Tuesday 6 March 2007
at 4.30pm

EASTBOURNE
Borough Council

Planning Committee

MEMBERS: Councillor TAYLOR (Chairman) Councillor STEVENS (Deputy Chairman); Councillors Mrs ANGEL (as substitute for Mrs Murray) Mrs GOODALL, HARRIS, HERBERT, MARSH and Mrs POOLEY

An apology for absence was reported from Councillor Mrs Murray

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44 Minutes of the meeting held on 6 February 2007.

The minutes of the meeting held on 6 February 2007 were submitted and approved and the Chairman was authorised to sign them as a correct record.

45 Declaration of Interests.

Councillor Herbert declared a prejudicial interest in items 13 and 14 EB/2007/0047(FP), EB/2007/0056(ADV) - HSBC, 94 Terminus Road and withdrew from the room whilst these applications were considered.

Councillor Taylor declared a personal interest in item 16 EB/2007/0045(DET) - Public Highway in Willingdon Road, adjacent to 197 Willingdon Road (former Eastbourne Garden Company) and remained in the room and abstained from voting on this item.

46 Report of Planning Manager on Applications.

1) EB/2007/0072(FP) - LAND AT END OF NORTH HARBOUR, OFF PACIFIC DRIVE, SOVEREIGN HARBOUR, EASTBOURNE - Installation of temporary toilet facilities and enclosure fencing – SOVEREIGN.
Three letters of objection had been received.

A further 12 letters of objection were reported at the meeting.

Mr I Weeks addressed the committee in objection to the proposal stating the site was a significant plot and the first opportunity to view the marina from the north harbour. Mr Weeks stated that the properties overlooking the site would have a direct view of the portacabin, which was currently in a very poor state.

Councillor Williams addressed the committee as a ward councillor stating that the residents had been previously promised an open space with car parking facilities with a launch site for boat owners. Councillor Williams also expressed concern regarding the problems that temporary consents can raise.

RESOLVED: **(By 4 votes to 3 on the Chairman's casting vote)** That subject to the receipt of drawings showing additional screening to the front of the toilet block, 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) All strucutres and means of enclosures shall be removed and the land restored to its former condition on or before 31 March 2010 in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

2) EB/2007/0043(FP) - LAND IN FORT LANE, REAR OF 2-6 MYRTLE ROAD, EASTBOURNE - Erection of two storey steel storage building – DEVONSHIRE.

This item was deferred.

3) EB/2006/0860(RM) - COACH & LORRY PARK, WARTLING ROAD, EASTBOURNE - Approval of reserved matters application for erection of 225 dwellings and replacement community hall pursuant to condition 1 of planning permission EB/2004/0274, together with details of refuse storage pursuant to condition 13, details of pedestrian and cycle links through the site pursuant to conditions 14 and 29, details of the accessing arrangement to the Crumbles Sewer pursuant to condition 20 and the emergency accessing arrangement pursuant to condition 28 (REVISED PLANS) – DEVONSHIRE. Five letters, two e-mails and a petition containing 15 signatures were received in respect of the originally submitted plans and the comments were summarised within the report.

The Chairman of Eastbourne Ratepayers Association objected to the proposed development and the comments were summarised within the report.

The comments of Southern Water and the Environment Agency were detailed within the report

The comments of the Council's Planning Policy Assistant were detailed within the report.

Seven letters of objection and two e-mails had been received in respect of the amended plans and the comments made were summarised within the report.

Councillor Wallis and 18 residents of Brede Close and Wartling Road have confirmed that they objected to the siting of the proposed community centre, due to potential noise and disturbance. Additional comments from Councillor Wallis were detailed with the report.

The comments of the Crime Prevention Design Adviser at Sussex Police and the Environment Agency were detailed within the report.

Mr Gross addressed the committee in objection to the proposal stating that the site was a gateway to Eastbourne, and that the current proposals were an overdevelopment with the maximum amount of dwellings on the site. Mr Gross also expressed concerns regarding the ecology proposals and the availability of public transport in the area.

County Councillor Mrs Healy addressed the committee in objection to the proposal stating that the site was a landmark site and that the proposal should have been more visionary. Councillor Mrs Healy also expressed concern regarding the position of the community centre and the proximity to existing houses, Councillor Mrs Healy also expressed concerns regarding the increased traffic and ecology issues.

Councillor Wallis addressed the committee in objection to the proposal stating concerns regarding the position of the community centre and LEAP, the height of the blocks on the Lottbridge Drove frontage which should be reduced to five storeys, the increased traffic at the Tesco's roundabout and the security of Princes Park and the need for additional lighting, and CCTV.

