

Tuesday 5 January 2010
at 6.00pm



Planning Committee

MEMBERS: Councillor HARRIS (Deputy Chairman) Councillors BLOOM, Mrs GOODALL, GOODWIN (as substitute for Madell) Mrs HEAPS, MIAH, Mrs SALSBURY and TAYLOR.

(An apology for absence was reported from Councillor Mrs Madell).

39 Minutes.

The minutes of the meeting held on 1 December 2009 were submitted and approved and the Chairman was authorised to sign them as a correct record.

40 Declaration of Interests.

There were none.

41 Report of Head of Planning on Applications.

1 & 2) EB/2009/0643(FP) and EB/2009/0644(LB) - LAND ADJOINING SOUTH LODGE, ALL SAINTS, KING EDWARDS PARADE -
Erection of single storey detached two bedroom dwelling and driveway – MEADS. 11 letters of objection had been received. Three additional emails relating to the amended plans had also been received. 10 further letters of objection were reported at the meeting.

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

The observations of the Government Office for the South East, English Heritage, Ancient Monuments Society, the Planning Advisor of the Eastbourne Society, the Council's Conservation Consultant, Highway Authority, The Council's Planning Policy Officer, the Council's Arboricultural Officer

At their meeting on 13 October 2009, the Conservation Area Advisory Group on 13 October 2009, members expressed concern about the oblique views, the height of the wall and the visibility of the site and the potential effect on the listed building and asked that their concerns be included in this report. The Group also requested that a photomontage should be produced to show the new dwelling when viewed from the west of South Lodge in King Edwards Parade and that it be circulated to members for consideration.

At a further meeting of the Conservation Area Advisory Group on 24 November 2009, members noted that the development had been lowered into the site further, making it less visible from the street. However, the

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Group were concerned about the oblique view from the highway across to the old hospital.

Mr Roe addressed the committee in objection stating that the design would be out of keeping with the surrounding development.

Ms Farmer addressed the committee in objection stating that the design would be out of keeping and would be visible from the public highway.

Mr Riseley, Meads Community Association, addressed the committee in objection referring to previous conditions restricting modern developments on the site.

Mr Neville applicant, addressed the committee in response stating that objections previously raised had been addressed and that there had been support from the conservation officer, and referred to another modern development within the site.

RESOLVED: (By 7 votes with 1 abstention) That permission be refused on the grounds that the proposed dwelling by reason of its siting, design and appearance will have a detrimental impact on the setting of the adjacent Grade II* listed buildings and the character and appearance of this part of the Meads Conservation Area and would therefore be contrary to Policies UHT15 and UHT16 of the Eastbourne Borough Plan (2001-2011)

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.

3) EB/2009/0718 – LAND ADJACENT TO 1 OAK TREE COTTAGE, OAK TREE LANE - Erection of a detached dwelling with parking at the front – LANGNEY. Four letters of objection had been received.

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

The observations of the Highway Authority, Wealden District Council, the Council's Arboriculturalist were detailed within the report.

Mr Walter addressed the committee in objection stating that the proposal would result in loss of privacy, light and overshadowing due to the close proximity to neighbouring properties, concerns were also expressed regarding the loss of trees and parking in the area.

Mr Brunt addressed the committee in objection stating that the proposal would result in overlooking and would be out of keeping due to its size, there would also be an increase in noise, disturbance and parking.

RESOLVED: (Unanimous) That permission be refused on the grounds that (1) The proposed development, by reason of the topography of the site and its juxtaposition with surrounding development, would have an adverse impact on the outlook of the occupiers of the adjacent dwelling at 22 Helvellyn Drive, and would therefore conflict with policies UHT1, HO6 and

HO20 of the Eastbourne Borough Plan 2001-2011. (2) No legal agreement to secure financial contributions to compensatory flood storage on Willingdon Levels and the Local Sustainable Accessibility Improvement Contribution scheme has been completed, and therefore the proposal conflicts with policies TR2 and US4 of the Eastbourne Borough Plan 2001-2011.

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.

4) EB/2009/0722(OL) – LAND AT THE REAR OF 18-34 RANGEMORE

DRIVE - Re-development of garage block and rear gardens with the erection of 2 pairs of semi-detached two-storey houses with garages, a detached two-storey house with integral garage, and alterations to existing vehicular access to Rangemore Drive (outline application) – RATTON. 25 Letters and emails of objection and two letters of support had been received.

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

The observations of the Planning Policy Manager and Highway Manager were detailed within the report.

The committee were advised of the agent's response to the concerns raised by residents. Members were also advised that all reserved matters would require approval which would include design and massing, and that an alternative layout could be sought in order to protect the trees on the site. The committee were advised that should the application be approved an additional condition relating to a transport statement would be included.

Miss Hicks addressed the committee in objection stating that the proposal would affect the character of the neighbourhood resulting in a loss of trees. Miss Hicks also stated that the proposal would invade personal and visual amenity in both living and garden space. Miss Hicks felt that the number and size of dwellings would be an overdevelopment which would increase the traffic volume in the area.

Mr Gates addressed the committee in objection stating that trees would be lost, and would result in a loss of privacy for residents and habitat for wildlife, Mr Gates also said the design would be out of keeping with the surrounding area.

