

PLANNING & LICENSING COMMITTEE

Tuesday 15 July 2003

PRESENT:

Councillor BERRY (Chairman); Councillor SKILTON (Deputy Chairman); Councillors BELSEY (as substitute for Stevens), BOWKER, ELKIN, MARSH, Mrs POOLEY and TESO.

(An apology for absence was reported from Councillor Stevens).

9. MINUTES. The minutes of the meeting held on 17 June 2003 were submitted and approved and the Chairman was authorised to sign them as a correct record.

10. REPORT OF HEAD OF PLANNING ON APPLICATIONS.

(1) EB/2003/0204 - 293 Seaside - two-storey extension at side and rear and single-storey extension at rear to form larger take away area, kitchen and food store on ground floor and two self-contained flats on first floor – DEVONSHIRE. The Highways Manager raised no objections to the proposal. Amended plans had been received to overcome the concerns of the Head of Environmental Health.

RESOLVED: (By 5 votes to 1) Permission refused on the grounds (1) That the proposed extension by reason of its bulk, scale, size and position would constitute an over development of the site and would be harmful to the streetscene and character and appearance of the surrounding area. Therefore it would conflict with Policy CT1 of the Adopted Borough Plan (1998) and Policies UHT1 and UHT4 of the Revised Deposit Draft Borough Plan (2001-2011); (2) That the proposed extension, by reason of its bulk, height, size and position, would have an overbearing impact and cause overshadowing and loss of light to the occupiers of 295 Seaside. Therefore, the proposal would detract from the amenities of the occupiers of the property and would conflict with Policy HO18 of the Adopted Borough Plan (1998) and Policy HO20 of the Revised Deposit Draft Borough Plan (2001-2011).

(NOTE: Councillor Berry declared a personal and prejudicial interest in this item and withdrew from the meeting. Councillor Skilton took the Chair for this item).

(2) EB/2003/0341 - 51 Winchelsea Road - erection of attached garage and porch at front of dwelling – DEVONSHIRE.

RESOLVED: Permission refused on the grounds that the proposed garage would protrude beyond the established building line on this prominent site, and would disrupt the symmetry of the attached pair. It would not therefore harmonise with the appearance and character of the local environment, and would have an unacceptable detrimental impact on visual amenity. It is thereby contrary to Policies UHT1 and UHT4 of the Emerging Plan and Policy CT1 of the Adopted Plan.

(3) EB/2003/0339 - Former Coach Station and Garage, Susan's Road - change of use from coach station and garage to temporary car park (for one year) – DEVONSHIRE. The observations of the Development Planning Manager were set out in the report. The Highways Manager raised no objections to the proposal. Members were advised that any application to continue the temporary use beyond the one-year proposed would be considered to be contrary to Policy TC2 of the Revised Deposit Draft Borough Plan. It was requested that access be from Susan's Road only.

RESOLVED: Permission granted subject to conditions (1) D5.2 Temporary permission until 31 July 2004; (2) That there shall be no means of vehicular access to the site from Cavendish Place and no egress from the site onto Susan's Road.

(4) EB/2003/0236 - Fort Fun, Royal Parade - erection of extension to indoor play area – DEVONSHIRE. Seventeen letters of objection from residents and a petition signed by the occupiers of 13 flats in Monarch

House were reported. The Highways Manager and the Head of Environmental Health raised no objections to the proposal. The Director of Tourism and Leisure supported the proposal. Mrs B Sykes and Mrs D Johnson addressed the Committee in objection to the proposal and the applicant, Mr M Philips responded. It was reported that amended plans were awaited to delete the roller shutter doors in the extension. Members requested a condition relating to hours of operation.

RESOLVED: That subject to the receipt of satisfactory amended plans to delete the roller shutter doors in the extension, the Head of Planning be granted delegated authority to **grant permission** subject to conditions (1) D1.1 Commencement of development within five years; (2) A2 Submission of samples of facing materials; (3) C5.1 Hours of operation (9.00 am to 9.00 pm).

_(NOTE: Councillor Belsey declared a personal and prejudicial interest in this item and withdrew from the meeting).

_(5) **EB/2003/0023(OL) - Land north of Just Learning Nursery, Larkspur Drive - erection of 14 residential units comprising 8 three-bedroom houses, 2 two-bedroom houses, 2 two-bedroom flats and 2 one-bedroom flats together with provision of a viewpoint facility (amended description) – LANGNEY.** The County Archaeologist recommended an evaluation to establish the presence or otherwise of archaeological remains. The observations of the Environment Agency, Southern Water, Crime Prevention Design Adviser, on behalf of Sussex Police and the Highways Manager were set out in the report. Four letters of objection were reported from local residents.

