Tuesday 3 March 2009
at 6.00pm

EASTBOURNE
Borough Council
www.eastbourne.gov.uk

Planning Committee

MEMBERS: Councillor Mrs MADELL (Chairman) Councillor HARRIS (Deputy Chairman) Councillors BLOOM, Mrs GOODALL, GOODWIN, Mrs HEAPS, MIAH, and TAYLOR.

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47 Minutes.

The minutes of the meeting held on 3 February 2009 were submitted and approved and the Chairman was authorised to sign them as a correct record.

48 Declaration of Interests.

Councillor Heaps declared a personal and prejudicial interest in item 2, as a friend of the applicant and withdrew from the room whilst the application was considered.

Councillor Taylor declared a personal and prejudicial interest in item 3, as an employer of the applicant and withdrew from the room whilst the application was considered.

49 Report of Head of Planning on Applications.

1) EB/2008/0798(FP) - ROYAL EASTBOURNE GOLF CLUB, PARADISE DRIVE, EASTBOURNE - Removal of condition 3 of planning permission EB/2008/0382, to allow existing external staircase to remain after construction of new external staircase at rear of club house - MEADS

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

RESOLVED: (**By 7 votes with 1 abstention**) That permission be granted subject to the following conditions: (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (2) No development shall take place until samples of the materials to be used in the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

2) EB/2008/0543(FP) - OCKLYNGE CHALK PIT, WILLINGDON ROAD, EASTBOURNE - Development of former chalk pit to provide residential institution with ancillary training buildings (Class C2 Use) for people with learning disabilities, to include a bakery and tea room, and a foyer extension to the former Lime Kiln Cottages and conversion to provide ancillary administrative offices associated with the proposed development – RATTON. Four letters/e-mails of objection had been received from residents in Willingdon Road, Clifford Avenue and Wannock Lane. A further letter of objection had been received from the Head of Property BUPA Care Homes, with regard to the impact of the development on Kestral House. The objections were summarised in the report.

Thirty five letters/e-mails in **support** (including a petition with 11 signatures) of the proposed development had been received from residents outside the immediate area of the site and further afield (e.g. Bognor Regis, London, Basingstoke). Support was given for JPK Project and the relief it would give to parents of young people with learning difficulties.

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

The observations of the Policy Officer, Highway Authority, County Ecologist, Arboricultural Officer, Economic Development Officer, County Archaeologist, Southern Water and the Environment Agency were detailed within the report.

Mr Jensen addressed the committee, on behalf of Mrs Verrall, a local resident, in objection stating that the site was in a residential area and that the development would increase the traffic and noise to the area as the site had never been in 24hr use before. Mr Jensen also stated concerns regarding the proposed tea shop and bakery and resultant deliveries.

Councillor Belsey, Ward councillor, addressed the committee in support stating that many previous objections had been addressed, and that development would enhance Eastbourne and prove to be a worthwhile scheme.

Mrs Parker, applicant, addressed the committee in response to objections raised by Mr Jensen on behalf Mrs Verrall, a local resident. Mrs Parker stated that it was not anticipated that there would be any deliveries for the tea shop or bakery as the residents would be expected to shop for the ingredients themselves.

The committee discussed various aspects of the application including windows, roof materials, daylight studies, the stability of the land and tree clearance and maintenance.

(NB: Councillor Heaps withdrew from the room whilst this application was considered).

RECOMMEND: (**By 6 votes with 1 abstention**) That permission be granted subject to the following conditions: (1) The development hereby

permitted shall be begun before the expiration of three years from the date of this permission. (2) No development shall take place until samples of the materials to be used in the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (3) That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank/Public Holidays. (4) All existing trees shall be retained, unless shown on the approved drawings as being removed. All trees on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority. This should be in accordance with its Supplementary Planning Guidance and relevant British Standards (eg BS 5837: 1991) for the duration of the works on site. In the event that trees become damaged or otherwise defective within five years following the contractual practical completion of the development, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority. (5) Before any works commence on site, details of the design of building foundations and the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavation on site, insofar as they may affect trees and hedgerows on or adjoining the site, shall be submitted to and approved by the Local Planning Authority. (6) a) No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate: (i) proposed finished levels or contours; (ii) means of enclosure; (iii) car parking layouts; (iv) other vehicle and pedestrian access and circulation areas; (v) hard surfacing materials; (vi) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); (vii) proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc); (viii) retained historic landscape features and proposals for restoration, where relevant; (ix) planting plans including Hedera/Pachysandra (to ensure the top soil is stabalised and reduce bank erosion) (x) written specifications (including cultivation and other operations associated with plant and grass establishment); (xi) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; (xii) implementation timetables. b)All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species,

