Tuesday 10 January 2006
at 4.30pm

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Planning Committee

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

(An apology for absence was reported from Councillor Mrs Murray. It was requested that the Committee's best wishes for a speedy recovery be conveyed to Mrs Murray following her recent illness).

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41 Minutes.

The minutes of the meeting held on 6 December 2005 were submitted and approved and the Chairman was authorised to sign them as a correct record.

42 Declaration of Interests.

(i) Item 43 (12/13) 9 The Goffs - Councillor Taylor declared a personal interest as the owner of a rest home, and remained in the room but did not speak or vote thereon.

(ii) Item 43 (14) Royal Bank of Scotland - Councillor Herbert declared a prejudicial interest in this item and left the room during consideration thereof.

(iii) Item 43 (16) 84 & 84B Green Street - Councillor Skilton declared a prejudicial interest in this item and left the room during consideration thereof.

43 Report of Planning Manager on Applications.

(1) EB/2005/0789 - Flat 2, 13 South Cliff - retrospective application for the retention of replacement windows – MEADS. The Historic Buildings Consultant raised objections to the proposal and advised that enforcement action should be taken. The Committee considered that any enforcement action should take into account the other unauthorised replacement windows in the building.

RESOLVED: Permission refused on the grounds (1) That, by reason of their design and material, the replacement windows have a detrimental effect on the character and appearance of the building, and the Town Centre and Seafront Conservation Area; (2) That further to reason (1) above, the development is contrary to Policies UHT1 and UHT15 of the Eastbourne Borough Plan 2001-2011.

(2) EB/2005/0832 - Land to rear of 1 Carlton Road - conversion of existing two storey store to rear of 1 Carlton Road to a one bedroom dwelling including minor alterations to front and rear elevations – DEVONSHIRE. One letter of objection was reported from a local resident. The Committee was advised that it was not considered appropriate to ask for evidence to indicate the building was redundant for business use as there was no direct planning history to determine the use class of the property.

RESOLVED: (By 7 votes to 1) Permission refused on the grounds that the use of the building as a dwelling would lead to a high level of overlooking, of a more intense nature than the existing use, to the gardens and rear windows of the properties in Carlton Road, with particular regard to 1 Carlton Road, resulting in seriously adverse impacts to the amenities of the properties that would be contrary to Policy HO20 of the Eastbourne Borough Plan 2001-2011.

(3) EB/2005/0824 - Unit 26, Hawthorn Road - creation of area of hardstanding to side of unit fronting Hawthorn Road - ST ANTHONY'S. The Highway Authority raised objections to the proposal.

RESOLVED: Permission refused on the grounds that the proposed hardstanding would result in vehicles manoeuvring on and off the surface in a manner that would be detrimental to other users of the highway and would have a detrimental impact to highway safety.

(4) EB/2005/0808 - 54 Willingdon Road - change of use from shop on ground floor with flat above, to single private dwelling including alterations to shopfront to form bay window – UPPERTON. The Economic Development Section raised no objections to the proposal. The Committee was advised that given the size of the premises and its location within a predominantly residential area it was not appropriate to refuse the application due to the lack of information relating to the redundancy of the commercial use.

RESOLVED: Permission granted subject to conditions (1) M1.1 Commencement of development within 3 years; (2) A2 Use of matching materials; (3) That prior to the commencement of the development, details of the front boundary treatment shall be submitted to and approved by the Local Planning Authority.

(5) EB/2005/0782 - Public highway opposite 35 and 36 Marine Parade - conversion of existing telephone kiosk to a telephone/ATM kiosk – DEVONSHIRE. One letter of objection was reported from a local resident. The Crime Prevention Design Adviser, on behalf of Sussex Police and the Highway Authority raised no objections to the proposal.

RESOLVED: Consideration deferred for submission to the Conservation Area Advisory Group.

(6) EB/2005/0686 - 46 Byland Close - continuation of use as offices and meeting rooms for Willingdon Trees Playlink Scheme - HAMPDEN PARK. The Committee acknowledged the essential service provided by the Playlink scheme and that the organisers would be provided with sufficient time to find suitable alternative accommodation.

RESOLVED: (1) Permission refused on the grounds that the proposal would result in the loss of a unit of affordable housing for which no satisfactory justification has been submitted, which would therefore conflict with Policies HO3 and LCF20 of the Eastbourne Borough Plan 2001-2011.

