

Tuesday 24 May 2005
at 4.30pm



Planning Committee

MEMBERS: Councillor BOWKER (Chairman), Councillor TAYLOR (Deputy Chairman), Councillors BELSEY (as substitute for Mrs Murray), HERBERT, MARSH, SKILTON and STEVENS.

(Apologies for absence were reported from Councillors Mrs Murray and Mrs Pooley).

The Chairman welcomed Councillor Marsh back to the Committee and Councillor Herbert to his first meeting as a full Member of the Committee.

1 Head of Planning - Mr T Cookson.

The Committee noted that Tim Cookson was leaving the Council to take up a new job at Hastings. This was his last Planning Committee meeting, having served the Council for over 17 years.

RESOLVED: That Mr Cookson be thanked for his hard work and commitment to the Council in his role of Head of Planning.

2 Minutes

The minutes of the meeting held on 26 April 2005 were submitted and approved and the Chairman was authorised to sign them as a correct record.

3 Report of Head of Planning/Planning Manager on Applications.

(1) EB/2005/0226 - 285 Seaside - single storey extension at rear to enlarge kitchen with balcony over - DEVONSHIRE. Since publication of the report the applicant had agreed to install obscure glazed screens at either end of the balcony.

RESOLVED: Permission granted subject to conditions (1) that the development hereby authorised shall be commenced within five years from the date of this permission; (2) That the development hereby approved shall only be carried out in accordance with the amended drawings received on 23 May 2005; (3) That the obscure glazed screens shall be erected at the height shown on the approved drawing before the balcony is first brought into use, and permanently maintained as such thereafter.

(2) EB/2005/0294 - 4 St James Road - demolition of existing storage unit and erection of three-storey building comprised of three self-contained flats - DEVONSHIRE. Six letters of objection were reported expressing concern regarding size, proximity, oppressiveness, lack of privacy and parking problems. It was considered that the proposed development could affect neighbouring occupiers' rights to peaceful enjoyment of property and possessions.

RESOLVED: Permission refused on the grounds that (1) The genuine redundancy of this site has not been demonstrated and the loss of the storage unit for residential would be contrary to Policy BI 1 of the Eastbourne Borough Plan 2001 – 2011; (2) The proposal would be an over-development of the site with poor access to the proposed flats and harmful to the residential amenity of neighbouring dwellings by reason of loss of privacy, loss of outlook and daylight, contrary to Policies UHT1 and HO20 of the Eastbourne Borough Plan 2001 – 2011; (3) The proposal does not include provision of car parking and the development would increase demand for on-street car parking in a congested area and would be contrary to Policy TR11 of the Eastbourne Borough Plan 2001 – 2011.

(3) EB/2005/0280 - 12 Malvern Close - conversion of house into two self-contained flats together with two-storey side extension, single-storey extension at rear and enlargement of front porch - HAMPDEN PARK.

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

(4) EB/2005/0119 - Luss House, 34 Jevington Gardens - conversion of hotel into 5 self-contained flats – MEADS. This application was deferred at the meeting on 26 April 2005 to allow the Committee time to consider the further information submitted by the applicants in respect of the viability of the hotels. The Eastbourne Ratepayers Association objected to the further loss of tourist accommodation. The Senior Highway Engineer had advised that as six parking spaces could not be provided on site and there was already a great demand for on street parking the application should be refused. The Environmental Health Officer advised that there should be adequate fire detection within the flats. Tourism South East had expressed concern about the continued erosion by residential proposals into the tourism product of Eastbourne and strongly recommended that current market interest be properly tested. As there was insufficient evidence to allow a change of use, they felt the application should be refused. The Tourism Manager advised that, until 1995, Luss House Hotel had been advertised in the Eastbourne Holiday Guide but the hotel had not been used for tourist accommodation since then. The Jevington Garden area had remained a popular location for visitors and conference delegates and was still a desirable and requested location and from the tourism prospective, he opposed the proposed change of use.

RESOLVED: (By 5 votes to 2) Permission granted subject to conditions (1) D1.1 Commencement of development within 5 years; (2) D6.1 Submission of details of storage of refuse.

(5) EB/2005/0120 - 28 Jevington Gardens - change of use from hotel to six one-bedroom, one two-bedroom and one three-bedroom flats – MEADS. This application was deferred at the meeting on 26 April 2005 to allow the Committee time to consider the further information submitted by the applicants in respect of the viability of the hotels. The Eastbourne Ratepayers Association objected to the further loss of tourist accommodation. The Senior Highway Engineer had advised that, as four parking spaces could not be provided on site, and there was already a great demand for on street parking, the application should be refused. The Environmental Health Officer advised that adequate egress, heating, lighting and ventilation should be provided. Tourism South East was concerned about the continued erosion by residential proposals into the tourism product of Eastbourne and strongly recommended that current market interest be properly tested. As there was insufficient evidence to allow a change of use, they felt the application should be refused. The Tourism Manager advised that, until 2003, the Oakwood Hotel was advertised in the Eastbourne Holiday Guide but, since September 2003, the owner has retired and closed the hotel. The Jevington Garden area had remained a popular location for visitors and conference delegates and was still a desirable and requested location. From the tourism prospective the proposed change of use was opposed.