RESOLVED: Permission refused on the grounds that the proposal constitutes an undesirable extension of inappropriate development in a sensitive area, outside the designated Built-Up Area Boundary of the town, which, in the absence of any overriding need, is contrary to the Local Planning Authority's recognised policy of locating residential development within the established urban area. As such, the proposed development is considered to be contrary to Policy NE1 of both the Adopted Eastbourne Borough Plan (1998) and the Revised Deposit Draft Borough Plan (2001-2011).

(6) **EB/2003/0119 - 10 Mark Lane - change of use from snooker club to wine bar – MEADS.** Sussex Police and the Head of Environmental Health raised concerns that the application would be detrimental to residential amenity, although concerns regarding the kitchen and refuse storage had been overcome. The Environment Agency raised no objections to the proposal. Three letters of objection were reported from local residents. Members welcomed and supported the proposal, which was considered appropriate for this Town Centre location.

RESOLVED: (By 7 votes to 1) Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) That a scheme of sound insulation shall be provided in accordance with details to be submitted to and approved by the Head of Planning before the development is commenced. All works, which form part of the approved scheme, shall be completed to the satisfaction of the Head of Planning before the approved use first commences; (3) Noise from amplified music playing inside the building shall not exceed 50dB LAeq (10 minutes) at 3 metres from the site boundaries. There shall be no tonal component to this noise; (4) That details of any ventilation equipment shall be submitted to and approved by the Head of Planning. The submission shall include noise, anti-vibration and odour control measures; (5) That the use hereby authorised shall only take place between the hours of 9.00 am and 1.30 am on Thursdays, Fridays and Saturdays; (6) That details of the provision to be made for the storage of trade refuse and for access thereto by restaurant staff and collection vehicles shall be submitted to and approved by the Head of Planning before the use hereby authorised is commenced.

(7) **EB/2003/0254 - 16-20 South Street - proposed change of use from existing three-storey offices into**

four self-contained flats on the first and second floors and three shop units on the ground floor, including replacement shop fronts – MEADS. The Environment Agency raised no objections to the proposal. The Local Plan Officer considered that genuine redundancy of the premises had not been demonstrated as required by Policy B11 of the draft Replacement Borough Plan. The observations of the Consultant Historic Buildings Advisor were set out in the report. The Highways Manager raised no objections and the Regeneration Officer supported the proposal. It was concluded that the introduction of more retail units rather than the retention of offices would increase the attractiveness of South Street.

RESOLVED: Permission granted subject to condition D1.1 Commencement of development within five years.

Together with such conditions, in respect of the amended shop front scheme, as considered appropriate by the Head of Planning.

(8) EB/2003/0278 - 19 Jevington Gardens - conversion of approved three-bedroom maisonette on second and third floors to two flats, installation of dormer window at rear and lift shaft at side – MEADS. Three letters of objection were reported from local residents. The Consultant Historic Buildings Advisor expressed concern regarding the lift shaft, which would be very visible from the front and side. Reference was made to the existing lift shaft at 17 Jevington Gardens and that the proposed lift shaft would be set back from the front of the building. The observations of the HMO Co-ordinator were set out in the report.

RESOLVED: Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) A3 Use of matching materials; (3) C5.3 Hours of operation.

(9)/(10) EB/2003/0129 AND EB/2003/0176(CA) (CONS AREA) - garage block between 18 and 19 The Village (a) demolition of existing garage block and erection of a single detached dwelling with attached garage (b) demolition of a block of seven garages – MEADS. Twenty-seven letters of objection were reported from local residents and Mr N Waterson MP in respect of the revised scheme. The Consultant Historic Buildings Advisor and the Conservation Area Advisory Group at its meetings on 15 April and 27 May 2003 raised no objections to the proposal. The observations of the Eastbourne Natural History and Archaeological Society, Environment Agency and the Highways Manager were set out in the report. Mrs Pieri, Mr Harrison, Mr Riseley and Mr Wallis addressed the Committee against the proposal. Concerns were raised in respect of the loss of parking facilities, the traffic hazards associated with entering and exiting the site and the design of the proposed building, which was considered to be out of character with the area. Members supported the concerns raised by residents, particularly in relation to the impact on the conservation area and access to the site.

