PLANNING & LICENSING COMMITTEE

Tuesday 27 April 2004

PRESENT:

Councillor BERRY (Chairman); Councillor SKILTON (Deputy Chairman); Councillors BOWKER, ELKIN, MARSH, Mrs POOLEY, STEVENS and TESO.

64. MINUTES. The minutes of the meeting held on 6 April 2004 were submitted and approved and the Chairman was authorised to sign them as a correct record.

65. REPORT OF HEAD OF PLANNING ON APPLICATIONS.

(1) EB/2004/0204 (CONS AREA) - Hilton Hotel, 35-38 Royal Parade - external passenger lift (between ground floor and basement) on front of building (for use by disabled persons) – DEVONSHIRE. The Committee was advised that the application had been withdrawn.

NOTED.

(2) EB/2004/0201(OL) - Land within the curtilage of 33 Vine Square - proposed erection of three storey town house – DEVONSHIRE. Four letters of objection were reported from local residents.

RESOLVED: Permission refused on the grounds that the proposed erection of a three storey dwelling on the application site would result in a cramped form of development, out of keeping with the character and appearance of the surrounding locality. Furthermore, the proposed dwelling by reason of its siting would be detrimental to the amenities of occupiers of adjacent residential properties (25-33 Vine Square) particularly in terms of restricted outlook, unacceptable overlooking and loss of privacy. As such, the proposed development is considered to be contrary to Policies UHT1, UHT2, UHT4 and HO20 of the adopted Eastbourne Borough Plan 2011-2011.

(3) EB/2003/0795(OL) (CONS AREA) - Former Bus Garage, 7-17 Susans Road and 32 Cavendish Place - demolition of former bus garage and workshops and erection of new building to provide 35 vehicle coach park with ancillary facilities together with Class A1/A3 use on ground floor fronting Susans Road and 43 one and two-bedroom flats over – DEVONSHIRE. Two letters of objection were reported from local residents and two from residents outside the area in respect of the proposed coach park. The observations of the Environment Agency, Southern Water, Crime Prevention Design Adviser, on behalf of Sussex Police, Development Planning Manager, Highways Manager and the Regeneration Officer were set out in the report. The Conservation Area Advisory Group at its meeting on 6 January 2004 raised no objections to the proposal, subject to a reduction in height of the left hand wing of the building facing Susans Road.

The Council's retail consultant had made detailed comments in respect of the retail aspect of the proposal and concluded that the shopping use classes proposed in the application were unacceptable, and that an alternative A1 (food) element with A3 would be more acceptable. An additional condition for the provision of off-site highways works was required.

RESOLVED: Permission granted subject to the prior conclusion of a legal agreement to secure (a) affordable housing within the development, (b) a commuted sum for open space provision, (c) developer contributions as required by the County Council's supplementary planning guidance "A New Approach to Developer Contributions" (d) that the coach park element of the scheme is delivered at the same time as the residential, and to conditions (1) Approval of the details of the siting, design, landscaping, external appearance of the site and means of access (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority by application before any development is commenced; (2) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission; (3) The development hereby permitted shall be begun before the expiration of five years from the

date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later; (4) A2 Submission of samples of facing materials; (5) That no more than 50% of the ground floor commercial floorspace shall be used for retail purposes within Class A1 of the Town and Country Planning (Use Classes Order) 1987 (as amended). Furthermore, the retail floorspace hereby permitted shall be used for the sale of food and ancillary items and for no other retail purpose; (6) Before any development commences on site: (a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be submitted to and approved in writing by the Head of Planning; (b) A site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to and approved in writing by the Head of Planning prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable: (i) A risk assessment to be undertaken relating to ground water and surface waters associated on and off the site that may be affected, and; (ii) Refinement of the Conceptual Model, and; (iii) The development of a Method Statement detailing the remediation requirements; (c) The site investigation shall be undertaken in accordance with details approved by the Head of Planning and the risk assessment shall be undertaken; (d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on surface waters, using the information obtained from the site investigation, shall be submitted to and approved in writing by the Head of Planning prior to that remediation being carried out on site. The development hereby approved shall be carried out in accordance with approved Method Statement; (7) Clean, uncontaminated rock, subsoil, rubble, crushed concrete and ceramic only shall be permitted as infill material; (8) C5.3 Hours of operation (during construction); (9) That, before the flats are first occupied, provision shall be made within the site for the parking of a minimum of 35 coaches and this provision shall thereafter be maintained; (10) That no development approved by this permission shall be commenced until a scheme for the disposal of surface water and foul sewage has been submitted to and approved by the Head of Planning in consultation with Southern Water Services Ltd. The approved drainage works shall be competed in accordance with the details and timetable to be agreed; (11) D6.1 Submission of details of storage and collection of refuse; (12) That none of the flats hereby approved shall be occupied until alterations/improvements to the Pevensey Road/Susans Road junction are carried out, in accordance with the requirements of the Highway Authority, to enable coaches to turn left from Pevensey Road into Susans Road.