Ms Judith Ashton addressed the committee on behalf of the applicant stating that the design had been a result of extensive consultation with the local authority and local residents. As the site was a gateway location it was felt that the site could take the proposed six storey blocks. The positioning of the LEAP had been as a result of consultation with residents and the Police. The Community centre was required to be built and fully accessible prior to the first occupation of any of the residential units and it was felt that the site proposed was the most suitable. Ms Ashton confirmed that CCTV and additional lighting were already part of the conditions previously agreed. An environmental survey had been carried out and had proved to be in excess of standard building regulations.

Councillor Stevens stated that the proposed Scots Pine trees to be planted as 'a tree lined boulevard to the Lottbridge Drove elevation / internal spine road' would not be suitable for the following reasons; 1) The soil type was incorrect for that type of tree which required an acid rather than alkali soil, 2) By nature the Scots Pine is a solitary tree found growing in mountainous areas, 3) The Scots Pine was a slow growing tree and finally, 4) The Scots Pine has no tap root and would therefore be unsuitable in strong winds or exposed areas such as Lottbridge Drove.

RESOLVED: **(By 4 votes to 3)** Permission be granted subject to the following conditions (1) That the conditions attached to outline planning permission EB/2004/0274(LA), are reiterated and, unless otherwise discharged to the satisfaction of the Local Planning Authority, should be complied with (2) That no activity that may be audible beyond the site boundary, including heavy vehicle movements to and from the site shall take place outside the hours of 8.00am and 6.00pm on Mondays to Fridays and 8.00am and 1.00pm on Saturdays and that no works in connection with the development shall take place on Sundays or Bank/Public holidays. (3) There shall be no burning of any waste permitted on site. (4) That full details of the measures to minimise dust arising from demolition activity shall be submitted to and approved by the Local Planning Authority prior to the commencement of any work on site. (5) That no demolition, site

clearance or building works shall be undertaken until full details of a vehicle haulage route, arrangements for loading and unloading, the siting of the storage compound and the routing of all services have been submitted to and approved by the Local Planning Authority. (6). the hours of opening of the community building were restricted to 8.00am and midnight on any day (7). land at the front of the site was excluded from the approved remediation works and further details of additional testing for contamination on this land are to be submitted to the LPA for approval including a risk assessment (8) full details of energy efficiency measures to achieve eco homes - very good are to be submitted to and approved by the LPA.

4) EB/2007/0068 (FP)- 2 PARKWAY, EASTBOURNE - First floor extension at rear – RATTON.

RESOLVED: 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) That all materials used in the external surfaces of the development hereby permitted shall match those on the existing building in terms of type, texture and colour. (3) The proposed development shall be carried out in strict accordance with the amended drawings received by the Local Planning Authority on 21 February 2007

5) EB/2007/0053(FP) - 28 DEN HILL, EASTBOURNE - Two-storey extensions to front and rear - OLD TOWN. Three letters of objection had been received.

The Environment Agency raised no objections.

RESOLVED: 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) That all materials used in the external surfaces of the development hereby permitted shall match those on the existing building in terms of type, texture and colour. (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 northern and southern elevations of the development.

6) EB/2007/0018(OL) - LAND TO REAR OF, 14 HURST ROAD, EASTBOURNE - Renewal of outline planning permission EB/2003/0074 for a two storey two bedroom house – UPPERTON. 6 letters of objection had been received.

RESOLVED: Permission be granted subject to the following conditions (1) Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local

Planning Authority in writing before any development is commenced. (2) Plans and particulars of the reserved matters referred to in the condition above, relating to the siting, design and external appearance of any buildings to be erected, the means of access and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. (3) Application for 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. (4) The development hereby permitted shall be begun either before the expiration of five years from the date of approval of the 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. (5) No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority.The work shall be undertaken as approved. (6) 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. All surface water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained. The drainage works shall be completed in accordance with the details and timetable agreed. (7) 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. (8) 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.

7) EB/2006/0954(FP) - 39 PASHLEY ROAD, EASTBOURNE - Erection of two-storey extension to rear - OLD TOWN. One letter of objection had been received.

Mr Bateman addressed the committee in objection to the proposal stating that there would be a loss of privacy and light to his property.

Mr Laye responded on behalf of the applicant stating that the side windows would be obscure glass and that currently the neighbouring property looked out onto a fence.

RESOLVED: 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) That all materials used in the external surfaces of the development hereby permitted shall match those on the existing building in terms of type, texture and colour. (3) That the proposed window in the side elevation of the extension shall only be glazed in semi-obscure glass and incapable of being opened and shall

be permanently maintained as such thereafter. (4) 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 side elevation of the development.

8) EB/2007/0037(FP) - 18 RAVENSCROFT, EASTBOURNE - Single storey extension at front – MEADS. Ten letters of objection had been received.

The Historic Buildings Consultant's comments were detailed within the report

RESOLVED: 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.

