

Tuesday 1 December 2009
at 6.00pm



Planning Committee

MEMBERS: Councillor Mrs MADELL (Chairman) Councillor HARRIS (Deputy Chairman) Councillors BLOOM, Mrs GOODALL, GOODWIN (as substitute for Heaps) Mrs POOLEY (as substitute for Miah) and SALSBURY.

(Apologies for absence were reported from Councillors Mrs Heaps and Miah).

35 Minutes.

The minutes of the meeting held on 29 October 2009 were submitted and approved and the Chairman was authorised to sign them as a correct record.

36 Declaration of Interests.

Councillor Mrs Madell declared a prejudicial interest in item 8, Downs Court, 62-64 Meads Street and withdrew from the room whilst the application was considered.

37 Report of Head of Planning on Applications.

1 & 2) EB/2009/0578 and EB/2009/0579(CA) - St. Bedes School, Dukes Drive - Provision of new mini bus car park at rear, together with new vehicular entrance, re-alignment of boundary walls and new fencing – **MEADS**. Four letters of objection had been received.

The relevant planning history was detailed within the report.

The observations of the Conservation Officer, Environment Agency and Highway Authority were detailed within the report.

At their meeting on 24 November 2009, the Conservation Area Advisory Group stated that no objections were raised, subject to a condition to replace planting, as the hedge was seen as an integral part of the site.

(NB: Councillor Taylor had retired from the meeting).

RESOLVED: (By 6 votes with 1 abstention) That permission be granted subject to conditions: (1) No development before highway works (Grampian condition) (2) Details of drainage (3) Samples of brick & half round capping (4) Sample of tarmac and pavers (5) Provision of fence in front of sliding gates (6) Landscape plan for hedging (7) Details of any lighting (8) Details of signage.

3) EB/2009/0590 - 15 WALDRON CLOSE - Single storey extension to side and rear – **RATTON**. Four letters of objection had been received.

The observations of the Highways Manager were detailed within the report.

Mr Clarke addressed the committee in objection stating that the proposal would result in an overshadowing, and loss of outlook and would be an overdevelopment of the site. The scheme would be out of keeping with the surrounding properties.

Mr Challinor, agent, addressed the committee in response stating that the site was wider than the other properties in the close and could therefore accept a larger frontage, the design was intended to mirror the existing properties and would have considerable screening; which would prevent overlooking, and ample parking for its intended use.

RESOLVED: (By 4 votes to 3 with 1 abstention) That permission be granted subject to conditions: (1) 3 year commencement of development (2) Reinstatement of existing vehicle crossing (3) Approved plans

4) EB/2009/0634(FP) - Cumbria Court, Milfoil Drive - Conversion of existing no. 30 bed sit units into no. 18 one and two bed self contained flats (all affordable units), together with alterations to include erection of conservatory and buggy stores to rear elevations, new glazed entrance canopy and provision of bio-fuel boiler – **LANGNEY**. One letter of objection and two letters of support had been received.

The relevant planning history was detailed within the report.

The observations of the Local Highways Authority, Planning Policy, Environmental Health, Cleansing, Downland and Trees, South East Water and Southern Water were detailed within the report.

(NB: Councillor Taylor had retired from the meeting).

RESOLVED: (Unanimously) That permission be granted subject to conditions (1) Implementation within 3 years (2) Approved plan refs (3) Existing landscaping to be retained and protected during construction works (4) Materials to match existing (5) Statement detailing onsite deliveries of wood pellets

5) EB/2009/0639(FP) - 10 Pembury Road - Redevelopment of site to provide 62 extra care flats with communal facilities – **LANGNEY**. One letter of objection had been received.

The relevant planning history was detailed within the report.

The observations of the Crime Prevention Design Advisor and Sussex Police, Environment Agency, Highway Authority, East Sussex County Council's Adult Social Care Department, East Sussex County Council's Development Contributions Co-ordinator, the Council's Parks and Gardens Manager, the Council's Planning Policy Officer and Design Review Panel.

(NB: Councillor Taylor had retired from the meeting).