size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation (7) Before any works commence on site, details of earthworks shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The works shall be carried out in accordance with the approved details and to a timetable to be agreed with the Local Planning Authority. (8) A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation. The approved details shll be adhered to thereafter. (9) All waste arising from demolition shall be removed from the site in covered vehicles for disposal at a suitably licensed waste disposal facility. (10) There shall be no burning of any waste permitted on site. (11) That prior to the commencement of development on site, full details of the provision to be made for the collection of refuse and for access thereto by collection vehicles shall be submitted to and approved by the Local Planning Authority. The approved details shall be adhered to thereafter. (12) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained approval for, an addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with. The approved details shall be adhered to thereafter. (13) Prior to the commencement of development, detailed drawings including levels, sections and constructional details of the proposed road, surface water drainage outfall disposal, street lighting to be provided, shall be submitted to the Planning Authority and subject to its approval in consultation with the Highway Authority. (14) That, while the development hereby permitted is being carried out, a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud on the highway caused by such vehicles shall be removed without delay and in no circumstances left beyond the end of the working day. (15) That the Tea Room hereby permitted shall not be open to Members of the Public outside the following times 10am to 5pm Monday -Saturday and 10am to 4pm Sundays and Bank Holidays. (16) No deliveries shall be taken at or despatched from the site outside the hours of 8am - 6pm nor at any time on Sundays or Bank/Public Holidays. (17) No development shall take place until the applicant or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority and the works shall be undertaken in accordacne with the approved details. The approved details shall be adhered to thereafter. (18) Before any works commence on site, a survey of the development site as existing shall be submitted to the Local Planning Authority concurrently with the submission of the site layout drawings and shall include, as appropriate, the following information at a suitable scale: a) location, species, girth or stem diameter, accurately planned crown spread and reference number of all trees on and adjoining the site with a stem diameter of 100mm or greater; b) a

numbered tree condition schedule with proposals for surgery of other works, where applicable; c) existing levels including, where appropriate, sufficient detail to allow proper consideration of existing tree protection; d) location, spread and other relevant details of existing hedgerows, hedges and other significant areas of vegetation; e) location and dimensions of existing watercourses, drainage channels and other aquatic features with water, invert and bank levels as appropriate; f) existing boundary treatments and forms of enclosure; g) existing structures, services and other artefacts, including hard surfaces; h) indication of land use, roads or other means of access, structures and natural features on land adjoining the development site; i) route of existing footpaths and public rights of way on and adjoining the site; j) north point and scale; k) location map. (19) All existing trees, shrubs and other natural features not scheduled for removal shall be fully safeguarded during the course of the site works and building operations (see guidance notes enclosed and BS 5837: 1991). No work shall commence on site until all trees, shrubs or features to be protected are fenced along a line to be agreed with the Local Planning Authority with 1.2m minimum height chestnut paling to BS 1722 Part 4 securely mounted on 1.2m minimum height timber posts driven firmly into the ground OR 2.4m minimum height heavy-duty hoardings securely mounted on scaffold poles. (DELETE ONE OF THESE) Such fencing shall be inspected and approved by the Local Planning Authority before any works commence on site, and maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area. (20) The soil levels within the root spread of trees/hedgerows to be retained shall not be raised or lowered. (21) Details of all works to or affecting trees on or adjoining the site shall be submitted to and approved by the Local Planning Authority, and shall be carried out in accordance with the relevant recommendations of BS 3998: 1989 (Recommendations for Tree Work). (22) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. (23) 3 months prior to implementation of the development a Badger Survey and if necessary an updated mitigation plan shall be submitted to and approved by the Local Planning Authority. The details as approved adhered to thereafter. (24) Prior to the commencement of the development no development or demoltion shall take place until details indicating how suitable measures will be made for reptile habitats, shall be submitted to and approved in writing by the Local Planning Authority. Such mesures as may be agreed shall be provided before any decvelopment commences and shall thereafter be carried out and retained in accordance with the details agreed in writing by the Local Planning Authority. (25) Prior to the commencement of the development a plan detailing the how the recommendations as set out in the Reptile Survey (23rd September to 8th October 2008) shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be adhered to thereafter. (26) That the premises shall be used only for the purposes specified in the application (residential accommodation with ancillary resource centre to include a Tea Room open to the general public and offices within Lime Kiln cottages and for no other purpose whatsoever. (27) Post construction of the development only authorised persons will be