Councillor Belsey, ward councillor, addressed the committee in objection stating that the alley would not be large enough for emergency vehicles, and would be detrimental for the neighbouring community and an overdevelopment of the site.

Mr Ashford, applicant, addressed the committee in response stating that the site had been identified as a brownfield site, and was noted by the SHLAA as available for redevelopment. Mr Ashford stated that there would be no harmful impact on existing properties and that he had undertaken an independent traffic survey at the busiest times of the day which had been compared with Kings Drive and other roads in the area. Trees would also

be retained following an assessment by the Council's Arboriculturalist.

The committee discussed the application and raised concerns on size of the remaining gardens, traffic usage and the effect on neighbouring properties.

RESOLVED: (By 7 votes with 1 abstention) That permission be refused on the grounds that, whilst it is acknowledged that the principle of re-development on the application site may be acceptable, as outline planning permission has been previously granted for 2 dwellings on part of the site, the proposal to provide 5 new dwellings represents an over-development of the site to the detriment of the amenities enjoyed by occupiers of surrounding residential properties, by reason of loss of outlook and increased overlooking. In addition, it is considered that the additional vehicle movements associated with the development, by reason of noise and general disturbance would also be detrimental to neighbouring residential amenity. The proposal is therefore contrary to policies HO6 and HO20 of the Eastbourne Borough Plan 2001 - 2011.

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.

5) EB/2009/0743 – LAND ADJACENT TO 17 VENTNOR CLOSE -
Construction of new four bedroom dwelling – LANGNEY.

This item was withdrawn.

6) EB/2009/0744 - LANGNEY VILLAS, 168 LANGNEY RISE, EASTBOURNE - Demolition of the existing building and erection of two-storey building comprising 4 affordable self-contained flats – LANGNEY.

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

The observations of the Local Highways Authority were detailed within the report.

RESOLVED: (Unanimous) Permission be granted subject to the following:
1) Commencement within three years 2) Approved plan refs 3) Samples of materials ++ 4) Restriction of hours of operation 5) Details of landscaping++ 6) Tree protection ++ 7) Details of cycle and bin stores ++

++ Pre- commencement conditions – consequence of not complying

7) EB/2009/0753(FP) - 38 UPPER AVENUE - Demolition of existing two storey building and erection of a three storey block of 12 apartments, together with associated parking, refuse and cycle stores – UPPERTON. Seven letters of objections had been received.

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

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

Mrs Chambers addressed the committee in objection stating that she had concerns regarding the loss of the existing property and that the new development would be out of keeping with the surrounding area. Concern was also raised regarding parking and vehicle safety and overlooking.

Mrs Jenks addressed the committee in objection stating that the design was out of keeping with the surrounding area and concern was expressed on the increase of traffic and pollution.

Mr Baines, agent, addressed the committee in response stating that the building had been designed with reference to the new buildings to the east of the site and that the design had been the result of much discussion and consultation with officers, it was hoped that the design would be crisp and modern and sit well within the site and be environmentally friendly. It was stated that the development had been designed so as to protect privacy, and that traffic and parking was in accordance with Council policy.

The committee discussed the application relating to the colour scheme, balconies, footprint of the site, appearance and overlooking.

RESOLVED: (By 5 votes to 3 [Councillors Bloom, Heaps, Goodall, Goodwin and Miah for and Councillors Harris, Salsbury and Taylor against]) That permission be granted subject to the following conditions: 1) Commencement within three years 2) Site investigation for contamination++ 3) Unsuspected contamination 4) Foundations ++ 5) Drainage ++ 6) Samples of materials ++ 7) Restriction of hours of operation 8) Details of landscaping++ 9) Details of access and visibility splays++ 10) Details of cycle and bin stores ++ 11) Provision of parking spaces before occupation ++ 12) Approved plan refs

8) EB/2009/0775 – SOVEREIGN SKATE PARK, LAND ADJACENT TO SOVEREIGN CENTRE, PINCE WILLIAM PARADE - Continued use of land as a skate park and re-arrangement and installation of new equipment - SOVEREIGN

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

The observations of the Planning Policy Team, Local Highway Manager and Economic Development were detailed within the report.

RESOLVED: (Unanimous) The permission be granted subject to the following conditions: 1) Development to commence within three years 2) Approved plan refs

42 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/2008/0573. Former Cambridge Hotel, 1-13 Cambridge Road, Eastbourne. The appeal was allowed by the Inspector.

- 2) EB/2009/0081.** 29 Ascham Place, Eastbourne. 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>

43 Exclusion of the public

RESOLVED: That the public be excluded from the remainder of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in Schedule 12A of the Local Government Act 1972. The relevant paragraphs of Schedule 12A and descriptions of the exempt information are shown in the items below.

(Note: The full minutes of the under-mentioned items are set out in the confidential section of these minutes. The reports remain confidential).

44 Illegal Garden Structure – Enforcement Action.

The Committee considered the report of the Planning manager and Lawyer to the Council and agreed with the recommendations detailed within the report.

Paragraph 7. (Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.)

45 uPVC Windows – Enforcement Action.

The Committee considered the report of the Planning manager and Lawyer to the Council and agreed with the recommendations detailed within the report.

Paragraph 7. (Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.)

The meeting closed at 9.00 p.m.

**Councillor Harris
(Deputy Chairman in the Chair)**