

PLANNING & LICENSING COMMITTEE

## Tuesday 6 November 2001

PRESENT:

Councillor BOWKER (Chairman), Councillor DESCHAMPS (Deputy Chairman), Councillors Mrs CHARLTON, ELKIN, MARSH, SKILTON, WILLIAMS and Miss WOODALL.

**25. MINUTES.** The minutes of the meeting held on 9 October 2001 were submitted and approved and the Chairman was authorised to sign them as a correct record.

**26. HACKNEY CARRIAGE (TAXI) CALENDAR TAXIMETERS.** The Committee considered the report of the Commercial Services Manager, Environmental Health regarding an addition to the Councils Hackney Carriage (Taxi) Vehicle Licence Conditions, requiring fully date and time operated calendar meters to be fitted to all hackney carriages from 1 June 2002. Mr P Smith (Taxi Driver) addressed the Committee in objection to the proposal to disable the calendar meters manual override.

**RESOLVED:** That the following addition to Eastbourne Borough Council Hackney Carriage (Taxi) Vehicle Licence Conditions be approved:-

"Taximeters fitted to hackney carriages shall be fully date and time operated calendar meters with the manual override disabled. The taximeters shall be British Standards Institute and Public Carriage Office approved. This condition shall apply from 1 June 2002".

**27. REPORT OF HEAD OF PLANNING ON APPLICATIONS.**

**(1)/(2) EB/2001/0529 AND EB/2001/0528(CA) (CONS AREA) - 78-86 Seaside Road (a) demolition and removal of shop frontage and reinstatement of original facade and complete renovation and conversion of building into 12 self contained flats, plus two rear extensions (b) demolition and removal of shop frontage and reinstatement of original facade and complete renovation – DEVONSHIRE.** Southern Water raised no objections to the proposal. The observations of the Crime Prevention Design Adviser, on behalf of Sussex Police, Historic Buildings Advisor, Highways Manager and the Head of Environmental Health were set out in the report. The Conservation Area Advisory Group at its meeting on 23 October 2001 raised no objections in principle to the proposals subject to additional detailing on the front and side elevation. Members requested an additional condition in respect of refuse storage details.

**RESOLVED: (1) Conservation Area Consent granted in respect of EB/2001/0528(CA)** subject to conditions (1) D1.2 Commencement of development within five years; (2) That, before the development hereby approved is commenced, detailed plans showing the front and side elevations of the proposed front entrance porches, cornices and front boundary railings at a scale of 1:20 shall be submitted to and approved by the Head of Planning.

**(2) Permission granted in respect of EB/2001/0529** subject to conditions (1) D1.1 Commencement of development within five years; (2) That, before the development hereby approved is commenced, detailed plans showing the front and side elevations of the proposed front entrance porches, cornices and front boundary railings at a scale of 1:20 shall be submitted to and approved by the Head of Planning; (3) That the extensions hereby approved shall be rendered and painted to match the existing building before the flats are first occupied; (4) D6.1 Submission of details of storage and collection of refuse.

Together with any further conditions required by the Historic Buildings Advisor.

**(3) EB/2001/0311 (CONS AREA) - 16 Trinity Trees - single and two-storey rear extensions with sub-basement bicycle parking – DEVONSHIRE.** Amended plans had been received in response to a number

of concerns raised and which secured the retention of the two trees previously indicated for removal. The observations of the Environment Agency and the Downland, Trees and Woodland Manager were set out in the report. The Historic Buildings Advisor and the Conservation Area Advisory Group at its meeting on 29 May 2001 raised no objections to the proposal. Nine letters of objection were reported from local residents. Members were advised that the applicant had requested an amendment to condition 6 to enable the upper part of the sash window to be opened for ventilation purposes.

Mrs Cann addressed the Committee on behalf of local objectors and a representative from the school responded.

