

Tuesday, 1 March 2016
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)
Councillors Jenkins, Miah, Murdoch, Robinson, Taylor and Ungar

145 Minutes of the meeting held on 2 February 2016.

The minutes of the meeting held on 2 February 2016 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

146 Apologies for absence.

There were none.

147 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

There were none.

148 4 St James Road. Application ID: 151369.

Change of use from light industrial unit, to single residential unit. Installation of pitched roof to create enlarged habitable living area. New windows to front, rear, side elevations and installation of roof lights. Landscaping works and provision of parking space to front of dwelling – **DEVONSHIRE**. One letter of objection had been received.

The relevant planning history for the site was detailed within the report. A letter had been received from the applicant in support of the application responding to the issues raised and summarised as follows:

- Building regulation drawings had been commissioned which demonstrated that the heights and clearances of all spaces within the dwelling would comply with the standards of building regulations.
- The proposal would create a new dwelling in a town centre location, which was considered a sustainable location in planning policy terms.
- The outlook from the property was no different to that experienced from the neighbouring houses recently approved at 6-10 St James Road.
- It could be possible to address some of the concerns raised by reconfiguring the upstairs area to provide an enlarged bedroom and bathroom to the rear (thereby creating a one bedroom unit), or alternatively to create a single storey residence.

A further letter had been received on 1st March from the applicant which enclosed three further letters of support from adjoining residents. The following additional comments were made:

- Should the application be refused a further industrial business could be set up within the existing building within its lawful planning use thereby resulting in loss of residential amenity for surrounding occupiers.
- The continuation of the industrial use could result in additional commercial vehicular movements along St James Road creating disruption for surrounding residential occupiers.

A neighbour had commented on the guttering on the proposed development and its protrusion over the boundary line. They had suggested that the rain water gutter at the base to the new pitched roof should be located on top of the proposed external wall and not projecting across the boundary line. Their surveyor understood that the proposed development's external wall defined the boundary line.

The committee was advised that in Paragraph 15 of the officer's report it was stated that the site was located in a town centre location. Whilst the location had the characteristics of a town centre due to its proximity to shops, services and public transport; it did not fall within the town centre boundary denoted by the Town Centre Local Plan (adopted November 2013).

RESOLVED: (4 votes to 5 on the Chairman's casting vote) That permission be refused on the grounds that the size, internal layout and poor outlook the proposed residential dwelling is considered to provide substandard living accommodation that would not protect the residential amenity of future residents. This is contrary to policy B2 of the Core Strategy Local Plan 2013.

Appeal:

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

149 9 Willowfield Road. Application ID: 151334.

Proposed change of use from a single dwelling into a 7 roomed HMO – **DEVONSHIRE**. Two objections had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor for Waste were also summarised.

The observations of the East Sussex County Council Highways department had been received and were summarised as follows:

- The proposed change of use from a single dwelling (currently licenced as a 6 room HMO) to a 7 room HMO did not represent a significant increase in potential traffic generation or parking demand.
- The site was close to town, was well connected to local amenities and transport links.
- Due to property layout, off-street parking could not be provided.
- The level of car ownership associated with the site was highly likely to be lower than for privately owned accommodation.
- It was not considered that a recommendation for refusal could be justified as there would be no severe impact, therefore the proposal was in accordance with NPPF.
- The applicant may wish to include cycle storage to promote alternative transport.

The Specialist Advisor for HMO Licencing stated that:

- The property was well managed
- The council had not received any complaints with regards to the property.

A further objection had been received and was summarised as follows:

- There were many HMOs in the area, with accommodation let to non-students and students.
- There had been numerous problems associated with HMOs were evident in the area, e.g. noise, anti-social behaviour, poorly managed refuse issues, car parking issues and "studentification".
- There had been two past instances of residences in Willowfield Road being used for the supply of drugs, both requiring police intervention.
- A survey of local owner residents would confirm the above issues and that the area could not cope with further HMO properties.

A statement had been received from the applicant in support of the application responding to the issues raised by objectors and was summarised as follows:

- The landlord had the managed property since 2010 and took great pride in providing tenants with decent and affordable accommodation, which enhanced the local area and community. Prior to this the property had been badly managed and neglected. It had been on the market for many months, there was no interest from family purchasers.
- Considerable investment in renovation had been made in the property which required significant maintenance. As well as on-going maintenance and repair works the landlord wished to make further improvements to ensure they could keep the dwelling up to current day standards.
- The landlord actively managed the property, working with tenants to ensure they were comfortable and satisfied with their accommodation whilst ensuring they recognised their role and impact within the immediate neighbourhood.
- Over the last 6 years the landlord had assisted dozens of people to establish themselves in the local labour and housing markets.

Typically tenants stayed between 1-3 years and moved on to self-contained living, renting or purchase their own homes.

