

Tuesday, 21 November 2017  
at 6.00 pm



## EBC Planning Committee

Present:-

**Members:** Councillor Murray (Chairman) Councillor Coles (Deputy-Chairman)  
Councillors Choudhury, Jenkins, Miah, Murdoch, Robinson and  
Taylor

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### **65 Minutes of the meeting held on 24 October 2017.**

The minutes of the meeting held on 24 October 2017 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

### **66 Apologies for absence.**

There were none.

### **67 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.

### **68 Ridgelands, 2 Upland Road. Application ID: 170943.**

Erection of two separate two and a half storey buildings, containing a total of 8no. 2 bed flats and 2no. 1 bed flats, and associated external works following demolition of existing dwelling, including new access from Upland Road **OLD TOWN**.

Two additional objections were reported at the meeting and referred to size, design and parking issues.

The East Sussex County Council Suds team had confirmed that the additional information submitted addressed their concerns. They requested a number of additional conditions to ensure surface water runoff from the development was managed safely, should the application be approved.

Mr Farrin addressed the committee in objection stating that the scale and appearance of the development was too large. He also raised concerns about the proximity of the development to the South Downs National Park one of the main entrances to Eastbourne. Mr Farrin felt that the design would be out of keeping and harmful to the street scene.

Mr Newton-Brown addressed the committee in objection stating that the development was too high and an overdevelopment of the site. He felt that there would be an increase in parking issues.

Councillor Dow, Ward Councillor, addressed the committee in objection stating that the proposal would be an overdevelopment and out of keeping with the surrounding area.

The Senior Specialist Advisor for Planning advised the committee that computer generated images produced by objectors and shown to committee, were not provided by the architect or agent and therefore were indicative only and their accuracy could not be confirmed.

During the debate, Councillor Coles sought to read a letter from Councillor Ungar and the legal advisor advised that this was not permitted.

The committee widely discussed the proposal, the previous decision and the Inspectors decision and agreed that the design was still an overdevelopment due to the design, bulk and mass of the proposed building. The Members also agreed that the sizes of some of the rooms in the proposed development were too small.

A motion to approve the application, proposed by Councillor Murdoch and seconded by Councillor Taylor was lost 3 votes to 5.

The Senior Specialist Advisor for Planning advised that any reason for refusal should be in line with the previous refusal; to introduce other reasons would open the Council to a claim of costs.

**RESOLVED: (By 5 votes to 3)** That permission be refused on the grounds that:

- 1) The proposed buildings, by reason of their design, bulk, mass, siting and orientation would be out of character with the prevailing pattern of development in the area and would also have an overbearing and unneighbourly relationship to the occupiers of the nearby residential properties. The development would therefore fail to comply with policies B2 and D10a of the Eastbourne Core Strategy Local Plan 2013, Policies UHT1 and UHT2 and HO20 of the Eastbourne Borough Plan (Saved policies) 2007 and paragraphs 56-66 of the National Planning Policy Framework.
- 2) There is no mechanism in place to secure a Local Labour Agreement in accordance with the Local Employment and Training SPD dated November 2016.

#### 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.

**69 5 Meads Street. Application ID: 171179.**

Change of use of ground floor and basement from A2 Professional Services to B1 Offices – **MEADS**.

A further 72 comments of support and a petition signed by 28 colleagues of the Foodbank was reported at the meeting.

Mr Scard, Meads Community Association, addressed the committee in objection stating that the Association supported the Foodbank, however, they did have concerns about the loss of a retail shop.

Mr Lees addressed the committee in support stating that the unit had been empty for three years and was not suitable for retail due to the restriction of the window height for display purposes.

Mr Wardle, applicant, addressed the committee in response stating that over 800 people had sought assistance from the Foodbank in October 2017. There was a clear need for the facility in Eastbourne and the site would only be used as office space.

The committee were advised that should they wish to support the foodbank, but had reservations regarding the broad Class B1 use, then it was in their gift to grant a 'personal' permission to the foodbank. This would mean at the end of the Foodbanks operations at the property the lawful use would revert back to that of Class A2, meaning any permanent change of use would require a further application.