**RESOLVED: (By 6 votes to 2) Permission granted** subject to conditions (1) D1.1 Commencement of development within five years; (2) A2 Submission of samples of roofing materials; (3) That the external walls of the proposed extension shall be rendered and painted to match the existing building before the extension is first brought into use; (4) C5.1 Hours of operation (9.00 a.m. to 6.00 p.m. Mondays to Fridays); (5) C5.3 Hours of operation (during construction); (6) That the lower sash in each of the windows shown in the rear elevation of the extension hereby approved shall be permanently glazed with semi-obscure glass and shall be incapable of being opened; (7) That the eaves dentil course indicated on the approved drawings shall be provided before the extension hereby approved is first brought into use.

**(4) EB/2001/0545 - 60A Tideswell Road - change of use and conversion of existing light industrial premises to form two semi-detached dwellinghouses with associated parking spaces - DEVONSHIRE.** The Head of Environmental Health raised no objection to the proposal. The observations of the Highways Manager and the Environment Agency were set out in the report. Five letters of objection and three of support were reported from local residents.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within five years; (2) That all external areas left exposed by the alterations to the existing window and door openings shall be finished with render to match the type, colour and texture of that used on the remainder of the building; (3) That, notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, no buildings, structures, walls or fences shall be erected within the site of the development hereby approved without the prior approval in writing of the Local Planning Authority; (4) A5 No windows or openings in elevations (including roof) of development (other than those shown on approved drawings) unless prior agreement obtained in writing; (5) Details showing the location of ventilation systems required for the kitchens and/or bathrooms within the dwellings hereby approved shall be submitted to, and approved in writing prior to the commencement of development. Such equipment shall not be sited on the rear elevation at ground floor level, or on the front elevation of the building; (6) Sections of the replacement UPVC windows shall be submitted, at a scale of not less than 1:20, to, and approved in writing by the Head of Planning prior to the commencement of development, and shall thereafter be retained in accordance with the approved details, unless prior written consent is obtained from the Head of Planning; (7) Details of the finished boundary walls to the application site shall be submitted to the Head of Planning, and approved in writing prior to the commencement of development, and thereafter retained in accordance with the details approved, unless prior written consent is given by him to any variation. The boundary walls shall be finished to a height of at least 2 metres; (8) B8.2 Proper construction and retention of parking spaces; (9) No development shall commence until the developer has carried out an investigation assessing the degree of contamination of the site and determining its water pollution potential. The methods and extent of this investigation shall be agreed with the Local Planning Authority prior to works commencing. On completion of this site investigation, details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall be submitted to, and approved in writing by the Local Planning Authority. The development shall then incorporate these approved measures; (10) Details of site drainage shall be submitted to and approved by the Local Planning Authority; (11) C5.3 Hours of operation during construction.

**(5) EB/2001/0570 - 36 South Street - change of use from retail shop (Class A1) to restaurant (Class A3) - DEVONSHIRE.** Four letters of objection were reported from local residents. The observations of the Eastbourne Access Group, Historic Buildings Advisor and the Head of Environmental Health were set out in the report.

**RESOLVED: Permission refused** on the grounds (1) That the proposed use of parts of the ground floor and basement as a restaurant and kitchen would be likely to be detrimental to the amenities of occupiers of the adjoining residential accommodation, by reason of the noise, disturbance and smells likely to be associated with

the use; (2) That the proposal fails to provide any refuse storage to serve the proposed restaurant and would lead to the depositing of rubbish in the adjacent private alleyway or on the public footpath, which would be detrimental to the amenities of occupiers of surrounding residential properties and the visual amenities of the locality; (3) That the ventilation flue likely to be associated with the proposed use would be detrimental to the visual amenities of the locality and in particular to the character and appearance of this part of the Town Centre and Seafront Conservation Area.