RESOLVED: (1) Permission refused in respect of EB/2003/0129 on the grounds (1) That the proposed dwelling, by reason of its size and scale in relation to the more modest properties in the Village, would be out of character with these surrounding properties and therefore would be detrimental to the visual amenities of the area and the character of the Meads Conservation Area; (2) That the proposed development, which would result in the loss of existing garages, would exacerbate existing parking problems in the vicinity, to the detriment of the amenities of the area and the character of the Meads Conservation Area; (3) That, further to reasons 1 and 2, above, the development would conflict with Policies CT1 and CT11 of the Adopted Borough Plan (1998) and Policies UHT1, UHT4 and UHT16 of the Revised Deposit Draft Plan (2001-2011).

(2) Permission refused in respect of EB/2003/0176(CA) on the grounds that the proposed demolition of the garages would be detrimental to the visual amenities of the Meads Conservation Area, in that it would result in the creation of a vacant site where no permission exists for an acceptable redevelopment.

(11) EB/2003/0270(CA) - Sunnymead, Gaudick Road - demolition of existing stable building, removal of section of front boundary wall and removal of section of side boundary wall (to Bishop Carey) – MEADS. This application was deferred at the meeting held on 17 June for a site visit. Four letters of objection were reported from local residents. The Historic Buildings Advisor had accepted that the principle of the loss of the stable had already been agreed.

RESOLVED: (By 7 votes to 1) Conservation Area Consent granted subject to conditions (1) D1.2 Commencement of development within five years; (2) That the two existing accesses shall be infilled to match the adjoining walls exactly, including the reinstatement of the footpath and kerb, in materials to be approved and to the satisfaction of the Head of Planning before any of the residential units are first occupied; (3) That the existing stone coping shall be reused in the construction of the new pier, and the decorative brick copings shall be reused on the new sections of walling; (4) That the new pier shall be constructed by reusing the bricks from the existing pier in a matching bond; (5) That the widened access shall be constructed of blue/black Staffordshire clay pavers, with clay tactile crossings to the satisfaction of the Head of Planning; (6) C5.3 Hours of operation.

(12) EB/2003/0269 - Sunnymead, Gaudick Road - erection of a three storey plus penthouse block of seven flats at rear – MEADS. This application was deferred at the meeting held on 17 June 2003 for a site visit. A revised scheme had been submitted which reduced the overall height, bulk and footprint of the proposed extension, and had moved the building away from the preserved trees. The observations of the Arboricultural Officer were set out in the report. The Historic Buildings Advisor and the Conservation Area Advisory Group at its meeting on 8 July 2003 raised no objections to the proposal subject to stringent conditions. The Group did express some reservations regarding the size of the development.

RESOLVED: (By 7 votes to 1) Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) That the development hereby approved shall only be carried out in accordance with revised drawings nos. BM/A/SP/GE/01/REVD, BM/A/SM/GE/06/REVA and BM/A/SM/GE/07/REVA; (3) C5.3 Hours of operation; (4) A2 Submission of samples of facing materials; (5) A10.3 Retention of trees; (6) That the foundations for the north elevation shall be dug by hand and any roots exposed cut cleanly and not torn; the foundations shall be protected by a suitable geotextile root barrier and backfilled with soil as soon as possible; (7) That before the development hereby approved is commenced a landscaping scheme shall be submitted to and approved by the Head of Planning, and shall include details of four trees to replace those removed. The scheme shall be implemented by the end of the first planting season following the completion of the dwellings and any trees and/or shrubs which die, become dangerous or damaged or are otherwise removed shall be replaced to the satisfaction of the Head of Planning; (8) That the two existing accesses shall be infilled to match the adjoining walls exactly, including the reinstatement of the footpath and kerb, in materials to be approved and to the satisfaction of the Head of Planning before any of the residential units are first occupied; (9) That the existing stone coping shall be reused in the construction of the new pier, and the decorative brick copings shall be reused on the new sections of walling; (10) That the new pier shall be constructed by reusing the bricks from the existing pier in a matching bond; (11) That details of the windows, doors, bargeboards, soffits, meter boxes and external pipework/guttering shall be submitted to and approved by the Head of Planning before the development commences; (12) That prior to being discharged into any watercourse, surface water, sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS5911:1982 with an overall capacity compatible with the site being drained.