Councillors agreed this approach would overcome concerns regarding the permanent change of use whilst supporting a worthwhile charity.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions:

1. Time for commencement.
2. The building shall not be open to members of the public other than for consultation by appointment only,
3. No food shall be allocated/distributed direct to the customer/client from the site
4. Shall only be open to members of staff between the hours of 0800 and 1800 Monday to Saturday.
5. The use hereby permitted shall be carried on only by Foodbank Eastbourne and the premises shall only be operated in accordance with the details submitted within the approved Design and Access Statement or any condition of this permission. The permitted use shall be for a limited period being the period during which the premises are occupied by Foodbank Eastbourne. Should this business and or the operations detailed in the Design and Access Statement cease to operate from the premises the use shall return to the former lawful use of Class A2.

**Informative:**

This consent does not grant permission for any external alterations to the building.

**70 35 Wallis Avenue. Application ID: 171051.**

Proposed development of two, two bedroom flats - **SOVEREIGN**.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions:

1. Time for commencement
2. Approved drawings
3. Matching materials
4. Parking areas to be provided prior to occupation
5. Parking areas to be constructed in a permeable material or provision made for surface water run off within the site.
6. Cycle parking to be provided to both flats prior to occupation
7. The proposed flats shall have an independent connection to the public sewer.
8. Details of boundary treatments to be agreed and provided prior to occupation.

**Informative:**

Highways

**71 Update on Housing Delivery.**

The committee considered the report of the Director of Regeneration and Planning providing Members with an update on recent housing delivery for the second quarter of the 2017/2018 financial year and the current position in relation to the Five Year Housing Land Supply.

The committee was advised that:

- Housing delivery in Q2 2017/18 was 17 net additional dwellings towards the annual target of 245 units
- A total of 36 units were given permission in Q2 2017/18
- There are 621 net additional dwellings with permission that had yet to commence across 82 sites
- There were 308 units under construction across 46 development sites
- The Housing Land Supply currently stands at 3.36 years.

In the second quarter of the 2017/18 year, a total of 17 net additional dwellings were completed. This was added to the five net additional units that were completed in the first quarter, to make a total of 22 units delivered in the first half of 2017/18. This equated to just 9% of the annual target.

The delivery of 17 units in the second quarter came from 9 sites, with the large individual development being 6 units. The delivery of 17 units was the second lowest delivery of any quarter within the plan period (the lowest being Q1 2017/18).

The delivery of just 17 net additional units in the second quarter 2017/18 was a significantly low level of delivery. Combined with the very low delivery in the first quarter 2017/18 of just 5 units, it was unlikely that the annual target for the year would be met.

Eastbourne currently had a housing land supply equivalent to 1,023 units, which represented 3.34 years supply of land. Therefore a five year housing land supply could not be demonstrated, which meant local plan policies relevant to the supply of housing were out of date and could not be relied upon to refuse development.

**RESOLVED:** That the report be noted.

## **72 Planning Performance for Quarter 3 (July to September) 2017.**

The committee considered the report of the Senior Specialist Advisor for Planning which provided a summary of performance for the third quarter of 2017 (July to September).

The report detailed the following elements:

**Special Measure Thresholds** – Looking at new government targets

**Planning Applications** – Comparing volumes/delegated and approval rates

**Pre Application Volumes** – Comparison by type and volume over time

**Refusals of Applications** – Comparison of ward and decision level

**Appeals** – An assessment the Council's appeal record over time

**Planning Enforcement** – An assessment of volumes of enforcement related activity.

Members were aware that Government had recently introduced new National performance criteria against which all Council's would be judged. Failure to perform against those targets ran the risk of the Council be designated as 'Non- Performing' and special measures would be initiated by Government. The assessment of the draft against this new 'special measure' threshold had two sections - Speed of decision and Quality of decision - and would be reviewing the Council's performance on a backward rolling two year basis, the detail of which was highlighted in paragraph 2.2 of the report.

If the Council were identified as not complying with these standards/criteria they would be declared as 'non performing' and formal designation would follow.

**RESOLVED:** That the report be noted.

## **73 South Downs National Park Authority Planning Applications.**

There were none.

The meeting closed at 7.24 pm

**Councillor Murray (Chair)**