**(6) EB/2001/0532 - Maryland, 9 Brand Road - change of use of first floor from residential to children's nursery in conjunction with existing nursery on ground floor (to accommodate maximum of 18 additional children), together with extension of permitted opening hours from 8.30am to 5.30pm, to 8am to 6pm, together with provision of off-street car parking area accessed from Brand Road via existing access - HAMPDEN PARK.** Seventeen letters of objection and a petition containing 48 signatures were reported from local residents. Thirty three letters in support were received from parents using the nursery. Mr Anscombe and Councillor Thompson addressed the Committee on behalf of local objectors and the applicant's agent responded.

**RESOLVED: (By 3 votes to 2) Consideration deferred for a site visit.**

**(7) EB/2000/0511(OL) - Langney District Shopping Centre, Langney Rise - drive through fast food restaurant - LANGNEY.** Three letters of objection were reported from local residents. The observations of the Crime Prevention Design Adviser, on behalf of Sussex Police, Parks Development Manager and the Highways Manager were set out in the report. The Development Control Manager reported two letters from the applicant's agent requesting that if a time condition were imposed, it be amended to 7.00 a.m.

**RESOLVED: Permission granted** subject to conditions (1) Approval of the details of the siting, design, external appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority by application before the development is commenced; (2) Application for the 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; (3) The development hereby permitted shall be begun before the expiration of five years from the date of 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 latter; (4) A9.3 Submission and approval of landscaping scheme; (5) C5.3 Hours of construction; (6) The new car park, cycle parking, access road and associated junctions shall be designed and constructed to a standard approved by the Head of Planning in consultation with the Highway Authority, to include materials, lighting, signing and lining; (7) No development, hereby approved, shall be commenced until a scheme for disposal of surface water including the provision and implementation of a surface water regulation system has been approved by and implemented to the satisfaction of the Local Planning Authority; (8) Prior to being discharged into any watercourse or soakaway system, 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; (9) B15 Provision of drainage scheme; (10) Full details of the proposed method of extraction for the fast food restaurant shall be submitted to and approved by the Head of Planning and implemented before the use commences and thereafter maintained; (11) C12 Provision of litter bins; (12) That the use hereby authorised shall only take place between the hours of 7 am and 11 pm on each day of the week.

**(8) EB/2001/0508 - Langney District Shopping Centre, Langney Rise - construction of single-storey shop near the eastern entrance of the shopping centre - LANGNEY.** The observations of the Downland, Trees and Woodland Manager, Environment Agency and the Highways Manager were set out in the report. One letter of objection was reported from a local resident.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within 5 years; (2) A11 That the existing hedge along the southern boundary of the site shall be retained permanently at a height of at least 3 metres; (3) A2 Submission of samples of facing materials; (4) C5.3 Hours of building operations; (5) C1.4 Restriction of use; (6) A15 No equipment on roof or walls; (7) The brick wall and piers, together with ornamental railings, as shown on drawing number 2130/02 have not been approved by this permission. As such, details of the boundary treatment should be submitted to and approved in writing by the Head of Planning prior to the commencement of the development; (8) That no goods, articles or equipment shall, without the written consent of the Head of Planning, be stored or kept within any open part of the site which is not to be built upon.

**(9) EB/2001/0554 - Land at Beachy Head (adjacent to Coast Guard Station), Beachy Head Road - installation of a colinear antenna on existing radio mast –MEADS.** The observations of the Development Planning Manager were set out in the report. The Downland, Trees and Woodland Manager raised no objections to the proposal.

**RESOLVED: Permission granted** subject to condition D1.1 Commencement of development within five years.

**(10) EB/2001/0559 - 34 Grange Road - change of use from converted flats to single private dwelling – MEADS.** The observations of the Development Planning Manager were set out in the report.

**RESOLVED: (1) Permission granted** subject to condition D1.1 Commencement of development within five years.

**(2)** That an Informative be attached to the Decision Notice advising the applicant that a single private dwelling is defined in Class C3 of the Town and Country Planning (Use Classes) Order 1987 as:

“Use of a dwellinghouse (whether or not as a sole main residence) –

(a) by a single person or by people living together as a family, or

(b) by not more than 6 residents living together as a single household (including a household where care is provided for residents).” This refers to the total number of residents living in the property.