RESOLVED: (By 5 votes to 1) Permission granted subject to conditions (1) D1.1 Commencement of development within 5 years (2) D6.1 Submission of details of storage of refuse.

(6) EB/2005/0245 (CONS AREA) - 28 Milnthorpe Road - replacement of existing timber barge boards and soffits with upvc barge boards and soffits and replacement of existing guttering with plastic guttering and downpipes – MEADS. The application was advertised in the local paper and a conservation area site notice displayed outside the property with letters of notification sent to occupiers of surrounding residential properties. One letter of objection was reported expressing concern that any change in design to the fascia would be detrimental to the visual aspect to the house and street. The Conservation Area Advisory Group at its meeting on 12 April 2005 objected to the replacement of the bargeboards which would be contrary to policy. Members requested that the Planning Officer discuss with CAAG the use of upvc in conservation areas.

RESOLVED: Permission refused on the grounds that, by reason of their design and materials, the proposed barge boards, fascias and soffits would have a detrimental impact on the appearance of the conservation area, contravening Policy UHT15 of the Eastbourne Borough Plan 2001-2011 and Guideline R6 of the Eastbourne Townscape Guide 2004.

(7) EB/2005/0260 - Flat 4, 11 Paradise Drive - replacement of first floor window with french doors and the provision of a balcony at the side – MEADS. The Committee was advised that the application had been withdrawn.

NOTED.

(8) EB/2005/0262(OL) - Daydawn, 7 Upper Carlisle Road - erection of two five-bedroom detached houses with double garages (in addition to the two houses granted reserved matters approval by EB/2005/0082(RM) outline application – MEADS. 10 letters of objection were reported. The Environment Agency and the Highway Authority raised no objections to the proposal.

The Council's Arboricultural Officer advised that the trees on this site were protected by a Tree Preservation Order and further plans indicating levels and location of services were required to allow a full Arboricultural Impact Appraisal to be made. It was noted that the report should have stated that the development could lead to the loss of the mature trees rather than would lead to their loss.

RESOLVED: Permission refused on the grounds that the proposed development would, by reason of its backland position and tandem form, give rise to a poor and inconvenient layout that does not respect local distinctiveness and would be detrimental to residential and visual amenity. As such, the proposed development is contrary to Policies UHT1, UHT4, UHT5 and HO20 of the Eastbourne Borough Plan 2001-2011.

(9) EB/2005/0270(LB) - 13 Hartington Place - refurbishment of hotel reducing nine letting rooms to six rooms with ensuite bathrooms and day rooms to include replacement of existing roof with natural slate and replacement of existing rooflights with velux windows; replacement of rooflight at ground floor level above basement with velux window; replacement of rainwater goods at rear with black upvc; installation of 6 no. ventilation grilles at rear and replacement of window at lower ground floor level with upvc door – MEADS. The Historic Buildings Advisor raised objections to a number of the elements of the proposal including the internal doors used in the refurbishment not being of the correct detailing for the period of the property; UPVC joinery being unacceptable; the rear basement door being unsuitable in design for the property; the partition to the ground floor flight of stairs being unnecessary and interrupting the detailing of the staircase and handrailing.

The Planning Manager reported that, following comments made by the Conservation Officer, the following unacceptable elements of the scheme had been removed: upvc rainwater goods; the internal staircase partition wall on the ground floor adjacent to the staircase; the rear doors from the kitchen to be retained as existing. The replacement of artificial slate roof to velux above basement with natural slate to match that on the main roof had also been agreed.

RESOLVED: Listed building consent granted subject to the Conservation Area Advisory Group raising no objections to the amended application at its meeting on 31 May 2005 and subject to conditions to deal with the detailing

and materials used for the remaining elements which need further details (1) A full door schedule for the internal and external doors of the proposal to include details of the doors at a scale of 1:10 and sections of all mouldings at a scale of 1:1 shall be submitted to and approved in writing by the Local Planning Authority within three months of the date of this permission and the door schedule shall be fully implemented in accordance with these details within nine months from the date of this permission and maintained as such thereafter; (2) That the cellar light shall be clad in natural slate to match that on the main roof within nine months of the date of this permission and shall be retained as such thereafter; (3) That the grills on the rear elevation shall be painted in a colour to match the rear of the building and shall be maintained as such thereafter; (4) Amended drawing condition will be needed once the full size amended drawings have been received.