(2) That no action be taken against the unauthorised use for a period of twelve months to allow the applicant sufficient time to find alternative premises and that this Committee be advised of progress in respect of the relocation.

INFORMATIVE: The applicant is advised that it is expected that alternative premises will be sought.

(7) EB/2005/0772 (CONS AREA) - Public highway in Carlisle Road, adjacent to Devonshire Mansions - conversion of existing telephone kiosk to a telephone/ATM kiosk – MEADS. Four letters of objection were reported from local residents. A further letter of objection was reported at the meeting. The Conservation Area Advisory Group at its meeting on 29 November 2005, the Crime Prevention Design Adviser, on behalf of Sussex Police and the Highway Authority raised no objections to the proposal.

RESOLVED: Permission refused on the grounds that the provision of an ATM in the proposed location in close proximity to residential properties is likely to result in an adverse impact on the amenities of the residents, by reason of noise and disturbance, and would therefore conflict with Policy HO20 of the Eastbourne Borough Plan 2001-2011.

(8) EB/2005/0750 - Lime Kiln Cottages, Willingdon Road - change of use from Class D1 (educational) to Class C3 (dwellinghouses) – RATTON. The Committee was advised that the application had been withdrawn.

NOTED.

(9) EB/2005/0781(CA) (CONS AREA) - 8-14 Seaside and Coach House at rear of 5 Bourne Street - demolition of existing Coach House and single storey building and erection of 7 houses and 3 flats and conversion of 14 Seaside into 4 flats – DEVONSHIRE. The Committee was advised that the planning application would be submitted to the meeting on 7 February 2005. One letter of objection was reported from a local resident. The observations of the County Archivist and the Historic Buildings Consultant were set out in the report. The Conservation Area Advisory Group had undertaken a site visit and raised no objections at its meeting on 3 January 2005. The Group had requested that the northern end flint wall retained.

RESOLVED: (By 6 votes to 2) Conservation Area consent granted subject to conditions (1) M1.2 Commencement of development within 3 years; (2) The buildings, hereby approved for demolition, shall only be removed following the specific grant of planning permission for replacement buildings as part of the comprehensive redevelopment of the application site; (3) M4 Access for record purposes; (4) That a section of the north and west wall of the existing Coach House shall be retained within any development scheme of the site, in accordance with details to be submitted to and approved by the Local Planning Authority before any demolition commences.

(10) EB/2005/0797(OL) - 43D Blackwater Road - erection of end-of- terrace dwelling (to match the design of the existing terrace) – MEADS. Four letters of objection were reported from local residents and a further two were reported at the meeting. The Highway Authority raised no objections to the proposal. Mrs Feldman addressed the Committee against the proposal on the grounds of appearance and size which was out of keeping with the area.

RESOLVED: Permission refused on the grounds that the proposed development would, by reason of its massing and prominent position, be detrimental to the visual amenities and erode the local distinctiveness of the surrounding area. As such, the proposal would be contrary to Policies UHT 1, UHT 4 and UHT 17 of the Eastbourne Borough Plan 2001-2011.

(11) EB/2005/0811 - Plot 1, Courtlands Road - erection of boundary fencing and gates (retrospective application) - ST. ANTHONY'S. One letter of objection was reported from a local resident with two further reported at the meeting. The Senior Highway Engineer had advised that a number of alterations were required to ensure the proposal accorded with the appropriate standards.

RESOLVED: (By 5 votes to 2) (1) Permission refused on the grounds that the sections of fence on the boundary with Courtlands Road and its junction with the estate access road are, given their design, height and position, considered to form an incongruous feature in the street scene, which causes harm to the appearance of the surrounding area, and would compromise the safety of road users. As such, the identified lengths of fence are considered to be contrary to Policies UHT1 and BI7 of the Eastbourne Borough Plan 2001-2011.

(2) That enforcement action be authorised in order to remove the sections of unauthorised fencing fronting the public highway, and on the junction of Courtlands Road and the estate access as far as the first access point into the site. The fencing either side of the remaining access points should also be adapted to provide 2 metre by 2 metre pedestrian visibility splays.