**(11) EB/2001/0533 (CONS AREA) - Hillbrow, 1 Denton Road - increase the height of the existing perimeter fence at the southern end of the artificial turf pitch from 4 metres to 6 metres - MEADS.** One letter of objection and one of support were reported from local residents. The observations of the Historic Buildings Advisor were set out in the report. The Conservation Area Advisory Group at its meeting on 23 October 2001 raised no objections to the proposal subject to satisfactory screen planting along an open section of the Denton Road boundary.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within five years; (2) That no development shall take place until there has been submitted to and approved by the Head of Planning a planting scheme for along the boundary of the fence and along a section of the Denton Road boundary between the southern end of the artificial turf pitch and the side boundary of 3 Denton Road. All planting comprised in the approved details shall be carried out in the first planting season following the completion of the development; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Head of Planning gives written consent to any variation.

**(12) EB/2001/0522 (CONS AREA) - 18 Grassington Road - proposed change of use from 3 flats to two houses (1 no 5 bedroom & 1 no 4 bedroom), provision of a single garage, new vehicle access to Grassington Road, alterations to existing dormer roof line and demolition of chimney stack - MEADS.** Two letters of objection were reported from local residents. The observations of the Highways Manager were set out in the report. The Historic Buildings Advisor and the Conservation Area Advisory Group at its meeting on 23 October 2001 raised no objections to the proposal.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within five years; (2) A2 Submission of samples of facing materials; (3) No development shall take place until full details of the new vehicular access on Grassington Road, any proposed entrance piers, the surfacing to the car parking area and the visibility splays have been submitted to and approved by the Head of Planning. The development shall thereafter be carried out in accordance with the approved details, prior to the first occupation of either of the dwellings hereby approved; (4) A9.1 Submission and approval of landscaping scheme.

**(2)** That an Informative be attached to the Decision Notice advising the applicant that a single private dwelling is defined in Class C3 of the Town and Country Planning (Use Classes) Order 1987 as:

“Use of a dwellinghouse (whether or not as a sole main residence) –

(a) by a single person or by people living together as a family, or

(b) by not more than 6 residents living together as a single household (including a household where care is provided for residents).” This refers to the total number of residents living in the property.

**(13) EB/2001/0583 - Westlords Playing Fields, Willingdon Road - structure to provide temporary changing accommodation - OCKLYNGE.** The observations of the Means of Escape and Access Officer and the Downland, Trees and Woodland Manager were set out in the report. The Highways Manager raised no objections to the proposal. It was reported that the applicant's agent had submitted details for the proposed handling of sewage to Southern Water. Three letters of objection were reported from local residents.

**RESOLVED: Permission granted** subject to conditions (1) D5.1 Temporary permission until 31 May 2003; (2) Details of the proposed electricity supply to the temporary building hereby approved shall be submitted to, and approved in writing by the Head of Planning prior to the commencement of development; (3) Details confirming the wastewater drainage/storage arrangements shall be submitted to, and approved in writing by the Head of Planning prior to the commencement of development; (4) That the changing facilities hereby granted temporary permission shall only be used between the hours of 07:30 and 21:00; (5) That details of the external colour of the structure hereby granted temporary permission shall be submitted to, and approved in writing prior to the commencement of development.

**(14) EB/2001/0553(DET) - Public Highway in Cross Levels Way (near to the rodmill roundabout) - installation of a 10m telecommunications "streetworks" monopole mast and ancillary equipment cabins – OCKLYNGE.** The Highways Manager raised no objections to the proposal.

**RESOLVED: (By 3 votes to 2)** That the siting and appearance be approved.

**(15) EB/2001/0568 - 132 Astaire Avenue - provision of a conservatory at side - ROSELANDS.** A letter from the applicant's agent was reported at the meeting.

**RESOLVED: Permission refused** on the grounds that the proposed conservatory, by reason of its size and location, would adversely affect the appearance of the dwelling on this prominent corner location, and would be out of character with surrounding properties and detrimental to the visual amenities of the area.