9) EB/2006/0951(FP) (CONS AREA) - 101 CARLISLE ROAD, EASTBOURNE - Erection of part four storey, part five storey block of eight flats with parking at the front and rear - MEADS

Please see the report for EB/2006/0952 (item 10)

10) EB/2006/0952(LB) (CONS AREA) - 99 & 101 CARLISLE ROAD, EASTBOURNE Demolition of existing dwelling at 101 Carlisle Road, involving renovation of the existing gable side wall of 99 Carlisle Road (Grade 2 Listed) where attachment occurs – MEADS. 29 Letters of objection had been received.

The Historic Buildings Advisor's comments were detailed within the report.

English Heritage did not wish to comment in detail; however general observations were detailed within the report.

The comments of the Council's Downland, Trees and Woodland Manager were detailed within the report.

The comments of the Highway Authority and Environment Agency were detailed within the report.

Ms Sharon Head addressed the committee in objection to the proposal stating that this was an historic building and would mean the destruction of a Grade II listed building. The proposal for the flats would be a gross overdevelopment of the site, and would destroy the character and heritage of Eastbourne. The proposed car park would also be detrimental to residents.

Councillor Elkin addressed the committee as a ward councillor in objection to the proposal stating that the application was part of a listed building and would therefore be contrary to policy, the demolition of the building would be detrimental to the surrounding conservation area and a serious overdevelopment of the site.

The Committee was informed that appeals had been lodged, in respect of both applications, against the non-determination of the applications within the statutory eight week period and that decisions could not now be issued. However, Members were requested to give a determination on the planning merits of both applications. The following resolutions therefore represent the decisions Members would have arrived at in the event of no appeals being lodged.

RESOLVED A: Permission be refused in respect of EB/2006/0951 on the grounds that (1) The proposed development by reason of its size, scale and design will be detrimental to the special quality of the Listed Building, the established street scene and harmful to the the Meads Conservation area, contrary to policies UHT1, UHT4, UHT15 and UHT17 of the Eastbourne Borough Plan 2001 – 2011. (2) The proposed development will cause loss of privacy, outlook and general noise and disturbance to the detriment of the amenity currently enjoyed by neighbouring residents, contrary to policies UHT1 and HO20 of the Eastbourne Borough Plan 2001 – 2011. (3) The proposed development does not provide a sufficient number of parking spaces for the size and number of dwellings, increasing the demand for on-street parking and causing congestion in the area, contrary to policy TR11 of the Eastbourne Borough Plan 2001 – 2011.

RESOLVED B: Listed Building Consent in respect of EB/2006/0952(LB) be refused on the grounds that (1) There is insufficient information to fully ascertain the conditon of the single-storey dwelling. Its demolition will therefore be detrimental to the special quality of the Listed Building and be harmful to the character and appearance of the Meads Conservation Area, contrary to policies UHT15 and UHT17 of the Eastbourne Borough Plan 2001 – 2011.

11) EB/2007/0058(FP) - 9 MILNTHORPE ROAD, EASTBOURNE - Installation of external access stairway to the side – MEADS. One letter of objection had been received.

RESOLVED: Permission be refused on the grounds that, by reason of its design and siting, the proposed external staircase would result in a dominant feature within the streetscene to the detriment of the surrounding conservation area. (2) That, by reason of its size and position, the platform of the proposed staircase would be detrimental to the

residential amenities of the surrounding occupiers by virtue of loss of privacy and loss of light. (3) Further to reasons 1 and 2 above the development would be contrary to policies HO20, UHT1 and UHT15 of the Eastbourne Borough plan 2001-2011.

12) EB/2007/0029(FP) - ESPERANCE PRIVATE HOSPITAL, 1 HARTINGTON PLACE, EASTBOURNE - Provision of three plant housings, four air conditioning units, flue and railings in connection with MRI and CT facilities Esperance House electrical plant enclosure and and A/C plant – MEADS. Two letters of objection had been received.

The Historic Buildings Consultant had no objections to the scheme, subject to the submission of samples of the finishes.

One additional letter of objection was reported at the meeting, stating that the original concerns had now been addressed and that the respondent wished to withdraw their original objections.

RESOLVED: 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 the flue and air conditioning units shall be painted white before the equipment is first brought into use, and permanently maintained as such thereafter.

13) EB/2007/0047(FP) (CONS AREA) - HSBC, 94 TERMINUS ROAD, EASTBOURNE - External alterations to building involving installation of two cash machines, replacement ground floor windows and removal of railings - MEADS

Please see the report for EB/2007/0056 (item 14)

(NB Councillor Herbert withdrew from the room whilst this application was considered)

RESOLVED: Permission be refused in respect of EB/2007/0047 on the grounds that (1) The proposed external alterations will result in the loss of the original fenestriation design, to detriment of the character and appearance of this Building of Local Interest and the visual amenity of the area, contrary to policies UHT1, UHT4, UHT11 and UHT18 of the Eastbourne Borough Plan 2001 - 2011.