(4) EB/2004/0197 - 20 Grampian Close - erection of two-storey side extension including the demolition of existing garage – LANGNEY.

RESOLVED: Permission refused on the grounds that the siting and scale of the proposed extension is inappropriate as it would reduce the spacing between 20 Grampian Close and 22 Grampian Close to a degree that would create a relationship between the properties that would be inharmonious with the appearance of the area and contrary to Policy UHT1 of the Eastbourne Borough Plan (2001-2011).

(5) EB/2004/0212 - 3 West Street - two storey extension at rear and use of building as single private dwelling – MEADS. Two letters of objection and one of no objection were reported from local residents. The Highways Manager raised no objections to the proposal. The Development Control Manager reported that on further investigation, the property had never provided employment and that the reason for refusal relating to Policy BI1, retention of land for business use, was no longer applicable. It was also now considered that the proposal would provide a reasonable standard of accommodation and that a change to the position of the velux rooflight would overcome the concerns in respect of overlooking. A condition that the landing window be glazed with obscure glass was proposed.

RESOLVED: Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) A4.1 Semi-obscure glazing (first floor landing window).

(6) EB/2004/0239 - 26 York Road - construction of doorway and balcony in side roof slope – MEADS. Four letters of objection were reported from local residents.

RESOLVED: Permission refused on the grounds that the alterations to form a door and balcony to the roof would cause overlooking and loss of privacy and be out of character with the street scene, harmful to the amenities of neighbouring dwellings in Camden Road and York Road and detrimental to the visual amenities of the area, contrary to Policies HO20 and UHT1 of the Eastbourne Borough Plan (2001 – 2011).

(7) EB/2004/0230 - Flat 9, 22 Grassington Road - replacement windows to front, retention of window at side, and replacement cheeks and fascia to dormers – MEADS. The Committee was advised that the application had been withdrawn.

NOTED.

(8)/(9) EB/2004/0153(CA) AND EB/2004/0154 (CONS AREA) - Garage block between 18 and 19 The Village (a) demolition of a block of seven garages (b) demolition of existing garage block and erection of a single detached dwelling with integral garage – MEADS. Planning permission and conservation area consent were refused at the meeting on 15 July 2003 for the demolition of the garages and the erection of a single detached two-storey dwelling. The applications were the subject of appeals, which were dismissed by the Inspector on the grounds that the particular siting of a modern building adjacent to 18 and 19 The Village would be at odds with the cohesiveness of the properties surrounding the square. In respect of the garages, the Inspector concluded that their demolition would only be acceptable if an agreed scheme for redevelopment existed. A design statement had been submitted in support of the application. The Highways Manager raised no objections to the proposal. The Historic Buildings Advisor considered that the proposal would not harm the character of the conservation area and was to a limited extent an improvement. The Conservation Area Advisory Group at its meeting on 13 April 2004 raised objections as the development would have an adverse impact on the conservation area.

Twenty-eight letters of objection were reported from local residents, the Meads Community Association and Mr N Waterson MP. Three e-mails objecting to the proposal were also reported. Mr Riseley and Mr Wallis addressed the Committee against the proposal. Concerns were raised in respect of the loss of parking facilities and the design of the proposed building, which was considered to be out of character with the area. The applicant, Mr J Pearce responded to the objections raised. Members supported the concerns raised by residents in relation to the impact on the conservation area.