(13)/(14) EB/2003/0320 AND EB/2003/0321(CA) (CONS AREA) - Bishop Carey and Sunnymead, Gaudick Road – (a) erection of a mews of four four-bedroom houses with rooms in the roof and integral garages, parking spaces and access road (b) demolition of stable block at rear of Bishop Carey and a section of boundary wall between Bishop Carey and Sunnymead – MEADS. The Highways Manager, Environment Agency and the Consultant Historic Buildings Adviser raised no objections to the proposal. English Heritage raised concerns regarding the impact of the development. The Conservation Area Advisory Group at its meeting on 8 July 2003 raised no objections to the proposal. The observations of the Arboricultural Officer regarding the protection of preserved trees were set out in the report. The scheme had been amended to meet the requirements of the Highways Authority and had satisfied all issues regarding highway safety.

RESOLVED: (By 7 votes to 1) (1) Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) That the development hereby approved shall only be carried out in accordance with revised drawings numbered BM/A/SP/GE/02/RevB, BM/A/SU/GE/02/RevA and BM/A/SU/GE/01/RevA received on 16 June 2003; (3) C5.3 Hours of operation; (4) A2 Submission of samples of facing materials; (5) A10.3 Retention of trees; (6) That chestnut pale fencing not less than 1.2m in height on a scaffold framework shall be erected at the furthest extent of the periphery of the crowns of the elm trees overhanging the application site from the adjacent university grounds before the development commences and maintained during the course of the building works. The area enclosed by the fence shall not be used for any purpose and no structures, machinery, equipment or spoil shall be stored, driven over or positioned within this

area; (7) That prior to being discharged into any system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained; (8) That before the development hereby approved is commenced a landscaping scheme shall be submitted to and approved by the Head of Planning, and shall include details of four trees to replace those removed. The scheme shall be implemented by the end of the first planting season following the completion of the dwellings and any trees and/or shrubs which die, become dangerous or damaged or are otherwise removed shall be replaced to the satisfaction of the Head of Planning; (9) That the two existing accesses shall be infilled to match the adjoining walls exactly, including the reinstatement of the footpath and kerb, in materials to be approved and to the satisfaction of the Head of Planning before any of the residential units are first occupied; (10) That the existing stone coping shall be reused in the construction of the new pier, and the decorative brick copings shall be reused on the new sections of walling; (11) That the new pier shall be constructed by reusing the bricks from the existing pier in a matching bond; (12) A5 No windows or other openings in any elevation; (13) D9 Restriction of permitted development; (14) That details of the windows, doors, bargeboards, soffits, chimneys and external pipework/guttering shall be submitted to and approved by the Head of Planning before the development commences.

(2) Conservation Area Consent granted subject to conditions (1) D1.2 Commencement of development within five years; (2) That the two existing accesses shall be infilled to match the adjoining walls exactly, including the reinstatement of the footpath and kerb, in materials to be approved and to the satisfaction of the Head of Planning before any of the residential units are first occupied; (3) That the existing stone coping shall be reused in the construction of the new pier, and the decorative brick copings shall be reused on the new sections of walling; (4) That the new pier shall be constructed by reusing the bricks from the existing pier in a matching bond; (5) That the widened access shall be constructed of blue/black Staffordshire clay pavers, with clay tactile crossings to the satisfaction of the Head of Planning; (6) C5.3 Hours of operation.

(15) EB/2003/0268 - Bishop Carey, Gaudick Road - erection of a pair of garages in front garden, involving excavation of bank – MEADS. This application was deferred at the meeting held on 17 June 2003 for a site visit. The Historic Buildings Advisor considered that the amended plans appeared to render the garages invisible from public view. Lt Col (Ret) L Lacey-Johnson and Mr Riseley addressed the Committee on behalf of local residents against the proposal. Concerns were raised in respect of the location of the garages in the front garden. The Committee agreed that the garages should be located at the rear or parking spaces provided in the front garden.

RESOLVED: Permission refused on the grounds (1) That the proposed garages, by reason of their setting so far forward of the building line, would be out of keeping with the spacious frontages of the buildings in Gaudick Road and would have an adverse impact on the character and appearance of the Meads Conservation Area; (2) That, further to Reason 1, above, the development would conflict with Policies CT1 and CT11 of the Adopted Borough Plan (1998) and Policies UHT1, UHT4 and UHT16 of the Revised Deposit Draft Plan (2001-2011).

