

## Tuesday 5 November 2002

### PRESENT:

Councillor BERRY (Chairman), Councillor SKILTON (Deputy Chairman), Councillors BOWKER, CREAVEN, ELKIN, Mrs POOLEY, STEVENS and Mrs TESO (as substitute for Marsh).

**31. MINUTES.** The minutes of the meeting held on 8 October 2002 were submitted and approved and the Chairman was authorised to sign them as a correct record.

**32. EAST SUSSEX COUNTY COUNCIL'S SUPPLEMENTARY PLANNING GUIDANCE (SPG) – "A NEW APPROACH TO DEVELOPMENT CONTRIBUTIONS" (CONSULTATION DRAFT).** The Committee considered the report of the Director of Planning, Regeneration and Amenities and the Head of Planning regarding the contents of the draft Supplementary Planning Guidance on development contributions towards County Council services and infrastructure. The aim of the document was to develop a County-wide approach and agreed format for the preparation of detailed individual supplementary planning guidance by each local authority in East Sussex, which would integrate with the County Council's document. A number of specific concerns regarding the implications of the guidance for the Council had been received as a result of consultation with council officers. It was proposed that the representations as detailed in the report form this Council's response to the consultation, with a request that East Sussex County Council consult again on a revised draft prior to adoption of the SPG.

**RESOLVED: (1)** That, as a result of concerns expressed by Officers, Members seek further amendments to the Draft Supplementary Planning Guidance (SPG) as detailed in paragraph 3.3 of the report.

**(2)** That East Sussex County Council be requested to undertake further consultation on a revised draft prior to adoption of the SPG.

### **33. REPORT OF HEAD OF PLANNING ON APPLICATIONS.**

**(1) EB/2002/0508 - Land adjacent 12 Beltring Terrace - erection of detached two-bedroom dwelling – DEVONSHIRE.** The observations of the Highways Manager and the Environment Agency were set out in the report. Two letters of objection and a petition containing nine signatures were reported from local residents. The Development Control Manager requested that the application be deferred for further consideration.

**RESOLVED: Consideration deferred.**

**(2) EB/2002/0575 - 3 Halton Road - change of use from guesthouse to house in multiple occupancy (with nine bedrooms) – DEVONSHIRE.** The Head of Environmental Health advised that the property would be required to meet the Council's minimum standards for houses in multiple occupation. The observations of the Highways Manager were set out in the report. With reference to the previous change of use application to a single private dwelling, a financial statement had been submitted which indicated that recent trading figures for the establishment did not meet the Council's criteria for financial viability. The Director of Tourism and Leisure had concluded that the proposed change of use would not seriously affect the tourism accommodation offer in the resort. The location of the current application site was considered to be inappropriate for the proposed HMO for a number of reasons detailed in the report. Eighteen standard letters and ten individual letters of objection were reported from local residents. The applicant's agent's response to the objections was reported at the meeting.

**RESOLVED: Permission refused** on the grounds that in the opinion of the Local Planning Authority the location of the application site is unsuitable for the proposed House in Multiple Occupancy because such a form of development would be incompatible with the character of the existing residential development in the vicinity

and would be remote from shops and other facilities, as well as the town centre. As such the proposed development is contrary to Policy HO13 of the adopted Eastbourne Borough Plan.

**(3) EB/2002/0566(OL) - 67 Bourne Street - demolition of part premises fronting Bourne Street and erection of two three-bedroom semi-detached dwellings (outline application) – DEVONSHIRE.** The Council's Regeneration Officer raised no objections to the proposal. The observations of the Highways Manager, Local Plan Officer and the Environment Agency were set out in the report. Two letters of objection were reported from local residents. Mr P Smith addressed the Committee against the proposal and the applicant responded.

**RESOLVED: Permission granted** subject to conditions (1) Approval of the details of design, external appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority by application before any 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 either 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 later; (4) A9.3 Submission and approval of landscaping scheme; (5) C5.3 Hours of demolition and construction; (6) A2 Submission of samples of facing materials; (7) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from LPA, for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with and from the date of approval the addendum(s) shall form part of the Method Statement.

**(4) EB/2002/0291 (CONS AREA) - 113 Pevensey Road - proposed alterations and change of use to a day centre, leisure club with supporting administration offices and storage – DEVONSHIRE.** The Environment Agency raised no objections to the proposal and the observations of the Access Officer were set out in the report. The Highways Manager had raised concerns regarding the access ramp and steps encroaching onto the pavement and that no parking spaces were provided. It was noted that it was not possible to achieve any on-site car parking without a significant part of the existing building being demolished, which in terms of the street scene, in a designated Conservation Area, would be undesirable. One letter of support was received from the Eastbourne and District Trade Union Club and Institute Limited.