RESOLVED: (By 6 votes with 1 abstention) (A) That permission be granted subject to the prior conclusion of a S.106 Agreement to secure the proposed affordable housing, contributions towards outdoor space, upgrading of public transport facilities, a Travel Plan and subject to conditions to include: (1) Commencement of development within three years (2) Drawing Nos. of approved plans (3) Samples of materials to be submitted (4) Restriction of times for building operations (5) Submission of details for foul and surface water drainage (6) Submission of landscaping scheme (7) Provision of on-site wheel washing facilities (8) Submission of further details of fenestration, solar shading systems and boundary treatment (9) Development to be in accordance with Flood Risk Assessment (10) Finished floor levels (11) Sustainable drainage systems (12) Submission of a scheme to deal with contamination risks (13) Details of contamination scheme (14) No occupation until vehicle turning space provided (15) No occupation until on-site parking provided (16) No occupation until cycle parking provided (17) No burning of waste on site (18) Minimisation of dust from demolition (19) Submission of details of haulage route and storage compound

RESOLVED B: That in the event that the S.106 is not signed by 16 December 2009 that delegated authority be given to the Head of Planning to refuse planning permission for the following reason, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed. The proposed development would fail to secure the provision of affordable housing, financial contributions towards outdoor space and a Travel Plan and is therefore contrary to Policies HO13, LCF4 and TR3 of the Eastbourne Borough Plan and would fail to provide the upgrading of public transport facilities.

6) EB/2009/0672 - 46A Meads Street - Change of use from a retail shop (A1 Use Class) to an estate agency office (A2 Use Class) – **MEADS**. Six emails of objection had been received along with a petition of 140 signatures. One email of support had also been received.

The relevant planning history was detailed within the report.

Miss Cook addressed the committee in objection stating that the shop should retain its retail use and referred to a petition of 165 signatures in support of retaining the retail use. Miss Cook also referred to premises further along that had been refused permission for change of use due to its prominent position, and felt that this site was also in a prominent position.

Mr Duke, the applicant addressed the committee in response stating that the change of use had been recommended by officers and that it was in line with current policy. Mr Duke stated that there would be no adverse impact on other retailers in the area. Mr Duke also stated that the shop front would be retained and preserved.

Officers clarified the differences in the proposed change of use for the property referred to by Miss Cook.

The Council's Solicitor advised the committee of the law and policy on changes of use from A1 to A2.

(A motion to refuse the application proposed by Councillor Taylor and seconded by Councillor Salsbury was lost by 3 votes to 5).

RESOLVED: (By 5 votes to 3) That permission be granted subject to conditions (1) Development to commence within 3 years (2) Approved plan refs (3) Retention of active shop front

7) EB/2009/0675(FP) - 102a Tideswell Road - Demolition of existing building and erection of four new terraced residential dwellings – **DEVONSHIRE.** Seven letters of objection have been received.

The relevant planning history was detailed within the report.

The observations of Planning Policy, Highway Authority and the Environment Agency were detailed within the report.

Mr Alison address the committee in objection stating that the proposal would result in overcrowding, and would be an over development of the site.

County Councillor Mrs Healy, on behalf of residents, addressed the committee in objection stating that the proposal would result in overcrowding and a loss of light for neighbouring residents, the scheme was out of keeping with the surrounding area and would cause access problems for emergency vehicles.

Mr Chadwick, agent for the applicant, addressed the committee in response stating that the design was intended as spacious bright and eco friendly and the subject of pre-application discussions. The current owners had struggled with the existing use and their expanding business, although they did have permission for another industrial unit on the site.

The committee agreed that whilst the design was commendable, it would not be suitable in such an enclosed site.

RESOLVED: (Unanimously) That permission be refused on the following grounds (1) That the proposed development, by reason of its scale, height and siting, would be an overdevelopment of a constrained site, and would have a significant detrimental impact on the amenities of adjacent residents in terms of loss of outlook. Furthermore, the genuine redundancy of the site for employment purposes has not been adequately proven. As such the proposal would not comply with policies UHT1, UHT2, HO7, HO20 and BI1 of the Eastbourne Borough Plan 2001-2011. (2) That no legal agreement has been concluded to secure to a financial contribution to the Local Sustainable Accessibility Improvement Contributions scheme, and therefore the proposal would not comply with policies TR2 and TR7 of the Eastbourne Borough Plan 2001-2011 and policy CC7 of The South East Plan 2009.

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

8) EB/2009/0686(ADV) - Downs Court, 62-64 Meads Street - Display of two halo illuminated fascia signs, two externally illuminated projecting signs & two non-illuminated poster panels – **MEADS**. 67 letters and emails of objection had been received. A further 80 letters of objection had been received, but no additional objections other than those highlighted within the report.

The relevant planning history was detailed within the report.

