – 800 planning applications per year determined by Eastbourne Borough Council, only a handful required planning obligations. Once completed, obligations were registered as a Local Land Charge and were typically enforceable against those persons – organisations who have entered into the obligation as well as any subsequent owner of the site. Planning obligations could be in a unilateral or mutli-lateral form, and all types of agreement as outlined in the

report were entered into under Section 106 of the Town and Country Planning Act 1990. Planning obligations could cover any number of topic areas; the main ones for Eastbourne were detailed within the report.

Members noted that it was the intention of the Development Manager to report to Committee on a quarterly basis updating Members regarding information about monies received, collected and still to be spent.

NOTED.

The meeting closed at 8.31p.m.

Councillor Ungar
(Chairman)