Amended plans were submitted to enhance the appearance of the proposed ramp following the concerns of the Conservation Area Advisory Group at its meeting on 9 April 2002 and the Historic Buildings Advisor. The revised scheme was now supported and a plan of the preferred option was required.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within 5 years; (2) C1.4 Premises only used for purposes specified; (3) That details of the access ramp shall be submitted to and approved by the Head of Planning before the scheme hereby approved is commenced.

Together with such conditions as recommended by the Historic Buildings Advisor and considered appropriate by the Head of Planning.

**(NOTE:** Councillor Stevens declared a personal non-prejudicial interest in this item as a supporter of Mencap and spoke and voted thereon).

**(5) EB/2002/0357(LA) - Argyll Court, Faygate Road - provision of disabled ramps and access paths to service communal main entrances to blocks 17-24 and 25-32 Argyll Court - HAMPDEN PARK.** This application was deferred at the meeting held on 6 August 2002 for further consideration of the precise alignment of the access path between the two communal entrances. The alignment of the pathway had been reconsidered but the limited space available prevented any significant amendment to the line of the path without compromising the ability to link into the level platform outside the entrance to Block 17-24. This would make the pathway unusable by disabled people in wheelchairs, which was the principal reason for the proposed path. The Highways Manager raised no objections to the proposal. Two letters of objection were reported from local residents. Mr Avis addressed the Committee against the proposal.

**RESOLVED: (By 5 votes to 2) Permission granted** subject to condition D1.1 Commencement of development within five years.

**(6) EB/2002/0548(LA) - 36A Manor Road - provision of off-road parking and vehicular access - HAMPDEN PARK.** The Assistant County Archaeologist and the Highways Manager raised no objections to the proposal.

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

**(7) EB/2002/0620 - 48 Crawley Crescent - single storey front extension - HAMPDEN PARK.** Four letters of objection were reported from local residents.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within five years; (2) A3 Use of matching materials.

**(8) EB/2002/0545(LA) - 6 Reedham Road - provision of off-road parking and vehicular access – LANGNEY.** The Highways Manager raised no objections to the proposal.

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

**(9) EB/2002/0605(LA) - 3 Reedham Road - single storey extension to rear of property – LANGNEY.**

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within five years; (2) A3 Use of matching materials.

**(10) EB/2002/0412 - 35 & 37 Bembridge Road - erection of double and single garage block to serve 35 & 37 Bembridge Road – LANGNEY.** The Highways Manager, Environment Agency and the County Archaeologist raised no objections to the proposal.

**RESOLVED: Permission refused** on the grounds that the proposed garage block by virtue of its scale, size, appearance and position would be detrimental to the visual amenities of the area and would, therefore, be in conflict with Policy CT1 in the Adopted Local Plan (1998) and Policy UHT1 in the Revised Deposit Draft (2001-2011).

**(11) EB/2002/0446(OL) - 17 Granville Road - demolition of existing building and erection of five-storey block of nine two-bedroom flats and a four-bedroom penthouse, together with lower ground floor car parking – MEADS.** The observations of the Highways Manager, Historic Buildings Advisor and the Downland, Trees and Woodland Manager were set out in the report. Seventeen letters of objection/comment were reported from local residents. The Eastbourne Society raised objections to the loss of the building.

**RESOLVED: (By 6 votes to 2) Permission granted** subject to conditions (1) Approval of the details of siting design, landscaping, external appearance and means of access of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority by application before any 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 either 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 later; (4) A9.3 Submission and approval of landscaping scheme; (5) C5.3 Hours of demolition and construction; (6) A2 Submission of samples of facing materials; (7) No part of the replacement block of flats shall be higher than the main ridge of the existing building to be demolished; (8) Secure and enclosed cycle parking, to serve residents of the proposed development, shall be provided on the basis of one bicycle space for each unit of accommodation.

**(NOTE: Councillor Stevens declared a personal non-prejudicial interest in this item as the applicant was an acquaintance and spoke and voted thereon).**

**(12) EB/2002/0576 - 43/45 Cornfield Road - change of use from retail (Class A1) to offices (Class A2) – MEADS.** A letter from the applicant was reported at the meeting.