(12) EB/2005/0732 - 9 The Goffs - demolition of residential care home and erection of 14 two-bedroom apartments with 7 parking spaces accessed directly off The Goffs – UPPERTON. An appeal against the Committee's decision to refuse a similar application in November 2004 would be determined by way of an Informal Hearing.

The Environment Agency, County Archaeologist and Environmental Health recommended a number of conditions. The Crime Prevention Design Adviser, on behalf of Sussex Police, recommended improvements to the design of the proposed cycle store. The Council's Arboricultural Officer advised that the development would result in the loss of three Elm trees which were covered by a Tree Preservation Order and provided significant visual amenity. The Highway Authority recommended refusal of the application as none of the concerns expressed regarding vehicular conflict, parking layout, visibility splays and driveway gradient had been addressed.

Eleven letters of objection were reported from local residents and an additional letter was reported at the meeting. Mrs Pederson addressed the Committee against the demolition of the property, the loss of the flint wall and the increase in parking. The applicant's architect responded and advised of the proposed planting scheme to offset the loss of the trees and that the access arrangements would improve the safety of the junction with Southfields Road.

RESOLVED: Permission refused on the grounds that the proposed development would, by reason of its height, massing, siting and rear projection, together with the loss of a significant length of established frontage and several protected trees and the creation of a new vehicular access onto The Goffs, have an adverse impact upon the visual and residential amenities of the area as well as being detrimental to the safety of users of The Goffs; a busy 'A' class road. As such, the proposed development would be contrary to Policies UHT1, UHT4, UHT5 and HO20 of the Eastbourne Borough Plan 2001-2011 and TR3 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

(13) EB/2005/0805 - 9 The Goffs - change of use from residential care home to single dwelling house – UPPERTON. One letter of objection was reported from a local resident.

RESOLVED: (By 5 votes to 2) Permission granted subject to condition M1.1 Commencement of development within 3 years

(14) EB/2005/0807(ADV) (CONS AREA) - Royal Bank of Scotland, 21-25 Gildredge Road - display of two signs with halo-illuminated lettering above first floor windows, and illuminated projecting sign at entrance – MEADS. The Historic Buildings Consultant made a number of comments in respect of the proposed high level lettering to protect the character of the terrace. The Conservation Area Advisory Group at its meeting on 3 January 2006 raised no objections to the proposal. The Committee was advised that the first floor signs would now be coloured white although the concerns remained in respect of the impact on the conservation area and the appearance of the building.

RESOLVED: (By 4 votes to 3 on the casting vote of the Chairman) Advertisement Consent granted in respect of the proposed illuminated signs above the first floor windows and the illuminated projecting sign, subject to the standard advertising conditions.

(15) EB/2005/0746 - Unit 3, 12 Station Street - variation of condition 2 of planning permission EB/2004/0267, for the sale of alcoholic drinks by waiter/waitress service to persons seated, with the exception of private functions and the small bar and waiting area on the ground floor outlined in red on submitted plans – MEADS. The Town Centre Manager and the Eastbourne Business Crime Group advised that the area had sufficient bars and that if the business was licensed for the general sale of alcohol it would increase the risk of crime and disorder.

The Committee was advised that no comments had been received from Sussex Police and the applicant confirmed that no representations had been made by the Police in respect of the licensing application. The Committee considered that permission should be granted given the Town Centre location of the premises and that no objections had been received from local residents and the Police.

RESOLVED: (By 7 votes to 1) Permission granted.

(16) EB/2005/0759 - 84 and 84B Green Street - first floor extension at side, two-storey extension at rear and conversion of building into three flats and two retail units - OLD TOWN. The Highway Authority requested that 3 off-street parking spaces be provided.

RESOLVED: Permission granted subject to conditions (1) M1.1 Commencement of development within 3 years; (2) A1 Submission of samples of facing materials; (3) That the retail units shall only be used for purposes falling within Class A1 of the Town and Country Planning (Use Classes) 1987.

(17) EB/2005/0765 - Land at rear of 84 Wish Hill - conversion of existing workshop into single-private dwelling – RATTON. The occupiers of 84 Wish Hill raised objections to the proposal. One local resident of Spring Close raised no objections.

The Planning Policy Manager and Economic Development section advised on the requirement for evidence to indicate the building was redundant for business use. The Highway Authority, Environment Agency, Historic Buildings Consultant and Southern Water raised no objections to the proposal.