(16) EB/2003/0347 (CONS AREA) - Burlington Court, Burlington Place - installation of replacement central window on front elevation with a double glazed, powder coated steel unit – MEADS. One letter from a Burlington Court resident requesting the restoration of the window was reported. The Twentieth Century Society supported this view. The majority of the residents had decided that they did not wish to pursue this option on the grounds of cost and durability. The Consultant Historic Buildings Advisor and the Conservation Area Advisory Group at its meeting on 8 July 2003 raised no objections to the proposal. Mrs H Skaldhamar addressed the Committee against the proposal and Mr Dickinson responded on behalf of the applicant. Members agreed that although the preference would be for the window to be restored, its replacement could not be reasonably refused.

RESOLVED: (By 4 votes to 2) Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) That the decorative lead patterning shall be applied as shown on drawing BC/CW/01 before the window hereby approved is installed.

(NOTE: A motion that the application be deferred was negated by 4 votes to 3).

(17) EB/2003/0338 - Land to rear of 34 Dillingburgh Road - erect a single-storey two-bedroom dwelling - OLD TOWN. The Committee was advised that the application had been withdrawn.

_NOTED.

(18) EB/2002/0697 - 1 Green Street - change of use from industrial unit to a gym - OLD TOWN. The applicant had commissioned a noise-related report, which concluded that the music noise was unlikely to be audible at the residential properties and did not present any nuisance. The Head of Environmental Health had also undertaken an assessment in order to gauge the effect of the noise from the gym, and concluded that given appropriate sound attenuation measures, the gymnasium would be able to operate without causing undue noise disturbance to local residents. The Highways Manager advised that the proposed parking was inadequate. Seven letters of objection were reported from local residents. Mr Morley addressed the Committee against the proposal on behalf of the Bradford Residents' Association and raised concerns regarding parking, noise and general disturbance and the industrial estate's gates being left open late in the evening. It was reported that the Enforcement Officer was currently investigating the erection of an unauthorised illuminated sign at the premises. Members expressed concern regarding the ongoing problems associated with the gymnasium and the effect on residential amenity.

RESOLVED: (By 4 votes to 2) Permission refused on the grounds that the continuation of the use of the premises as a gymnasium is inappropriate in this location, having regard to the close proximity of the premises to residential properties. The use thereby causes serious harm to the amenities of the occupiers of these dwellings by way of general disturbance and nuisance associated with such a use, particularly in the evenings. As such the use is in conflict with Policy HO20 of the Revised Deposit Draft Eastbourne Borough Plan (2001-2011).

(19) EB/2003/0309 - Land at rear of 78 Wish Hill - proposed dwelling with vehicular access off Spring Close – RATTON. Seven letters of objection were reported from local residents. The observations of the Arboricultural Officer, Environment Agency and the Highways Manager were set out in the report.

RESOLVED: Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) A2 Submission of samples of facing materials; (3) D9 Restriction of permitted development; (4) A5 No windows or other openings in elevations (including roof) shall be inserted (other than those shown on drawing No. 2315.2) unless otherwise agreed in writing by the Head of Planning; (5) A4.1 Obscure glazing of window in first floor side elevation; (6) C5.3 Hours of operation; (7) No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface water has been approved by and implemented to the reasonable satisfaction of the Head of Planning; (8) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained; (9) That prior to the commencement of development on site, full details of finished floor levels and locations of services shall be submitted to and approved by the Head of Planning.

(20) EB/2003/0334(OL) - Land adjacent to 94 Ringwood Road - erection of two two-bedroom houses (outline application) - ST. ANTHONY'S. Two letters of objection and one of representation were reported from local residents. The Highways Manager and the Environment Agency raised no objections to the proposal.

RESOLVED: Permission refused on the grounds that the proposed development would, by reason of its layout and close proximity with surrounding residential properties, give rise to a form of over-development that would be both alien to the established residential area and be detrimental to the residential amenity enjoyed by the occupants of nearby dwelling houses. As such, the proposed development is in conflict with Policy HO18 of the Adopted Borough Plan and Policies HO6 and HO20 of the Revised Deposit Borough Plan.

(21) EB/2003/0326 - 44 Ramsay Way - single storey extension at rear, first floor extension over garage and provision of a porch at front – SOVEREIGN. One letter of objection was reported from a local resident.