**RESOLVED: (By 3 votes to 2 on the casting vote of the Chairman) Permission refused** on the grounds that the proposed change of use would be detrimental to the viability and vitality of the designated secondary retail area, and therefore would be contrary to Policy SH7 of the Eastbourne Borough Plan which states that:

*Within the secondary area of the town centre (S2 on the proposals map), proposals for the change of existing ground floor shopping units from class A1 uses to uses in classes A2 and A3 will be considered having regard to the following criteria:*

- a. the location and prominence of the premises within the shopping frontage;*
- b. the floorspace and frontage of the premises;*
- c. the number, distribution and proximity of other ground floor premises in use as, or with planning permission for, Class A2 and A3 uses;*
- d. the particular nature and character of the use proposed, including the level of activity associated with it;*
- e. whether the use would give rise to noise or disturbance.*

(NOTE: A motion that the application be granted was negated by 3 votes to 2).

**(13) EB/2002/0611 - 14 Grove Road - erection of conservatory at rear – MEADS.** Three letters of objection were reported from local residents and a business premises in the area. A further condition was requested for the provision of sound insulation.

**RESOLVED: Permission granted** subject to condition D1.1 Commencement of development within five years; (2) The proposed conservatory shall be double glazed and shall be subsequently maintained as such to the satisfaction of the Head of Planning.

**(14) EB/2002/0618 - Black Robin Farm, Beachy Head Road - conversion of existing farm building into a shop and ancillary storage, lean-to roof over farmhouse yard with additional access through wall and hardstanding for refreshment area and new parking area – MEADS.** The Highways Manager, Local Plan Officer and the Sussex Downs Conservation Board raised no objections to the proposal. Four letters of objection were reported from local residents and the Meads Community Association.

**RESOLVED: Permission granted** subject to no objections being received before the deadline for consultation on 13 November 2002 and to condition D1.1 Commencement of development within five years.

**(15) EB/2002/0606(ADV) (CONS AREA) - various sites along the promenade from Holywell to Sovereign Harbour - display of replacement non-illuminated directional signs in miles for "Walking for Health" scheme and display of four information boards - MEADS, DEVONSHIRE & SOVEREIGN.** The Conservation Area Advisory Group at its meeting on 22 October 2002 raised no objections to the proposal.

**RESOLVED: Express consent granted.**

**(16) EB/2002/0487(OL) - Land fronting Upland Road and East Dean Road to the west of Ridglands Close - development of site to provide purpose-built children's nursery (outline application - amended scheme) - OLD TOWN.** The application for the provision of a purpose-built children's nursery on the land, which was refused on 16 July 2002, was now the subject of an appeal. The Local Plan Officer advised that the proposal remained contrary to Borough Plan Policy and was detrimental to the setting of the AONB. The observations of the Highways Manager were set out in the report. The Council's Downland, Trees and Woodland Manager raised concerns and considered that the scheme did not sit well within the area. Sixteen letters of objection and seven of support were reported from local residents. Additional letters and a petition in

support of the application were reported at the meeting.

Mr B Smith, Mr R Manders and Councillor Leggett addressed the Committee against the proposal and the applicant responded.

**RESOLVED: Permission refused**, in line with the previous decision taken by the Committee on 16 July 2002, on the grounds that (1) The proposal constitutes an undesirable extension of inappropriate development in a sensitive area, outside the designated Built-up Area Boundary of the town, which, in the absence of any overriding need, is contrary to the Local Planning Authority's recognised policy of locating development, including community facilities, within the established urban area. As such, the proposed development is considered to be contrary to Policy NE1 of the adopted Borough Plan (Policies NE1 and LCF19 of the revised deposit Draft Borough Plan); (2) The Local Planning Authority considers that this land is unsuitable for the proposed development because it would be detrimental to both the amenities of the occupiers of nearby residential properties and the enjoyment of users of the adjoining open space by reason of its incongruous character and appearance, the noise and bustle associated with such a form of development and the increase in motorised traffic likely to be attracted to the land to which the application relates.

**(17) EB/2002/0549 - Memorial Field Sports Ground, Paradise Drive - formation of two netball courts with perimeter fencing - OLD TOWN.** The Environment Agency and the Highways Manager raised no objections to the proposal. The observations of the Downland, Trees and Woodland Manager were set out in the report. Thirteen letters of objection/comment were reported from local residents. Miss T Why addressed the committee against the proposal and the applicant's agent responded. Members requested that a higher fence be sought.