(10) EB/2005/0284 - Flat 3, 36 Jevington Gardens - replacement of existing box sash windows with upvc windows - MEADS.

RESOLVED: Permission refused on the grounds that, by reason of the proposed windows materials and design, they would have a detrimental impact on the amenity of the Area of High Townscape Value and would contravene Policy UHT16 of the Eastbourne Borough Plan 2001-2011 and Guideline WD3 of the Eastbourne Townscape Guide 2004.

(11) EB/2005/0274 - 6 Osborne Road - erection of garage at front - OLD TOWN. Two letters of representation were reported from the occupiers of 8 and 9 Osborne Road. The Senior Highways Engineer stated that permission should not be granted if the construction of the vehicle crossing would mean the loss of the street tree and that to provide visibility splays, the garage should be set back as much as possible. The Council's Arboriculturist stated that at least 6m of undisturbed ground must be retained from the trunk of the adjacent elm tree, or an unacceptable risk of major structural root damage on the windward side of the tree was likely to occur. The mature Wheatley elm was one of the last remaining specimens of the historic avenue planting and, given the width of the pavement in this area, it could not be replaced.

RESOLVED: Permission refused on the grounds that (1) The proposed garage, by reason of its size and siting adjacent to the footpath, would be detrimental to the visual amenities of the area, and prejudicial to pedestrian safety; (2) The provision of the garage in the proposed location would result in the loss of a mature highway tree, due to construction of the vehicular crossing, which would be detrimental to the visual amenities of the area; (3) Further to reasons 1 and 2 above, the proposed development would not accord with Policies UHT4 and NE28 of the Eastbourne Borough Plan 2001-2011.

(12) EB/2005/0236 - Hampden Park Telephone Exchange, 7 Waldron Close - provision of grasscrete access to the rear of the building – RATTON. Fourteen letters of objection were reported from residents in Decoy Drive, Stanmer Close and Waldron Close. The objections related to the application as originally submitted and concerned the use of the site by engineers and associated vehicle movements and the impact this would have

on a quiet cul-de-sac. The Council's Arboriculturist had no objections to the proposal.

Mr. Clark addressed the Committee objecting to the proposal on the grounds that, as a large number of lockers had been installed, there was a significant change of use of the site and large lorries delivering and collecting heavy duty cable had led to the quiet residential roads being used to access an industrial site.

The Planning Manager had met on site with representatives of BT and, because of the significant change of use, had asked BT to submit a retrospective planning application or scale down the activity. Members were concerned that, if the application were granted, further development would follow and requested that further discussions take place with the applicant to establish exactly what was happening.

RESOLVED: (By 5 votes to 2) Consideration deferred to allow further consultation and the presentation of a more detailed report to the next meeting.

(13) EB/2005/0227 - 118 Astaire Avenue - part one, part two storey extension to the rear - ST. ANTHONY'S. One letter of objection was reported from the adjacent occupier on the grounds that the two-storey part of the extension would not be in keeping with the houses along the road, as there are no other two storey extensions and would be overpowering and could take away light from their property. The Planning Officer reported that, since publication of the proposal, the applicant had removed the two storey element.

RESOLVED: Permission granted subject to conditions (1) That the development hereby authorised shall be commenced within five years from the date of this permission; (2) That all external materials shall be of the same type, texture and colour as that used on the existing building; (3) That no railings, balustrading or other means of enclosure shall be erected on any part of the extension hereby approved, nor shall the roof of the extension be used as a balcony, patio or sitting out area at any time; (4) The proposed development hereby approved shall be carried out in strict accordance with the details shown on amended drawings received by the Local Planning Authority on 16 May 2005.

(14) EB/2005/0290(ADV) - Public highway outside 135-137 Priory Road - display of double sided internally illuminated advertisement panel (in association with erection of new bus shelter) - ST. ANTHONY'S. The Committee was advised that the application had been withdrawn.

NOTED.

(15) EB/2005/0229 - Saffrons Residential Care Home, 20 Saffrons Road - erection of a single storey extension at rear to provide four bedrooms and a dining room – UPPERTON. One objection was reported from the owner of the garden flat of 15 Arlington Road, who considered that

the extension was too large, that it was wrong that the demands of a commercial enterprise should be allowed in a residential area. The houses in the conservation area were of considerable architectural interest and aesthetic value and they should not be added to in any way that blemished their period flavour. The Commission for Social Care Inspection raised no objections to the proposal and the Consultant Historic Buildings Adviser considered that the proposal was at best utilitarian with nothing to recommend it from an architectural point of view but, as it was located within the rear garden, he made no further comment.