RESOLVED: (By 7 votes to 1) Permission refused on the grounds (1) That the proposed development would be out of keeping with the character and appearance of the surrounding area by reason of its size and bulk, and

therefore would be detrimental to the visual amenities of the locality; (2) That further to Reason 1 above, the proposal would not accord with Policies CT1 and HO19 of the Eastbourne Borough Plan 1998 and Policies UHT1, UHT4 and HO20 of the Eastbourne Borough Plan Revised Deposit Draft 2001-2011.

(22) EB/2003/0302 - 18 Old Orchard Road - change of use from flat to surgery in order to enlarge the existing doctors surgery – UPPERTON. The observations of the Local plan Officer were set out in the report.

RESOLVED: Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) That before the premises are first used, three bicycle parking stands shall be provided at the entrance to the surgery, in accordance with details to be submitted to and approved in writing by the Head of Planning.

(23) EB/2003/0167 - Land at rear of 8-15 Commercial Road - demolition of warehouse and erection of seven three-storey houses (in two terraces) together with rebuilding of 11 Commercial Road (destroyed by fire) as two one-bedroom flats and the provision of associated car parking – UPPERTON. The Environment Agency raised no objections to the proposal. The Highways Manager raised a number of concerns regarding parking issues. The observations of Network Rail were set out in the report.

RESOLVED: Permission refused on the grounds that the proposed development would, by reason of its layout and close proximity with surrounding residential properties, give rise to a form of over-development that would be detrimental to the residential amenity enjoyed by the occupants of nearby dwelling houses. As such, the proposed development is in conflict with Policy HO18 of the Adopted Borough Plan and Policies HO6 and HO20 of the Revised Deposit Borough Plan 2001-2011.

(24) EB/2003/0333 - The Old Vicarage, 20 St Annes Road - demolition of existing building and erection of three-storey block of twelve flats with basement car parking – UPPERTON. The Council's Strategy and Development Manager supported the proposal. The observations of Southern Water, Highways Manager, the Crime Prevention Design Adviser, on behalf of Sussex Police, Downland, Trees and Woodland Manager and the County Archaeologist were set out in the report. Two letters of representation from a local resident and the Local Natural History and Archaeological Society were reported. The Environment Agency had requested additional conditions and Members agreed a condition to make provision for wheelie bins.

RESOLVED: Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) A9.3 Submission and approval of landscaping scheme; (3) A10.1 Retention of trees; (4) C5.3 Hours of demolition and construction; (5) A2 Submission of samples of facing materials; (6) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained; (7) Development shall not commence until details of the proposed means of foul and surface water disposal have been submitted to and approved by the Local Planning Authority in consultation with Southern Water Services; (8) No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority; (9) Provision must be made to prevent the discharge of water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site; (10) Cycle parking, for residents and visitors, shall be provided on the basis of one enclosed bicycle parking space per unit of accommodation, together with bicycle parking racks, of a number and design to be agreed in writing with the Head of Planning, for visitors to the development; (11) B8.1 Proper construction of car parking spaces; (12) Unless otherwise shown on the block plan (Drawing No. 1321/6 'A'), hereby approved, the existing boundary walls shall be retained and maintained to the satisfaction of the Head of Planning. The blocking up of any openings in the wall shall use materials to match the existing wall; (13) The method of controlling and protecting groundwater at the site during construction shall be carried out in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to any development commencing on site; (14) Development approved by this permission shall not be commenced unless the method for piling foundations has been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details; (15) Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall be at least equivalent to the capacity of all tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into

the bund. Such facilities shall be constructed and completed in accordance with plans approved by the Local Planning Authority; (16) That any infill material shall consist of clean, uncontaminated rock, subsoil, brick rubble crushed concrete and ceramic only; (17) D6.1 Submission of details of storage and collection of refuse.

(NOTE: Councillor Mrs Pooley declared a personal and prejudicial interest in this item and withdrew from the meeting).

(25) EB/2003/0373 - 15 Watts Lane - retrospective application to erect a 1.55 metre close-boarded fence on top of wall on watts lane - UPPERTON. Three letters of objection were reported from local residents.

RESOLVED: Permission refused on the grounds that the fence adversely affects the character and appearance of the dwelling, and neighbouring buildings of local interest, and would be detrimental to the character of the area. By reason of its height and siting, it results in a loss of outlook for neighbouring properties, to the detriment of their residential amenity. It is therefore contrary to Policies UHT19 and HO20 of the Emerging Plan, and Policies CT14 and CT1 of the Adopted Plan.