**RESOLVED: (By 4 votes to 3) Permission granted** subject to conditions (1) D1.1 Commencement of development within 5 years; (2) That details of the proposed chain link fence and its supports shall be submitted to and approved in writing by the Head of Planning before the development hereby approved is commenced.

**(NOTES:** (1) A motion that the application be refused was negated by 4 votes to 3).

(2) Councillor Stevens declared a personal non-prejudicial interest in this item owing to an association with the applicant and spoke and voted thereon).

**(18) EB/2002/0585 - Victoria Baptist Church, 7 Eldon Road - siting of portable building at rear of church for use as additional meeting rooms - OLD TOWN.** The observations of Transco, Health and Safety Executive and the Highways Manager were set out in the report.

**RESOLVED: Permission granted** subject to condition D5.1 Temporary permission until 30 November 2007.

**(19) EB/2002/0458(OL) - The Garden House, Huggetts Lane - erection of bungalow with parking for two cars - RATTON.** The Highways Manager and the Downland, Trees and Woodland Manager raised a number of concerns. The observations of Wealden District Council and the objections of the adjoining Parish Council's Planning Committee were set out in the report. One letter of objection was reported from a local resident.

**RESOLVED: Permission refused** on the grounds that (1) The proposed bungalow would, by reason of its backland location and the large loss of established trees, result in a form of development not in harmony with the appearance and character of the local environment. As such, the proposed development is in conflict with the Policies CT1 and CT3 of the adopted Eastbourne Borough Plan (Policies UHT1 and UHT5 of the Revised Deposit Draft Eastbourne Borough Plan 2001-2011); (2) The restricted width of the existing private driveway, to be used to gain access to the proposed dwelling, would likely to cause congestion with the consequent risk of additional danger to all road users and interference with the free flow of traffic. As such, the proposed development is in conflict with Policy HO18 of the adopted Eastbourne Borough Plan and Policy TR3C (Road Safety) of the approved East Sussex and Brighton and Hove Structure Plan 1991-2011.

**(20) EB/2002/0507 - Land within the curtilage of 61 Magnolia Walk - erection of detached two-storey four-bedroomed dwelling with integral garage - RATTON.** The Highways Manager raised no objections to the proposal.

**RESOLVED: Permission granted** subject to the prior conclusion of Section 106 legal agreement (relating to compensatory flood storage provision) and to conditions (1) D1.1 Commencement of development within five years; (2) A2 Submission of samples of facing materials; (3) A8 No walls etc. in front of building line; (4) That details of the proposed driveway construction and any associated drainage measures shall be submitted to and approved by the Head of Planning before the development hereby approved is commenced.

**(21) EB/2002/0528 - 14 Alder Close - change of use to Ambulance Station Training Centre and Back Up Control Centre (sui generis use) - ST. ANTHONY'S.** The Head of Regeneration supported the proposal. The Local Plan Officer, Health and Safety Executive and the Highways Manager raised no objections to the proposal.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within 5 years; (2) C1.4 Restriction of use applied for.

(NOTE: Councillor Mrs Pooley declared a personal non-prejudicial interest in this item as a relative was an employee of Sussex Ambulance Service NHS Trust and did not speak or vote thereon).

**(22) EB/2002/0592(LA) - 7 Churchdale Road - single storey extension providing ground floor bedroom and shower room - ST. ANTHONY'S.**

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within five years; (2) A3 Use of matching materials.

**(23) EB/2002/0593 - Site Q, adjacent the Outer Harbour - variation of condition regarding the height of the apartment buildings (approved by EB/2002/0367(RM), together with the erection of an electrical sub-station, the provision of bin stores and the widening of the vehicular access to the beach access road – SOVEREIGN.** The observations of the Crime Prevention Design Adviser, on behalf of Sussex Police and the Highways Manager were set out in the report. The Environment Agency had objected to the widening of the access road.

**RESOLVED: Permission granted** subject to conditions (1) The conditions attached to outline consent EB/95/267(OL), granted on 13 August 1997, and reserved matters consent EB/2000/0367(RM), granted on 13 August 2002, are reiterated and, unless otherwise discharged to the satisfaction of the Local Planning Authority, should be complied with to ensure the validity of the planning permission; (2) A1 Submission of details of facing materials.