RESOLVED: Permission granted subject to conditions (1) D1.1 Commencement of development within five years; (2) A2 Submission of samples of facing materials; (3) C5.3 Hours of operation.

(16) EB/2005/0248 - 3 Compton Place Road - extension and conversion of two-storey property comprising of two flats to form five two-bedroom self-contained flats together with four car parking spaces – UPPERTON. Three letters of objection were reported. The deadline for receipt of representations was after the last meeting of the Committee so the application was being reconsidered. Mr Ewart addressed the Committee objecting to the proposal on the grounds of overdevelopment, the increased mass and proximity of the south east elevation and the lack of adequate parking. He felt that the applicant had made no attempt to address the reasons for the original refusal of the application. Mr Field responded that the application site was 40% larger than average and many properties in the area had front extensions. He felt that the incline reduced any possibility of the proposal having an overbearing impact and proposed to replace a large bay window, which overlooked the garden next door with smaller windows with obscure glazing.

The Senior Highway Engineer had no objections to the amended proposal. Although the minimum parking standard for the site was five spaces, as the development provided four off-street spaces it was unlikely that an appeal could be sustained on parking grounds in this instance. However, to allow adequate manoeuvring space the distance between the southern boundary wall with 4 Compton Place Road and the parking spaces must be increased to 7 metres. The applicant was prepared to amend the proposal in order to satisfy this requirement. The Environment Agency had no objections in principle to the proposed development and suggested a condition to protect controlled waters. The Council's Arboricultural Officer advised that the proposed development would not be detrimental to any trees.

RESOLVED: (By 5 votes to 2) Permission refused on the grounds that the proposal represents an over-development of the site and, by reason of the size, bulk and location of the proposed extension, would have an overbearing impact on the occupiers of the adjacent property, 4 Compton Place Road. As such, the proposal is in conflict with Policy HO20 of the Eastbourne Borough Plan 2001-2011.

(17) EB/2005/0251 - 5 Arlington Road - change of use from ground floor consultancy rooms with first and second floor maisonette above to a single private dwellinghouse including single storey extensions

to side and rear including addition of chimney, construction of juliet balcony at rear at first floor level and minor alterations to existing window openings – UPPERTON. The Environment Agency raised no objections to the proposal.

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

4 Planning Appeals.

(1) Henley House, 4 Enys Road - EB/2004/0500. The appeal made against the refusal for planning permission for the demolition of the existing buildings and the erection of a two storey extension comprising 4 no residential flats together with 2 no parking spaces was dismissed by the Inspector for the following reasons:

The Inspector considered that the main issues in the appeal were the effect of the development on the character and appearance of the existing building and the surrounding area, the living conditions of neighbouring occupiers in respect of outlook and sunlight and on the safety and convenience of highway users in respect of parking provision. The Inspector concluded that the harm to the character and appearance of the building and area and to the living conditions of neighbouring occupiers outweighed all other considerations.

(2) 238 Kings Drive - EB/2004/0423. The appeal made against the refusal to grant planning permission for a dwelling was dismissed by the Inspector for the following reasons:

The Inspector considered that the main issues in the appeal were the effect the development would have on the character and appearance of the area including the effect on trees and on the living conditions of neighbouring occupiers in respect of noise, disturbance, pollution, outlook and privacy.

The Inspector concluded that the risk of harm to the pine tree on the appeal site and to other nearby trees and the associated harm to the character and appearance of the area outweighed the other considerations.

(3) Land at Victoria Drive/Central Avenue – EB/2004/0403/DET. The appeal made against the refusal to grant prior approval required by a development order for the installation of telecommunications apparatus comprising a 12.0 metre high telegraph pole and ancillary equipment cabinets was allowed by the Inspector for the following reasons:

The proposed installation would provide 3G network radio coverage to the Downside area of Eastbourne where a gap currently exists in the applicant's coverage. Whilst other potential locations had been considered there were cogent reasons to show that they were either unavailable or technically unsuitable. Because of the location of the monopole on a cluttered grass verge, the built-up character of the area and the three and four storey

buildings nearby the Inspector felt that the visual impact of the development and effect on residential amenity would be minimal.

The Inspector concluded that the scheme accorded with Government advice in Planning Policy Guidance Note No 8 (Telecommunications) which promotes developments of this type whilst minimising environmental impact. It also accorded with Policies US8 and US9 of the adopted Borough Local Plan and Policy EN30 of the East Sussex and Brighton & Hove Structure Plan.

The meeting closed at 6.13 p.m.

PJ Bowker
Chairman