allowed to enter the Protected Area (as defined in the Sussex Badger Consultancy Mitigation/Method Statement JPK/SD/07, April 2008). (28) Prior to the commencement of development, a survey report is submitted to the Local Planning Authority with details of the removal of Japanese knotweed from the site. The approved details shall be adhered to thereafter. (29) No construction work shall take place between March 1st and August 1st (inclusive) where vegetation that is used by nesting birds maybe disrupted, damaged or destroyed. (30) Prior to the commencement of the development a detailed biodiversity management plan for the site should be undertaken by a qualified ecologist and such details should be submitted to and approved by the Local Planning Authority. (31) Any work within 10 metres of any Badger sett entrance should be carried out by hand. (32) Details of the fencing between the bank and construction area as set out in the Method Statement shall be submitted to and approved by the Local Planning Authority. (33) If during development, the presence of bats are discovered, work should stop immediately and English Nature should be contacted. In addition a Watching Brief shall be maintained during demolition works and when any trees are felled. (35) In accordance with Condition 6 the fencing shall be designed to allow free passage of the Badgers throughout and beyond the site. (36) Details of the retaining walls shall be submitted and approved in writing by the Local Planning Authority.

3) EB/2008/0808(FP) - 48 WALLIS AVENUE, EASTBOURNE - Demolition of single garage and erection of a new three bedroom end of terrace dwelling on land at the side of 48 Wallis Avenue – SOVEREIGN. Six letters of objection had been received.

The observations of the Local Highway Manager and Environment Agency were detailed within the report.

Councillor Morris on behalf of the residents, addressed the committee in objection stating that the development would be detrimental to the neighbouring residents.

Mr Polito agent for the applicant, addressed the committee in response stating that the design and scale complimented the area and that planting would be retained to screen the development.

(NB: Councillor Taylor withdrew from the room whilst this application was considered).

RESOLVED: (**By 6 votes with 1 abstention**) That permission be refused on the grounds that the proposed new dwelling attached to the existing property at 48 Wallis Avenue would, by reason of its siting, be an incongruous feature within the street scene to the detriment of the character and visual amenities of the surrounding area. As such the development is contrary to policy UHT1 of the Eastbourne Borough Plan 2001-2011.

4) EB/2008/0827(FP) - 17 SOUTHDOWN ROAD, EASTBOURNE - Proposed raising of roof with rooms within and dormers together with single storey extension and conservatory to rear, porch to front elevation and second driveway entrance (amended description) – RATTON.

The Local Highways Authority had raised no objection in principle to the proposal, provided that the footpath at the front of the property was amended as to allow for a large enough space between the two vehicular openings to accommodate a vehicle.

Mr Anderson addressed the committee in objection stating that the new proposed roof height was not in keeping with the surrounding area and that the size of the proposed garage would result in a loss of light to the side of his property.

Councillor Belsey, Ward councillor, addressed the committee in objection stating that he agreed with the previous speaker's comments and asked that the applicants reconsider in the light of those suggestions.

Mr D Challinor agent for the applicant addressed the committee in response stating that the original scheme had been redesigned following discussions with the Council's Planning department; this had resulted in no windows overlooking the neighbouring property and the garage being moved from the boundary edge. Mr Challinor reiterated that the site was a corner plot which did not overlook any properties and that the eaves height had remained the same.

RESOLVED: (**Unanimous**) That permission be granted subject to the following conditions: (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (2) No railings, balustrading or other means of enclosure shall be erected on any part of the rear single storey extension hereby approved, nor shall the roof of the extension be used as a balcony, patio, roof garden or similar amenity area at any time. (3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no windows, dormer windows, doors or openings of any kind (other than those expressly authorised by this permission) shall be constructed in the north eastern side elevation of the development. (4) No development shall take place until samples of the materials to be used in the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (5) Prior to the commencement of development plans showing the existing and proposed ground levels and finished floor levels of the proposed development, with levels being related to a fixed datum point off site (ideally within the public highway) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

50 Appeals Decisions.

1) EB/2008/0416. Land within the curtilage of 8 Park Lane. The appeal was allowed by the Inspector.

The committee were also advised of the decision of a recent Land Tribunal regarding 14 The Coombe. A more detailed update would be provided at the next meeting.

Copies of appeal decisions can be found on the Council's website at:

http://www.eastbourne.gov.uk/environment/planning/appeals

The meeting closed at 7.55 p.m.

Councillor Mrs Madell
Chairman