- The landlord had never knowingly had any behavioural problems amongst tenants.
- The landlord regularly talked to immediate neighbours to ensure there were no issues, making sure the property was kept clean and tidy, bins properly managed, etc.
- The minority of 'landlords' did not take the same proactive approach and create a bad name for decent landlords.

For clarification the accommodation schedule for the approximate floor space available for each room (including the proposed room) at 9 Willowfield Road was as follows:

- Bedroom 1, 9.6m²
- Bedroom 2, 13.4m²
- Bedroom 3, 11.5m²
- Bedroom 4, 10.2m² + 1m² built-in cupboard space
- Bedroom 5, 13.7m²
- Bedroom 6, 8.8m²
- Bedroom 7 (proposed room), 11.3m²

RESOLVED: (By 7 votes with 1 abstention) That permission be refused on the grounds that the proposal by reason of the creation of the 7th bedroom within the property would result in an over-concentration of independent living rooms and a consequent reduction in communal space. It is considered that this arrangement would provide (in planning terms) a poor quality living environment.

Appeal:

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

150 35 Compton Drive. Application ID: 151315.

Loft conversion with dormer and three roof lights to front elevation, and dormer to rear elevation – **OLD TOWN**. Three objections had been received.

This application was deferred at Planning Committee on 2 February 2016 to enable Members to visit the site and the adjoining properties.

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

RESOLVED: (By 7 votes with 1 abstention) That permission be granted subject to the following conditions: 1) Time Limit 2) Approved drawing 3) Materials to match 4) PD windows.

151 Site 1, Off Martinique Way, Reserved Matters. Application ID: 151056.

Application for approval of reserved matters (Access, Appearance, Landscaping, Layout and Scale) together with discharge of conditions 2(part), 3(part), 9(part), 16, 19, 22, 24, 28, 29, 39, 40, 41 and 47 following outline approval (Ref: 131002) for the development of Site 1, Sovereign Harbour for 72 Residential Units, consisting of 62 Apartments over two blocks, and 10 houses – **SOVEREIGN**. 67 letters of objection had been received. Columbus Point Residents Association and the Management Company and Sovereign Harbour Residents Association had also objected.

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

The observations of the Specialist Advisors for Arboriculture and Conservation, East Sussex County Council Highways department, Strategy and Commissioning - Planning Policy, the Design Review Panel, the Environment Agency, Historic England, the County Ecologist and Southern Water were summarised within the report.

The committee was advised that the Lead Local Flood Authority's (East Sussex County Council) comments were summarised as follows:

'Further information and an additional condition was requested in relation to the maintenance and management of the proposed SUDs Scheme.

Additional comments received from five neighbouring properties were reported and broadly covered the same objections that had already been received. The committee was advised that although not yet formally received by the Council, it was understood that an online petition against the development had received over 500 signatures following a Facebook campaign.

Columbus Point Residents Association had made further comment summarised as follows:

- The amendments during the course of the application did not overcome concerns raised.
- The development impacted on existing properties from increased activity in terms of noise/disturbance.
- The gap between apartment blocks would create a wind tunnel.
- The proposed plans serious impact on the ability to move shingle on the site.
- With regard to the play area was there sufficient parking and toilet facilities?

Mr Levy addressed the committee in objection stating that the development would impact on residential amenity and the maintenance of the shingle on the adjacent beach.

Mr Cameron addressed the committee in objection stating that the site could not cope with a development of this size, the open space was needed for the community and that the development would cause parking and traffic issues in and around the site.

Mr Gregory addressed the committee in objection stating that the development was not in keeping with the surrounding area and contrary to Council policy. He also felt that the development would affect the visual amenity of residents and affect the amount of daylight to neighbouring properties. Mr Gregory also agreed that the development would cause parking and traffic issues in and around the site.

Ms Scudder addressed the committee in objection stating that a petition of 559 signatures had been collected in objection to the development within the last two weeks. She also stated that many residents used the recreation land. Ms Scudder also agreed that the development would cause parking and traffic issues in and around the site, a reduction in daylight and noise issues.

Mr Weeks addressed the committee in objection stating that site did not have the necessary social infrastructure due to the lack of community facilities at the Harbour.

Mrs Weeks addressed the committee in objection to a perceived conflict with the Sovereign Harbour Supplementary Planning Document.

Ms Nagy, agent for the applicant, addressed the committee in response stating that all technical requirements for the site had been met in line with the original approval for development on the site. The design parameters had been consulted on. Parking controls for the site would be developed in consultation with the local community. Ms Nagy also stated that the separation between buildings meant that there would be a break in the view for adjacent homes, light and shade had also been assessed. The appearance of the development was deliberately different from the surroundings to create a landmark development, with landscaping protecting the open spaces. The Environment Agency and Premier Marina were aware that they would need to find an alternative solution to the shingle replacement programme currently in place.