**(24) EB/2002/0571 - Site M Pacific Drive - siting of temporary site sales office, site agents office and show flat – SOVEREIGN.** The observations of the Highways Manager and the Environment Agency were set out in the report. One letter of comment was reported from a local resident. In response to the concerns of the Highway Authority it was noted that a customer car park and a boundary fence would be provided.

**RESOLVED: Permission granted** subject to conditions (1) D5.2 Use of land until 30 November 2004; (2) Metal railings, details of which shall be approved in writing by the Head of Planning, shall be erected within one month from the date of the grant of this permission, in the position as shown on drawing no, 2855/3.17, and thereafter maintained in such a position until the sales office is removed on or before 30 November 2004.

**(25) EB/2002/0224(RM) - Site M Pacific Drive, Sovereign Harbour - erection of 26 three-storey town houses and 110 apartments together with garages and ancillary works (amended scheme) – SOVEREIGN.** The observations of the Council's Access Officer, Strategy and Development Manager, Eastbourne Access Group, Head of Tourism Development, English Heritage and the Highways Manager were set out in the report. The Environment Agency had withdrawn its previous objections to the proposal. The Crime Prevention Design Adviser, on behalf of Sussex Police and Southern Water raised no objections to the proposal. Four letters of objection were reported from local residents.

**RESOLVED: Permission granted** subject to the prior conclusion of a Section 106 legal agreement to ensure that the estate roads, footways and beach footpath are accessible, at all times to the public, and to conditions (1) The conditions attached to outline consent EB/95/267(OL), granted on 13 August 1997, are reiterated and,

unless otherwise discharged to the satisfaction of the Local Planning Authority, should be complied with to ensure the validity of the planning permission; (2) The new estate roads and inter-linking footways shall be designed and constructed to a standard approved by the Local Planning Authority fully in accordance with the East Sussex Manual for Estate Roads with a view to their subsequent adoption as publicly maintained highways; (3) Prior to the commencement of the development on site detailed drawings, including levels, sections and constructional details of the proposed roads, emergency access to the beach and footpaths, surface water drainage and street lighting to be provided shall be submitted to the Local Planning Authority and be subject to approval in consultation with the Highway Authority; (4) A1 Submission of details of facing materials; (5) Should any boundary treatment not abut the footway across the frontage of the site, with Pacific Drive, the area will be made good with exposed cobbles set on a concrete bed, details of which to be submitted to and approved in writing by the Head of Planning; (6) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982, with an overall capacity compatible with the site being drained.

Together with such other conditions as recommended by the Highway Authority and considered appropriate by the Head of Planning.

**(26) EB/2002/0551(RM) - Area L Sovereign Harbour - erection of a block of 22 flats with basement parking and associated works (revised proposal to plots 40-49 of EB/1999/0585) – SOVEREIGN.** Three letters of representation were received from the proprietors of the Bay View Caravan Park, and two local residents. Wealden District Council raised no objections, subject to the support of the Environment Agency. The Environment Agency had withdrawn its previous request for deferral as information had been submitted in respect of floor levels. The Highways Manager and Southern Water raised no objections to the proposal. The observations of the Crime Prevention Design Adviser, on behalf of Sussex Police and the Means of Escape and Access Officer were set out in the report.

**RESOLVED:** That the reserved matters of siting, design, external appearance pursuant to outline planning permission reference EB/95/0267(OL) **be approved** subject to condition that the conditions attached to outline planning permission EB/95/0267(OL), granted on 13 August 1997, are reiterated and, unless otherwise discharged to the satisfaction of the Local Planning Authority, should be complied with, to ensure the validity of the planning permission and to ensure that the development is carried out in a satisfactory manner.

**(27) EB/2001/0693 - Land at the rear of 7 Hartfield Road - erection of a bungalow (amended plans) – UPPERTON.** This application was deferred at the meeting held on 15 January 2002 at the request of the applicant. Two letters of objection were reported from local residents. The County Archaeologist and the Environment Agency raised no objections to the proposal. Southern Water raised objections as a public sewer crossed the site. The Downland, Trees and Woodland Manager raised concerns that the proposed works would have a detrimental impact on the health and stability of the protected Walnut tree. It was reported that the applicant had proposed the removal of the vehicular access.