RESOLVED: (1) Permission refused in respect of EB/2004/0154 on the grounds that (1) The proposed dwelling, by reason its size, scale and design, would be out of character with surrounding properties and therefore would be detrimental to the visual amenities of the area and the character of the Meads Conservation Area; (2) 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 UHT1, UHT4 and UHT15 of the Eastbourne Borough Plan (2001-2011).

(2) Conservation Area Consent refused in respect of EB/2004/0153(CA) on the grounds that (1) 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 development; (2) The proposal would thereby conflict with Policies UHT4 and UHT15 of the Eastbourne Borough Plan (2001-2011).

(10) EB/2004/0106 - Former Ocklynge Laundry Site, 82A Green Street - demolition of existing buildings and the erection of 38 two-bedroom apartments in 2 & 3 storey blocks inclusive of 49 parking spaces, cycle storage and bin stores - OLD TOWN. The Housing Strategy and Development Manger stated that as the application proposed 38 units, the Council would prefer the provision of on-site affordable units rather than the payment of a commuted sum. The Environment Agency had requested conditions and the Crime Prevention

Design Adviser, on behalf of Sussex Police expressed concern regarding the design and the lack of defensible space provided around the buildings and that incidents of nuisance were likely to arise. The observations of the Parks and Gardens Manager regarding loss of privacy to the rear gardens as a result of the development were set out in the report.

The Highways Manager raised objections in respect of access and parking arrangements to serve the proposed development. In addition, the abandonment of the "Home Zone" approach, which created a shared environment for pedestrians and vehicles, was disappointing and raised a number of issues such as pedestrian safety. Thirty-two letters of objection were reported from local residents. The objectors had made a number of comments in support of the scheme previously approved for eighteen two-storey houses.

Mr S Herbert and Mrs P Cunliffe-Lister addressed the Committee against the proposal and raised concerns regarding the impact of the development on local facilities, residents and parking. Ms A Yvernault responded on behalf of the applicant and requested that the proposal be deferred for negotiation.

RESOLVED: Permission refused on the grounds that the proposal constitutes an undesirable form of residential development which, by reason of its scale, massing, design and layout would result in over-development, over-shadowing, over looking, loss of privacy and increased general disturbance to the detriment of surrounding residential properties. In addition, the proposed development does not make adequate provision for both affordable housing and open space in the community. As such, the proposed development is considered to be contrary to Policies UHT1, UHT2, UHT7, TR6, TR9, TR11, HO13, LCF4 and HO20 of the adopted Eastbourne Borough Plan 2001-2011.

(11) EB/2004/0243 - 73 Willingdon Road - change of use of ground floor from dwelling house (C3) to day nursery (D1) incorporating the erection of a single storey pitched roof extension - OLD TOWN. Six letters of objection were reported from local residents. The County Archaeologist had requested a watching brief and the Head of Environmental Health requested a condition to control the hours of operation. The Principal Highway Engineer raised objections as no on site parking was proposed and the location of the property on a main route was unsuitable and would have an adverse effect on highway safety. Mrs E Garcia-Porras addressed the Committee against the proposal.

RESOLVED: Permission refused on the grounds (1) That the location of the property is not suitable for a D1 use and would contravene Policy LCF20 of the Eastbourne Borough Plan (2001-2011); (2) That the use of the property for a day nursery in a predominantly residential area would be detrimental to the amenities of the surrounding properties and would contravene Policy HO20 of the Eastbourne Borough Plan (2001-2011); (3) That the requirement for the public highway to be used for the short-term parking associated with the collection and delivery of children to the premises would be detrimental to highway safety.

(12) EB/2004/0200 - 9 Osborne Road - provision of a timber shed in the front garden - OLD TOWN.

RESOLVED: (By 7 votes to 1) Permission refused on the grounds that the proposed shed, by reason of its design, materials, structure and siting would result in an incongruous form of development in the streetscene to the detriment of the visual amenities of the area, which would be contrary to the provisions of Policies UHT1 and UHT4 of the Eastbourne Borough Plan.