The observations of the Conservation Officer were detailed within the report and the suggested amendments had been forthcoming. The comments of the Conservation Officer on the revised plans were reported.

At their meeting on 24 November 2009 the Conservation Area Advisory Group stated that they were unsure about the proposed hanging sign and bracket and suggested that it be revised to be more sympathetic to the surrounding conservation area. The Group also stated that they would have preferred a hand painted sign and perhaps illuminated using an alternative method.

Russell Riseley, Chair, Meads Community Association, addressed the committee in objection stating that the signage appeared to be a standard solution and should perhaps have been designed to be more sympathetic to the surrounding conservation area. In addition Mr Riseley felt that the residents had not been consulted.

Mr Baker, Agent for the applicant, addressed the committee in response stating that the design of the signage reflected discussions with the officers and that the scheme had been amended following comments from the Conservation Officer. Mr Baker also stated that the residents were given notice of the application prior to its submission and would have had the opportunity at that point to make any objections / concerns known. Mr Baker stated that it was appropriate for signage to be illuminated at night and that the hours of illumination would be limited to opening hours. As the signage applied with guidance, Mr Baker stated that safety and amenity of local residents would not be affected.

Members were advised that the signs would be allowed under permitted development and that it was only the illumination aspect of the application that required permission.

NB: Councillor Madell withdrew from the rooms whilst this item was considered.

RESOLVED: (By 4 votes to 2 with 1 abstention) That permission be refused on the grounds that the signs by reason of the method of illumination, would be detrimental to the street scene and surrounding Conservation Area.

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

9) EB/2009/0691(FP) - 16-18 RATTON ROAD - Demolition of existing building and erection of 10 self-contained flats, 4 houses (all affordable units) and associated parking – **UPPERTON**. 21 letters of objection had been received. A further seven letters were received by the housing department as a result of pre-application community consultation. 12 further letters of objection were reported at the meeting.

The observations of Sussex Police, Southern Water, the Assistant County Archaeologist, Highway Authority and the Council's Arboricultural Officer were detailed within the report.

The committee were provided with clarification regarding the occupancy levels of the current building.

Miss Howlett, Parker Dann, on behalf of the residents, addressed the committee in objection stating that the proposal would be an overdevelopment, and would be harmful to the street scene and character of the surrounding area. The proposal would also have a detrimental impact on the residential amenity, affect the parking, result in a loss of privacy, overlooking and overshadowing. It was also felt that the size and scale were unacceptable.

Mr Baines, agent for the applicant, addressed the committee in response stating that the proposal would modernise the current facilities and would provide a more balanced occupation than the current use. The proposed building had been designed to be in keeping with the surrounding area, which included some staggering in the height of the building to reduce the visible impact. The scheme would not result in overlooking for any of the neighbouring properties.

RESOLVED: (By 5 votes to 2 with 1 abstention) That permission be granted subject to the following conditions: (1) Commencement of development within three years (2) Drawing Nos. of approved plans (3) Samples of materials to be submitted (4) Restriction of times for building operations (5) Submission of details for foul and surface water drainage (6) Submission of landscaping scheme to include further details of the area adjacent to the Beech tree (7) Trees protection (general) (8) Tree protection fencing (2.4m hoarding) (9) Tree protection (excavations) (10) Provision of on-site wheel washing facilities (11) New accesses to be in positions shown (12) Visibility splays to be provided on both sides of vehicular accesses (13) No occupation until existing access has been removed and kerb reinstated (14) No occupation until vehicle turning space provided (15) No occupation until on-site parking provided (16) No occupation until cycle parking provided (17) No burning of waste on site (18) Minimisation of dust from demolition (19) Submission of details of haulage route and storage compound (20) Windows in southern elevation to be glazed with obscure glass (21) Removal of permitted development rights for proposed houses (extensions) (22) Removal of permitted development

rights for proposed houses (windows) (23) Submission of a written scheme of investigation for archaeological work (24) Sample panel of front boundary wall to be submitted.

38 Appeals Received and Appeals Decisions.

The Committee received a report detailing some of the appeals that had been received by the Council. Further information would be provided once the appeals had been decided.

- 1) EB/2009/0253.** 22 Cranbourne Avenue, Eastbourne. The appeal was a split decision: part dismissed and part allowed by the Inspector.
- 2) EB/2009/0099.** 26 Hawthorn Road, Eastbourne. The appeal was dismissed 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 meeting closed at 8.56 p.m.

**Councillor Mrs Madell
(Chairman)**