**RESOLVED: (By 5 votes to 2) Permission refused** on the grounds (1) That due to the restricted size of the plot, the proposal would result in a cramped form of development and would appear incongruous to the established building pattern in the area and would be out of keeping with the character and appearance of the surrounding locality; (2) That for the above reason, the proposal fails to comply with Policy CT1 of the Eastbourne Borough Plan (1998) which states that:

*New development will be expected to harmonise with the appearance and character of the local environment and be appropriate in scale, form materials, setting, alignment and layout, particularly in and adjoining listed buildings.*

(3) That the siting and construction of the proposed vehicular access along with the excavation works required to provide satisfactory drainage to serve the proposed development will be likely to have an adverse effect on the health and stability of the protected Walnut tree to the detriment of the visual amenities of the locality.

**(NOTE:** A motion that the application be deferred was negated by 5 votes to 3).

**(28) EB/2002/0083 - Land adjacent to 17 Bedfordwell Road - detached two-storey dwellinghouse with**

**garden shed (amended application) – UPPERTON.** The Environment Agency raised no objections to the proposal and the observations of the Highways Manager were set out in the report. Two letters of objection were reported from local residents in respect of the amended scheme.

**RESOLVED: Permission granted** subject to conditions (1) D1.1 Commencement of development within five years; (2) A2 Submission of samples of facing materials; (3) That details of any walls or fences to be erected shall be submitted to any approved by the Head of Planning before the development commences; (4) A9.1 Submission and approval of landscaping scheme; (5) That before development is commenced, details of site drainage shall be submitted to and approved by the Head of Planning; (6) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from any new parking areas or hardstandings shall be passed through trapped gullies to BS 5911:1982 with any overall capacity compatible with the site being drained; (7) C5.3 Hours of operation (during construction).

#### **34. PLANNING APPEALS –**

**(a) SITE AT MARYLAND, 9 BRAND ROAD – EB/2001/0532. The appeal against the decision of the Council to refuse permission for change of use from residential to children's nursery was dismissed by the Inspector for the following reasons:**

The main issue relating to the appeal was the effect of the proposal on the residential amenities and character of the area and the likely effect in terms of traffic and road safety.

Evidence was submitted regarding the local impact of the nursery as currently operated, particularly at peak times. The activity associated with children arriving and departing was considered to cause some disturbance to local residents as well as road safety hazards. It was considered that the problems would be likely to worsen if the number of children and employees were allowed to increase.

With regard to the proposed off-street parking, it was considered that this could have some benefits, but the car park would itself be a source of noise, close to the rear garden of the neighbouring property. The use of the access to an extent greater than normal residential use, at a point where parked cars were likely to obstruct visibility, could create potential hazards. The car park would also detract from the residential character of the area.

It was considered that the neighbouring occupiers concerns regarding loss of privacy if the use of the first floor as a nursery were allowed were justified. The more intensive use of the appeal premises would be likely to result in the increased use of the outside space, and would increase the likelihood of disturbance being caused to neighbouring occupiers.

**(b) SITE AT POLICE STATION, GROVE ROAD – EB/2002/0229(DET). The appeal against the decision of the Council to refuse to grant prior approval for the installation of telecommunications equipment was allowed by the Inspector for the following reasons:**

The main issue relating to the appeal was whether any harm to the character and appearance of the area which might be created by the proposed equipment would be outweighed by the technical need for an installation in the location.

It was concluded that from the evidence submitted, there was a clear technical need for the installation to provide a satisfactory level of signal coverage to the target area. The main installation would compose a replacement flagpole and would in many respects resemble the flagpole positioned on the Town Hall. It was doubted whether any discernable difference would be apparent between the existing flagpole and that proposed, even though it was slightly larger. It was concluded that the effect on the visual amenity of the area would be negligible. The remaining elements of the installation would be visually subsumed within the general clutter of the roof structures and would be barely visible from ground level, if at all.

The overall conclusion was that the effects of all or any part of the installation on the visual amenities of the area would be minimal, and that such very limited harm as might be created by the development in total would be outweighed by the technical need for the installation.



**35. 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 are shown beneath the items.

**36. SUMMARY OF CONFIDENTIAL PROCEEDINGS FOR INFORMATION.**

(NOTE: The full minutes of the undermentioned items are set out in the confidential section of these minutes. The reports remain confidential).

**(a) LAND ADJACENT TO CRUMBLES RETAIL PARK, PEVENSEY BAY ROAD.** The Committee agreed that a special meeting of the Planning and Licensing Committee be held to consider the appeal relating to planning application no EB/1999/0448.

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

**(b) FITZMAURICE GARAGES, FITZMAURICE AVENUE.** The Committee agreed that a further report be submitted to the next meeting of this Committee.

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

**The meeting closed at 7.05 p.m.**

C J BERRY

Chairman