**(16) EB/2001/0536(OL) - Land at rear of 1-4 Fitzmaurice Avenue - erection of three single-storey houses with car ports and parking spaces - ROSELANDS.** A letter from the applicant's agent was reported at the meeting. Five letters of objection and one letter of no objection were reported from local residents. The observations of the Eastbourne Access Group and the Highways Manager were set out in the report.

**RESOLVED: Permission in outline granted** subject to conditions (1) Approval of the details of the siting, design, external appearance (including external materials) and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority by application before the development is commenced; (2) Application for the 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; (3) The development hereby permitted shall be begun before the expiration of five years from the date of 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 latter; (4) C5.3 Hours of operation during construction; (5) That, notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (as amended), no buildings, structures, extensions, additions shall be erected nor alterations to the dwellings hereby approved shall be carried out without the prior approval in writing of the Head of Planning; (6) That, before the dwellings hereby approved are first occupied, parking spaces shall be available for use by the occupiers, in accordance with details to be submitted to and approved by the Head of Planning. Such parking spaces shall thereafter be maintained solely for the parking of vehicles belonging to the occupiers of or visitors to the dwellings; (7) That, details of proposed boundary treatment/means of enclosure shall be submitted to and approved by the Head of Planning before the development hereby approved is commenced. The approved boundary treatment/means of enclosure shall thereafter be maintained.

**(17) EB/2001/0573 - 6 Netherfield Avenue - single-storey extension at front to provide en-suite shower room together with erection of car port at front - ST. ANTHONYS.** One letter of objection was reported from a local resident.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within five years; (2) That the external materials used in the construction of the en-suite shower room extension, shown on drawing number 47500/01, shall match the type, texture and colour of those used on the existing building; (3) That, notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, the carport hereby approved shall be constructed, and maintained strictly in accordance with the details shown on drawing number 47500/01, and shall not be physically enclosed, unless prior written approval is obtained from the Head of Planning to any variation.

**(18) EB/2001/0566(CC) - Princes Park - siting of steel container unit, required for storage of sailing equipment, on existing concrete base, for temporary period of five years - ST. ANTHONYS.**

**RESOLVED:** That the County Planning Officer be informed that this Council raises **no objections** to the proposed development subject to conditions (1) Temporary permission until 30 November 2006; (2) That details of the external finish of the storage container shall be submitted to, and approved in writing by the County Planning Authority prior to the commencement of development.

**(19) EB/2001/0582(DET) - Public Highway in Lottbridge Drove adjacent to Wartling Road Coach Park - provision of a 12.5m high telecommunications monopole mast and ancillary equipment cabin - ST. ANTHONYS.** One letter of objection was reported from a local resident. The observations of the Highways Manager were set out in the report.

**RESOLVED: (By 4 votes to 2) Permission refused** on the grounds that the proposed mast and ancillary equipment would be detrimental to the visual amenities of the area by reason of their prominent location on a main road.

**(20) EB/2001/0562 - 51 Quebec Close - provision of a conservatory at side - ST. ANTHONYS.** Four letters of objection were reported from local residents.

**RESOLVED: Permission refused** on the grounds (1) That the proposed conservatory, by reason of its size, design and siting, would be an unduly prominent feature, wholly out of character with the building and area in general; (2) That further to reason 1 above, the proposal would not comply with policy HO19 of the Eastbourne Borough Plan, which states, in part, that:

Extensions or additions to houses will normally be required to meet acceptable standards in relation to the following:

E sympathetic design in relation to the original house.

Planning applications which fail to comply with such standards will be refused.

**(21) EB/2001/0222 - Land at rear of 2-8 Queens Crescent - four semi-detached (two storey) dwellings together with associated visitors car parking - ST. ANTHONYS.** The observations of the Highways Manager and Environment Agency were set out in the report. Seven letters of objection were reported from local residents. Mr Cook addressed the Committee against the proposal.