Mr Thow addressed the Committee and requested a deferral to address a number of outstanding legal issues relating to the boundary and rights of way. Mr J Parsons responded on behalf of the applicant.

RESOLVED: Permission granted subject to conditions (1) M1.1 Commencement of development within 3 years; (2) A1 Submission of sample of facing materials; (3) That, notwithstanding the submitted plans, details of the fenestration to be inserted in the building shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development. Detailed drawings shall be at a scale of 1:10 and include details of materials to be used; (4) A4 Restriction of

permitted development; (5) A5 Restriction of permitted development (windows); (6) That the first floor windows in the north elevation serving the bathroom and study, shall be glazed in semi-obscure glass, and only openable with a top-hung fanlight.

(18) EB/2005/0768 (CONS AREA) - Site of South Coast Catering Equipment, Spring Close - demolition of existing store, office and workshop buildings and re-development of site with six houses, together with car parking and refuse storage - RATTON. The Historic Buildings Consultant and the Conservation Area Advisory Group at its meeting on 29 November 2005 raised no objections to the proposal. The Planning Policy Manager and Economic Development section advised on the requirement for evidence to indicate the building was redundant for business use.

The applicant had submitted amended plans in response to the comments of the Highway Authority. Environmental Health requested a number of conditions and the observations of the Downland, Trees and Woodland Manager were set out in the report. The Environment Agency had withdrawn its objections subject to appropriate conditions relating to land contamination and pollution. Southern Water raised no objections to the proposal.

Mr Thow addressed the Committee against the proposal on the grounds of overlooking and loss of privacy. Mr J Parsons responded on behalf of the applicant.

RESOLVED: Permission granted subject to conditions (1) M1.1 Commencement of development within 3 years; (2) A1 Submission of samples of facing materials; (3) T10 Landscape design proposals; (4) H4.2 Proper construction of car parking spaces; (5) EA4 Site investigation; (6) EA5 Method statement; (7) EA1 Submission of details of surface water drainage scheme; (8) EA2 Control over fill material; (9) EA3 Details of Method of demolition and construction; (10) U4.4 Hours of construction; (11) Details of any car park lighting shall be submitted to and approved in writing by the Local Planning Authority before any such lighting is installed (12) That before the dwellings hereby approved are first occupied, provision shall be made to prevent the discharge of water from the site onto the public highway and to prevent the discharge of surface water from the highway onto the site; (13) The finished surface of the private driveway, hardstanding and forecourt shall not result in loose material being deposited onto the public highway; (14) The maximum gradient of the driveway shall not exceed 1:9 with a “landing gradient” of 1:20 for the first 5 metres measured from the back of the footpath; (15) The driveway shall have a width of 4.5 metres for the first 10 metres from the back edge of the public pavement in Spring Close; (16) That, details of the provision to be made for the storage of domestic refuse and for access thereto by the occupiers of the dwellings and collection by vehicles shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced; (17) A4 Restriction of permitted development; (18) A5 Restriction of permitted development (windows).

(19) EB/2005/0749 - 42 St Leonards Road - change of use from offices (Class B1) to language school (Class D1) - UPPERTON. Eight letters of objection and a petition containing 22 signatures were reported from local residents. The Committee was advised that the redundancy of the property for business use had been satisfactorily demonstrated. The Economic Development Section supported the proposal as the best option for the premises.

Mrs B Smith, Mr A Girgensons and Mr B Hotson addressed the Committee against the proposal on the grounds of loss of privacy, noise and disturbance, parking, litter and the impact on elderly residents in the vicinity.

The applicant, Mr Wright responded to the concerns raised and advised that the premises would not be used as a pick up point and that the maximum number of students would be 130.

The Development Control Manager advised that Policy TO10 Language Schools was relevant to the application and that a condition in respect of hours of operation was proposed to ensure that any use would not extend into the evenings, Sundays and public holidays.

RESOLVED: (By 7 votes to 1) Permission granted subject to conditions (1) M1.1 Commencement of development within 3 years; (2) U4.2 Hours of operation (precise details delegated to the Planning Manager); (3) That no more than 130 students shall be accommodated at any one time; (4) That no ball games shall be permitted in the garden.

The meeting closed at 7.40 p.m.

PJ Bowker
Chairman