The committee discussed the application in detail and requested that the East Sussex County Council parking review be carried out at the earliest opportunity.

RESOLVED: (By 7 votes with 1 abstention) That the reserved matters application be granted subject to 1) a S106 agreement:

The Heads of Terms for the S106 to cover:

- Highway contribution and parking review
- Specification for refurbishment of Martello Tower to include services heads and conduits to provide independent services to the Martello Tower and method statement for marketing of the tower for/to a new end user of the Martello Tower
- Refurbishment of the Martello Tower to be in accordance with the approved specification and be completed before the commencement of the third phase/block of development
- Linkages between the existing legal agreement from the outline planning application and the new/revised play space (if approved).

2) And subject to the following conditions 1) Highways – Accesses for houses 2) Highways – shared space shall be available for pedestrians and cycle access 3) No plant or machinery to be installed to roofs of any houses or flats 4) Approved drawings 5) Prior to the first occupation of any of the residential units hereby approved a plan shall be submitted identifying residential demarcation (assigned plot boundaries). This plan shall endorse that the residential demarcation shall end at the seaward end of the proposed decking 6) The soft landscaping hereby approved shall be implemented in full prior to the first occupation of phase of the development to which it relates. The soft landscaping as implemented shall be protected (Barrier fencing) from the construction of later phases of the development 7) Once implemented the soft landscaping areas to the seaward side of the development (outside of the residential demarcation zone) shall be maintained by the applicant (or a management company assigned by them) and at no time shall the areas be supplemented (planted) by species selected by the home owner 8) Details of Sustainable Drainage to include the maintenance and management regime for the proposed sustainable drainage.

Informative:

Highways – need for a licence for construction of accesses.

152 Site 1, Access Spur, Martinique Way. Application ID: 160007.

Proposed amendments to the roundabout access spur into Site 1, off Martinique Way, Sovereign Harbour – **SOVEREIGN**.

The relevant planning history for the site was detailed within the report. The observations of East Sussex County Council Highways department and the Environment Agency were also summarised. Southern Water made no comment.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time for commencement 2) Approved drawings 3) The works hereby approved shall be implemented in accordance with the details hereby approved before the substantial completion of any of the residential units approved under reserved matter application 151056.

153 Site 1, Play Space, Martinique Way. Application ID: 160009.

Application for outline planning permission (all matters reserved) for proposed location of equipped play zone linked with the development of Site 1 Sovereign Harbour – **SOVEREIGN**. Two general observations had been received.

The relevant planning history for the site was detailed within the report. The observations of Parks and Gardens, the Specialist Advisor for Engineering and Southern Water were also summarised. Sovereign Harbour Residents Association made no comment.

RESOLVED: (By 3 votes with 5 abstentions) That outline planning permission be granted subject to revisions to existing S106 agreement to control the delivery and ownership of the play space and the following

conditions: 1) Submission of reserved matters 2) Time frame for commencement 3) Details of layout shall include details of equipment and materials of surfacing and railings.

154 Upwick Road Drainage. Application ID: 161192.

Variation of condition 11 of permission EB/2011/0193(FP) for the demolition of the garages to the rear of 2-8 Upwick Road and the erection of 6 houses and garages, parking spaces, landscaping and amendments to vehicular access from Upwick Road, and external alterations to 2/ 4 Upwick Road to remove the entrance door at the side and form a new entrance door at the front. Variation sought: the disposal of foul water from the site into the existing drain at the rear of 7 Dillingburgh Road – **OLD TOWN.**

This application was reported to Planning Committee in February 2016 and proposed the retention of the relocated pumping chamber. Members resolved to defer determination of this item in order that officers could seek clarification from the developer in terms of the foul sewer connection to Upwick Road. Members view was that the sewer connection should follow that previously approved by the appeal Inspector and by Eastbourne Borough Council via the discharge of conditions.

The developer has heeded the advice of members and has re-dug a new sewer trench/line such that the connections now accord with the approved details.

Members were advised that the occupiers of No2 Upwick Road expressed their thanks to Planning committee for ensuring compliance with the previously approved scheme.

RESOLVED: (Unanimous) That permission be granted and the condition discharged.

155 Tree Preservation Order No.176. Land at 63 Carlisle Road.

The Committee considered the report of the Senior Head of Community seeking confirmation of a tree preservation order on the above land. One objection had been received and the officer's response was detailed within the report.

RESOLVED: That the Eastbourne Borough Council Tree Preservation Order - Land at 63 Carlisle Road, Eastbourne, East Sussex No. 176 (2016) be confirmed without modification.

156 South Downs National Park Authority Planning Applications.

There were none.

The meeting closed at 8.35 pm

Councillor Murray (Chairman)