**RESOLVED: Permission refused** on the grounds that the access and visitor car parking arrangements, intended to serve the proposed development, are not considered to be adequate, by reason of insufficient width and alignment, and inappropriate position, respectively, for the type and number of traffic movements that are likely to occur. As such, the proposed development is contrary to Policy HO18 of the adopted Borough Plan.

**(22)/(23) EB/1999/0186 AND EB/2001/0366 - Langney Sports Club, Priory Lane – (a) proposed 300 seat football stand, together with the erection of covered terrace and 1.5 metre high brick wall (b) provision of 250 seat extension to stand, hospitality box, toilet block and covered terracing - ST.**

## **ANTHONYS.**

**RESOLVED: Permission granted in respect of EB/1999/0186 and EB/2001/0366** subject to conditions (1) D1.1 Commencement of development within 5 years; (2) The stand authorised by the permission shall cease to be occupied in the event that the approved waiting restrictions are not implemented within one year of the date of the permission. The approved waiting restrictions to be defined by reference to an annex describing the restrictions and showing the relevant areas of road on a plan; (3) The stand authorised by the permission shall cease to be occupied in the event that the approved traffic island has not been constructed within one year of the date of the permission. The approved traffic island to be defined by reference to an annex describing the works required and a plan; (4) The stand authorised by the permission shall cease to be occupied in the event that approved signage, lighting, surfacing and crash barriers for the car park and access route to the car park have not been carried out and constructed within one year of the date of the permission. The approved signage, lighting, surfacing and crash barriers to be defined by reference to an annex describing the works required and a plan; (5) The approved scheme for on-site marshals shall be implemented within three months of the date of the planning permission. The approved scheme for marshals to be defined by reference to an annex describing the requirement for marshals, including numbers, locations for marshals and the duration of the marshalling; (6) That within six months from the date of the permission arrangements for flood storage provision within the site shall be completed in accordance with details submitted to and approved in writing by the Head of Planning.

### **(24) EB/2001/0489 - Admiral Retail Park, Lottbridge Drove - stand alone restaurant, with take away facility, and alterations to car parking layout (adjacent Tesco petrol filling station) - ST. ANTHONYS.**

The observations of the Local Plan Officer, the Council's Retail Consultant, Environment Agency, Head of Environmental Health, Health and Safety Executive and the Director of Transport and Environment were set out in the report. Members commented on the problem of litter in the area and requested that the applicant be approached regarding the provision of additional litter bins.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within 5 years; (2) A11 Retention of shrubs along the site frontage; (3) B8.1 Proper construction of car parking spaces; (4) A2 Submission of samples of facing materials; (5) 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 an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the separator; (6) Any facilities for the storage of oils, fuels or chemicals shall be on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage; (7) Before the development, hereby approved, is commenced, arrangements to avoid any adverse impact on remediation measures previously carried out on the site in respect of land contamination shall be submitted to and approved in writing by the Head of Planning, and subsequently carried out.

**(25) EB/2001/0564(ADV) - Land at entrance of Eastbourne Borough Football Club, Priory Lane - one free standing non-illuminated fixture board - ST. ANTHONYS.** The Highways Manager raised no objections to the proposal. Seven letters of objection were reported from local residents.

**RESOLVED: Express consent granted.**

**(26) EB/2001/0550 - Southfields Corner, 1 Dittons Road - erection of conservatory at first floor level, above/at side of existing dwelling - UPPERTON.** Members were advised that a request had been made for the application to be deferred.

**RESOLVED: Consideration deferred.**

**(27) EB/2001/0565 - 9 Selwyn Road - excavation of front garden to form parking area, involving the removal of part of front boundary wall and adjacent tree - UPPERTON.** The Downland, Trees and Woodland Manager indicated that the proposal would result in the loss of a fine mature Dutch Elm. It was noted that the applicants suggestion to replace the tree was not supported by the Downland, Trees and

Woodland Manager given the limited space that would remain and the detrimental impact on the character and visual amenities of the area by the removal of the tree.