14) EB/2007/0056(ADV) (CONS AREA) - HSBC, 94 TERMINUS ROAD, EASTBOURNE - Display of illuminated fascia signs, advertising flag and graphics to display windows – MEADS.

(NB Councillor Herbert withdrew from the room whilst this application was considered)

RESOLVED: Advertisement consent be refused in respect of EB/2007/0056(ADV) on the grounds that (1) The fascia signs and flag advertisment, by virtue of the design and materials will be detrimental to the character and appearance of this Building of Local Interest and the visual amenity of the area, contrary to policies UHT12 and UHT18 of the Eastbourne Borough Plan 2001 - 2011.

15) EB/2007/0013(FP) - 29 VANCOUVER ROAD, EASTBOURNE - First floor extension above garage in order to create a playroom. New first floor playroom to be added over existing garage and new access staircase – SOVEREIGN. One letter of objection had been received.

RESOLVED: Permission be refused on the grounds that, by reason of its size, bulk and position, the first floor extension would result in an incongruous feature within the streetscene and would not harmonise with the character and appearance of the local environment. Therefore, it would be contrary to policy UHT1 of the Eastbourne Borough Plan 2001-2011.

16) EB/2007/0045(DET) - PUBLIC HIGHWAY IN WILLINGDON ROAD, ADJACENT TO, 197 WILLINGDON ROAD (FORMER EASTBOURNE GARDEN COMPANY), EASTBOURNE - Installation of a 10.3m high slimline telecommunications mast and ancillary equipment cabinet – RATTON. Seven letters of objection had been received.

Mr Gross addressed the committee in objection to the proposal stating concerns regarding the proximity to the proposed, as yet un-built, sheltered accommodation block, health and safety and the uncertainty regarding the radiation and damage to health.

(NB Councillor Taylor abstained from voting on this item)

RESOLVED: Prior approval of the siting and appearance be refused on the grounds that that the proposed installation, by reason of its prominent siting, height and appearance, would be seriously detrimental to the visual amenities of the area, and would therefore conflict with Policy US9 of the Eastbourne Borough Plan 2001-2011.

17) EB/2007/0005(FP) - 131 ROTUNDA ROAD, EASTBOURNE - Proposed extension to side, replacement conservatory and alterations - ST. ANTHONYS

This item was withdrawn.

18) EB/2006/0916(ADV) - 258-260 TERMINUS ROAD, EASTBOURNE - Dispay of internally illuminated fascia box signs - MEADS

The comments of the Consultant Historic Buildings Advisor were detailed within the report.

The Committee agreed that as this was a building of local interest and in a prominent site along the seafront that there should not be any signage to the sea front side.

RESOLVED: Permission be refused on the grounds that the signage by reason of its position, design and form of illumination would have detrimental impact on the character of the Town Centre and Seafront Conservation Area and this Building of Local Interest and therefore contrary to Policies UHT12 and UHT18 of the Eastbourne Borough Plan 2001-2011.".

19) EB/2007/0038(FP) - TJ'S NIGHTCLUB, 146 TERMINUS ROAD, EASTBOURNE - Timber cladding of front elevation at first and second floor - MEADS

This item was withdrawn.

20) EB/2007/0041(ADV) - TJ'S NIGHTCLUB, 146 TERMINUS ROAD, EASTBOURNE - Display of externally illuminated sign on front elevation – MEADS

This item was withdrawn.

21) EB/2007/0070(FP) - TJ'S NIGHTCLUB, 146 TERMINUS ROAD, EASTBOURNE - Construction of first floor smoking deck and raising parapet wall at rear of nightclub – MEADS. Two letters of objection had been received.

Members discussed the potential of limiting the hours of use of the decked area and ensuring that the deck would only be used by smokers, and that there should not be any music or speakers on the decked area and agreed that this would be extremely difficult, although the noise pollution would be monitored by Environmental Health. A reduced limit on the hours of use would negate the purpose of the proposed decking.

RESOLVED: (On the casting vote of the Chairman) Permission be refused on the grounds that the use of the proposed external deck at the rear (to allow customers to smoke outside the building), and access thereto, will result in an unacceptable level of late night noise and disturbance, to the detriment of the amenities of nearby residents, contrary to policy HO20 of the Eastbourne Borough Plan.

47 Appeal Decisions.

1) EB/2006/0134 (DET) - Public Highway at Junction of Willingdon Road & Victoria Drive. This appeal was allowed by the Inspector.
2) EB/2006/0109 – 10 Hartfield Road. This appeal was dismissed by the Inspector.

Copies of the appeal decisions can be found on the Council's website;
http://www.eastbourne.gov.uk/planningapplications/

The meeting closed at 7:25 pm.

B TAYLOR
(Chairman)