(13) EB/2004/0196 - 42 Wish Hill - erection of 2.5m high fence on side boundary – RATTON. One letter of objection was reported from the resident of the neighbouring house at 40 Wish Hill. Mr Lovell addressed the Committee against the proposal and raised concerns regarding the visual impact on the area and in particular, that the height of the fence would cause overshadowing and loss of light to his north-facing window. Members supported the concerns raised by the neighbour and agreed that the fence at the proposed height would be obtrusive.

RESOLVED: Permission refused on the grounds that the proposed fence, by reason of its height, would be harmful to visual amenity and have a detrimental impact on the amenities of neighbouring occupiers, contrary to Policies UHT4 and HO20 of the Eastbourne Borough Plan (2001-2011).

(14) EB/2004/0224 - 1 Walker Close - two storey extension at side, involving demolition of existing garage – SOVEREIGN. Three letters of objection were reported from local residents. Councillor Williams addressed

the Committee against the proposal and raised concerns regarding the effect on parking. The applicant, Mr Ellis responded and indicated that the boundary wall would be retained at a height of 2.1m as requested by the occupiers of the affected property. Parking for two vehicles would also be provided at the front of the property. An additional condition to ensure that the required parking was provided was agreed.

RESOLVED: Permission granted subject to conditions (1) D1.1 Commencement of development within five years: (2) A2 Submission of samples of facing materials; (3) A5 No windows or other openings in side elevation; (4) That the flank wall of the garage sited on the boundary with 14 Peyton Close shall be retained permanently at a height of 2.1m and finished to match the adjacent boundary wall; (5) That before the development hereby approved is brought into use, parking spaces shall be provided for two cars within the site and such provision shall thereafter be maintained.

(15) EB/2004/0064(OL) - Part of Princess Alice Hospital Site, Carew Road - demolition of training facility and former hospital buildings and re-development for residential purposes – UPPERTON. The Committee was advised that the application had been withdrawn.

NOTED.

(16) EB/2004/0150 - 18 Prideaux Road - demolition of existing building and the erection of a three-storey building comprised of nine self-contained flats, together with layout of car parking spaces and covered bicycle store – UPPERTON. The Committee was advised that the application had been withdrawn.

NOTED.

(17) EB/2004/0208 - 22 Saffrons Road - conversion of second floor roofspace to provide residential flat and change of use of four rooms in use for residential purposes at first floor level to additional nursery accommodation, provision of dormer windows and external staircase – UPPERTON. The applicant had agreed to a number of amendments to overcome the concerns of the Consultant Historic Buildings Advisor in respect of the proposed velux rooflights, and submitted a statement in response to concerns expressed by Officers regarding the intensification of the nursery use. A further two letters from the applicant were reported at the meeting. One letter of objection was reported from a local resident. A letter of support was received from the Saffron's Residential Care Home. The Highways Manager raised concerns that there was insufficient parking to serve the existing needs of the nursery.

RESOLVED: Permission refused on the grounds (1) That the proposed extension of the existing nursery use into the first floor of the property and the associated increase in number of children accommodated on the premises and resulting increase in staff and callers to the premises would seriously detract from the quiet residential enjoyment of the surrounding area by reason of noise and disturbance, to the detriment of the amenities of occupiers of surrounding residential properties. The proposed development would therefore be contrary to Policy LCF20 of the adopted Eastbourne Borough Plan (2001-2011); (2) That further to Reason 1 above, the proposal would result in an unacceptable increase in vehicle movements and would therefore seriously detract from the quiet residential enjoyment of the surrounding area by reason of the congestion, noise and disturbance likely to be associated with the proposed intensification of nursery use. The proposed development would therefore be contrary to Policy LCF20 of the adopted Eastbourne Borough Plan (2001-2011).

(18) EB/2004/0164 - Land at the rear of 7 Hartfield Road - erection of bungalow – UPPERTON. Nine letters of objection and one of support were reported from local residents. The Environment Agency, Highways Manager, Southern Water and the County Archaeologist recommended a number of conditions. The Council's Arboricultural Officer made a number of detailed comments and referred to the impact of the development on the health and stability of the protected Walnut tree, to the detriment of the visual amenities of the locality.