**RESOLVED: Permission refused** on the grounds that the proposed development would result in the loss of a mature Elm tree (the subject of a tree preservation order) which would be severely detrimental to the visual amenities of the area.

**28. TOURISM ACCOMMODATION MONITORING.** The Committee considered the report of the Head of Planning regarding proposals for monitoring tourist accommodation in response to concerns raised by Members about the loss of hotels and guesthouses following their use as single private dwellings for the timescale that would enable applications for a lawful use certificate and the need for greater enforcement in this area.

**RESOLVED: (1)** That a database be set up to monitor tourist accommodation uses located in the tourist accommodation policy areas defined in the Borough Plan.

**(2)** That a rolling programme of monitoring of tourist accommodation over a two year cycle be carried out and that enforcement action be undertaken on a priority case basis.

**(3)** That a report be submitted to a future meeting of this Committee in respect of the resource implications of undertaking possible enforcement action.

**29. TREE PRESERVATION ORDER – LAND AT 9 SELWYN ROAD, EASTBOURNE ORDER NO 72.** The Committee considered the report of the Head of Planning and Legal Services Manager seeking confirmation of a Tree Preservation Order on land at 9 Selwyn Road. It was noted that no representations or objections had been received.

**RESOLVED:** That the Eastbourne Borough Council Tree Preservation Order (Land at Selwyn Road, Eastbourne, East Sussex) No. 72 (2001) be confirmed without modification.

**30. TREE PRESERVATION ORDER – LAND AT FLINT HALLS, 12 CHURCH STREET, EASTBOURNE ORDER NO 75.** The Committee considered the report of the Head of Planning and Legal Services Manager seeking confirmation of a Tree Preservation Order on land at Flint Halls, 12 Church Street. Two letters of representation in respect of the Order were reported from the Managing Agents of Flint Halls and the owner of 10 Church Street.

**RESOLVED:** That the Eastbourne Borough Council Tree Preservation Order (Land at Flint Halls, 12 Church Street, Eastbourne, East Sussex) No 75 (2001) be confirmed without modification.

**31. TREE PRESERVATION ORDER – LAND AT 2-4 MILL GAP ROAD, EASTBOURNE ORDER NO 74.** The Committee considered the report of the Head of Planning and Legal Services Manager seeking confirmation of a Tree Preservation Order on land at 2-4 Mill Gap Road. Two letters of representation in respect of the Order were reported from the owner of a neighbouring property and Sheppard Consulting Civil and Structural Engineers.

**RESOLVED:** That the Eastbourne Borough Council Tree Preservation Order (Land at 2- 4 Mill Gap Road, Eastbourne, East Sussex) No. 74 (2001) be confirmed without modification

**32. REVOCATION OF TREE PRESERVATION ORDER – RICHMOND PLACE, EASTBOURNE ORDER NO 71.** The Committee considered the report of the Head of Planning seeking the revocation of a Tree Preservation Order made on all trees in a new development at Richmond Place. Members were advised that the map was incorrect which made the order defective. It was noted that a new order had now been made.

**RESOLVED:** That Tree Preservation Order No. 71 be revoked.

**33. 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 paragraph of Schedule 12A is shown beneath the item.

**34. ENFORCEMENT IN RESPECT OF TELECOMMUNICATIONS MASTS.** The Committee considered the report of the Head of Planning and Head of Legal and Property Services regarding breaches of control by a telecommunications operator and to seek guidance in respect of potential enforcement action.

**RESOLVED:** That the Committee wishes to control the erection of telecommunications masts and that injunctive action should be used under delegated powers were appropriate.

(NOTES: (1) Exempt information reason – Para 12 – Information relating to legal proceedings.

(2) The minute and report (with the exception of paragraph 4.0) were declared open).

**The meeting closed at 7.15 p.m.**

P J BOWKER

Chairman