(26) EB/2003/0305 - 93/93A Enys Road - relaxation of condition 3 of EB/1999/0090 to increase numbers of children from 36 to 45 – UPPERTON. The number of children allowed in the garden at any one time would remain the same. Two letters of objection and a petition signed by 50 local residents were reported. An objection was also reported from Councillor R Lacey. The Council's Senior Maintenance Office objected to the proposal on the grounds that the occupiers of the adjoining property, which is owned by the Council, would be adversely affected by increased noise and parking in the area. The Highways Manager raised no objections to the proposal. Councillor G Marsden addressed the Committee against the proposal on behalf of local residents.

RESOLVED: (By 7 votes to 1) Permission refused on the grounds that the proposed increase in the number of children attending the nursery would seriously detract from the quiet residential enjoyment of the surrounding area by reason of the congestion, noise and disturbance caused by the additional vehicle movements generated by the further intensification of the nursery use as proposed by the application.

11. SUPPLEMENTARY PLANNING GUIDANCE: DESIGNING OUT CRIME. The Committee considered the report of the Head of Planning seeking authority for public consultation on draft Supplementary Planning Guidance: Designing Out Crime. The proposals in the guidance detailed a number of principles that developers should adopt in their designs to minimise risk and improve the safety of their developments, to assist in reducing the fear of crime within the built environment. Detailed design examples were given in the guidance and a series of good and bad practice matters were highlighted. The guidance had been prepared from relevant good practice and the final draft approved by the Crime Prevention Design Adviser, on behalf of Sussex Police.

RESOLVED: That the draft Supplementary Planning Guidance: Designing Out Crime be approved as the basis for public consultation.

12. UNIVERSITY OF BRIGHTON, WELKIN CAMPUS, 32 CARLISLE ROAD. REDEVELOPMENT OF REAR OF WELKIN CAMPUS TO PROVIDE EN-SUITE RESIDENTIAL ACCOMMODATION FOR 354 STUDENTS IN FIVE BLOCKS OF THREE AND FOUR STOREYS - EB/2001/0093. The Committee considered the report of the Head of Planning regarding the University of Brighton, Welkin Campus development, which was approved at the meeting on 23 May 2002. The development was approved subject to the prior conclusion of a Section 106 Agreement to secure a number of transport proposals. The contents of the Section 106 were summarised in the report and included a Travel Plan, which would be used by the University to help manage their travel demands. The County Council as Highway Authority had agreed the targets established in the plan to ensure the travel demands could be accommodated on the local transport network. It was proposed that the Travel Plan targets and all other aspects of the Section 106 Agreement be monitored on an annual basis. A Monitoring Group comprising representatives from the University of Brighton, Meads Community Association, the Chairman of Planning and Licensing, a Meads Councillor and officers from the County and Borough Councils was proposed.

Mr Stiggers addressed the Committee in respect of the "no car policy" and the public availability of the Section 106 Agreement.

The Highways Manager, Mr D Foden and Mr B Wright from East Sussex County Council reported that the University would be responsible for the enforcement of the "no car policy". A system of financial penalties would come into effect if the 100% target set in the Travel Plan were not met. It was noted that when the Section 106 had been signed it would be made available to the public.

RESOLVED: (1) That the composition of the Monitoring Group, to deal with all aspects covered in the Section 106 Agreement, as set out in paragraph 2.1 of the report be approved.

(2) That the content of the Section 106 Agreement be noted.

13. TREE PRESERVATION ORDER – LAND AT THE SAFFRONS SPORTS GROUND, MEADS ROAD/COMPTON PLACE ROAD, EASTBOURNE. The Committee considered the report of the Head of Planning and Head of Legal Services seeking confirmation of a Tree Preservation Order on land at The Saffrons Sports Ground. The Committee had confirmed the Order at its meeting on 17 June 2003, but the report had contained incorrect descriptions of the trees.

RESOLVED: That The Eastbourne Borough Council Tree Preservation Order (Land at The Saffrons Sports Ground, Meads Road/Compton Place Road, Eastbourne, East Sussex) No. 82 (2003) be confirmed subject to the following modifications:

(a) The insertion in the Order of a new map in the form of the map attached to the report of 17 June 2003 and the removal from the Order of the original map.

(b) The amendment of Schedule 1 to the Order by deleting the descriptions of trees T1, T2, T3, T4, T59, T61, T89 and T90, and inserting the new descriptions as detailed in the report.

The meeting closed at 7.32 p.m.

CJ BERRY

Chairman