

Tuesday 31 March 2009
at 6.00pm



Planning Committee

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

51 Minutes.

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

52 Declaration of Interests.

There were none.

53 Report of Head of Planning on Applications.

1) EB/2009/0012(FP) - 4 AND 6 FRIDAY STREET, EASTBOURNE - Residential development to provide six 2 and 3 bed bungalows and dormer bungalows with associated parking (amendment to approved planning application Ref: EB/2007/0723 to provide an additional dwelling at Plots 6 and 7) – LANGNEY. Five letters / emails of objection had been received. The planning history and the observations of the Highway Authority and the Arboricultural Officer were detailed within the report.

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 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) 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; (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 (4) All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on an immediately adjoining the site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the Local Planning Authority in accordance with its guidance notes and relevant British Standards (BS 5837: 1991). Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development 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 plants of such size and species and in such positions as may be agreed with the Authority. (5) 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. (6) That any car parking area shown on the approved plan shall be properly constructed with a permanent hard-wearing impervious surface and marked out to the satisfaction of the Local Planning Authority and shall be available for use before the building hereby authorised is brought into use and shall be retained permanently for the accommodation of vehicles of the occupiers and users of and visitors to the premises and shall not be used for any other purpose. (7) No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved by and implemented to the reasonable satisfaction of the Local Planning Authority. No occupation of the dwellings should be undertaken prior to the implementation of those agreed foul drainage works. Any works required to upgrade the infrastructure sufficiently to provide capacity for the new development should be undertaken prior to acceptance of the development's foul sewage. (8) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed. (9) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being

drained. (10) That, 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 buildings, structures, walls or fences of any kind shall be erected within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority. (11) That, notwithstanding the provisions of Class B, Schedule 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking or re-enacting that order with or without modification), no addition or alteration, of any kind shall be undertaken within the roof of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

54 East Sussex County Council's Local Sustainable Accessibility Improvement Contributions (LSAICs).

The Committee considered the report of the Director of Economy, Tourism and Environment aimed at gathering its views on East Sussex County Council's proposal to formally exempt Local Sustainable Accessibility Improvement Contributions (LSAICs) from the interim threshold of 15 dwellings in advance of it being considered at Cabinet on 1 April 2009.

Members were advised that in October 2003, East Sussex County Council adopted Interim Supplementary Planning Guidance (SPG) on development contributions towards County Council infrastructure and services entitled "A New Approach to Development Contributions." In December 2005, the Interim Guidance was adopted by Eastbourne Borough Council after two 12 month trial periods during which the Council monitored and reviewed implementation of the guidance. For developments of 15 dwellings or more, contributions were currently sought by the County Council towards transport (Local Sustainable Accessibility Improvement Contributions), education, libraries, household waste management and recycling and public rights of way.

East Sussex County Council acknowledged that all development had an impact on the local transport network and should therefore contribute to measures to mitigate its impact, in line with the adopted SPG and saved Structure Plan policies. It was therefore proposed to remove the current minimum threshold of 15 dwellings, for when the County Council seek to secure contributions towards Local Sustainable Accessibility Improvements, so that LSAICs were applicable to all residential development that results in the net gain of one or more dwelling.

Members confirmed that because all new development had an impact on the transport network, it was considered that Eastbourne Borough Council should support the removal of the threshold of 15 dwellings to ensure all proposals resulting in the net gain of one or more dwelling contribute towards mitigation measures.

In addition, Members stated that they wanted the contributions to be spent in the Borough and it was confirmed that this is usually the case and that this could be included in the S.106 agreement.

It was noted that all new development had an impact on the transport network and should contribute towards mitigation measures. The proposal to formally exempt Local Sustainable Accessibility Improvement Contributions from the interim threshold of 15 dwellings would result in significant additional financial contributions that could be used on a range of local area improvements, including improving public transport and cycling facilities.

RESOLVED: That Cabinet be advised that the Committee supports the removal of the threshold of 15 dwellings to ensure all proposals resulting in the net gain of one or more dwelling contribute towards mitigation measures.

55 Appeals Decisions and Enforcement Action.

- 1) EB/2008/0063. 14-22 Royal Parade. The appeal was allowed by the Inspector.
- 2) EB/2008/0162. 54-56 Upperton Road. The appeal was allowed by the Inspector.

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

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

The Committee was also updated on the progress of several outstanding enforcement cases.

Councillor Taylor requested that officers investigate how enforcement cases were reported to neighbouring authorities, particularly Hastings and Wealden.

56 Additional Meeting.

Members were advised that a special meeting of the Planning Committee would take place on Wednesday 15 April 2009.

The meeting closed at 6.45 p.m.

**Councillor Mrs Madell
Chairman**