RESOLVED: Permission refused on the grounds (1) That the proposed erection of a bungalow on the application site would result in a cramped form of development, out of keeping with the surrounding area and therefore detrimental to the character and appearance of this Area of High Townscape Value. Furthermore, the proposed dwelling by reason of its siting would be detrimental to the amenities of occupiers of surrounding residential properties. As such, the proposed development is considered to be contrary to Policies UHT1, UHT2, UHT4, UHT16 and HO20 of the adopted Eastbourne Borough Plan 2011-2011; (2) That due to the

restricted size and layout of the plot, the proposed development is likely to have an adverse impact on the health and stability of the protected Walnut tree, to the detriment of the visual amenities of the locality. As such the proposed development is considered to be contrary to Policy UHT4 of the adopted Eastbourne Borough Plan 2001-2011.

(19) EB/2004/0165 - Land at the rear of 7 Hartfield Road - erection of a two storey dwelling – UPPERTON. Eight letters of objection were reported from local residents. The Environment Agency, Highways Manager, Southern Water and the County Archaeologist recommended a number of conditions. The Council's Arboricultural Officer made a number of detailed comments and referred to the impact of the development on the health and stability of the protected Walnut tree, to the detriment of the visual amenities of the locality.

RESOLVED: Permission refused on the grounds (1) That the proposed erection of a two storey dwelling on the application site would result in a cramped form of development, out of keeping with the surrounding area and therefore detrimental to character and appearance of this Area of High Townscape Value. Furthermore, the proposed dwelling by reason of its siting would be detrimental to the amenities of occupiers of surrounding residential properties. As such, the proposed development is considered to be contrary to Policies UHT1, UHT2, UHT4, UHT16 and HO20 of the adopted Eastbourne Borough Plan 2011-2011; (2) That due to the restricted size and layout of the plot, the proposed development is likely to have an adverse impact on the health and stability of the protected Walnut tree, to the detriment of the visual amenities of the locality. As such the proposed development is considered to be contrary to Policy UHT4 of the adopted Eastbourne Borough Plan 2001-2011.

66. TOWNSCAPE GUIDE – SUPPLEMENTARY PLANNING GUIDANCE. The Committee considered the report of the Head of Planning seeking authority for public consultation on the revised draft of the Eastbourne Townscape Guide Supplementary Planning Guidance. The current Guidance, which was published in 1994, continued to be a much used document to guide decisions on planning applications and remained useful and relevant, however an update was now required for the following reasons:

· The adoption of the Eastbourne Borough Plan 2001-2011, which has slightly rephrased policies and has different policy numbers.

· Guidance on the production of SPG's has been clarified over the last 10 years and now follows a more structured route to formal adoption.

· Changes to the lists of both Buildings of Local Interest and Listed Buildings, which can be updated in the reprint.

Details of the proposed amendments were set out in the report and a draft of the revised Guidance had been circulated to the Committee.

RESOLVED: That the revised draft of the Eastbourne Townscape Guide Supplementary Planning Guidance be approved as the basis for consultation with relevant parties.

67. ALL SAINTS HOSPITAL, DARLEY ROAD - DRAFT PLANNING BRIEF. The Committee considered the report of the Head of Planning seeking authority for public consultation on the draft All Saints Hospital Planning Brief. The owners, the East Sussex NHS Trust, intended to dispose of the site which comprised the main Hospital building and attached Hospital Chapel, which were Grade II Listed Buildings. The site also comprised a number of modern prefabricated buildings and an area of open grassland, which was used as a playing field by a local school.

The draft Planning Brief has been prepared to identify the planning constraints associated with the site and to look at possible alternative uses for the Hospital's listed buildings and the potential for development on the adjoining land. Members welcomed the brief and stressed the importance of preserving and enhancing the character and setting of the existing listed buildings. Some Members supported that the Brief should include an option for part of the development to be used as a convalescent home. It was agreed that this issue be considered further as part of the consultation process and that a surgery to discuss the contents of the Brief be arranged for Members and interested parties.

RESOLVED: (1) That the draft Planning Brief for the All Saints Hospital site be approved as the basis for consultation with the local community and interested organisations.

(2) That as part of the consultation process a surgery be arranged for Members, residents and other interested parties to consider the contents of the draft Planning Brief.

The meeting closed at 6.45 p.m.

CJ BERRY

Chairman