

Planning Committee

MEMBERS: Councillor UNGAR (Chairman); Councillor HARRIS (Deputy Chairman); Councillors HEARN, LIDDIARD (as substitute for Taylor), JENKINS, MIAH, MURRAY and Mrs WEST.

(An apology for absence was reported from Councillor Taylor)

33 Minutes.

The minutes of the meeting held on 27 September 2011 were submitted and approved and the Chairman was authorised to sign them as a correct record.

34 Declaration of Interests.

Councillors West and Liddiard declared a prejudicial interest in Item 8 EB/2011/0521 Manor Gardens, Gildredge Park stating that they had both previously spoken against the proposals at Cabinet and full Council meetings. Councillor Murray declared a prejudicial interest in Item 8 EB/2011/0521 Manor Gardens, Gildredge Park item stating that he had previously spoken in favour of the scheme at a Cabinet meeting. Councillors West, Liddiard and Murray withdrew from the committee whilst this application was considered. Councillors West and Liddiard addressed the committee as Ward Councillors for this item.

35 Report of Head of Planning on Applications.

1) EB/2011/0413 - Land at the rear of 28 Milnthorpe Road - Erection of a detached dwelling with parking area (following demolition of existing garage and garden structures) – **MEADS**. Four letters of objection had been received.

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

The observations of the County Archaeologist, Highway Authority and the Council's Conservation Officer were detailed within the report.

RESOLVED: (By 7 votes with 1 abstention) That permission be granted subject to the following conditions: 1) Commencement of development 2) Plan numbers 3) Floor levels 4) Working hours 5) Tree protection 6) Samples of materials 7) Details of joinery 8) Drainage details 9) Restriction of permitted development rights 10) Restriction of permitted development rights (windows) 11) Retention of timber door 12) Boundary details 13) Archaeological access

2) EB/2011/0430 - 235-237 Seaside - Display of fascia and projecting sign – DEVONSHIRE.

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

Mr Vieler addressed the committee in objection stating that a number of residents had not been consulted.

Mr Godfrey applicant addressed the committee in response presenting the committee with information relating to noise pollution, Fire Risk Assessments, ventilation and refrigeration storage.

The committee were advised that the Council had fulfilled its obligation with regarding to public consultation on this application by way of site notice posted at the applicant site.

The committee considered the comments of the objector and applicant, and agreed that due to the late submission of objections and supporting documentation from the applicant, the application should be deferred.

RESOLVED: (Unanimous) That this application be deferred pending further information regarding late objections and ventilation equipment.

3) EB/2011/0442 - 235-237 Seaside - Change of use of ground floor from A1 (retail) to A5 (hot food takeaway) – DEVONSHIRE. One letter of objection had been received.

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

The observations of Environmental Health and Highways were detailed within the report.

Mr Vieler addressed the committee in objection stating that a number of residents had not been consulted.

Mr Godfrey applicant addressed the committee in response presenting the committee with information relating to noise pollution, Fire Risk Assessments, ventilation and refrigeration storage.

The committee were advised that the Council had fulfilled its obligation with regarding to public consultation on this application by way of site notice posted at the applicant site.

The committee considered the comments of the objector and applicant, and agreed that due to the late submission of objections and supporting documentation from the applicant, the application should be deferred.

RESOLVED: (Unanimous) That this application be deferred pending further information regarding late objections and ventilation equipment.

4) EB/2011/0444 - Kings Centre, Edison Road - Erection of a new fire door opening and the erection of an advertising signage board – **HAMPDEN PARK.**

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

The committee discussed the application and raised concerns regarding the style of the proposed advertisement and the frequency with which the advertisements would be changed. Consequently the committee agreed that the application should be deferred pending further information.

RESOLVED: (By 7 votes to 1) That this application be deferred pending further information on the detail of the proposed advertisement.

5) EB/2011/0451 - Land to rear of 15 Hartfield Road - Erection of three two bedroom self-contained flats with off street parking at front – **UPPERTON.** Six letters of objection had been received.

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

The observations of the Highway Authority, Council's Conservation Officer, Planning Policy, Southern Water, Cleansing Contracts Manager and County Archaeologist were detailed within the report.

At their meeting on 30 August 2011 the Conservation Area Advisory Group stated several objections to the proposal, which were detailed within the report.

The committee were concerned that the application was an overdevelopment of the site. In addition Members asked that No.15 Hartfield Road be referred to the Difficult Properties Group.

RESOLVED: (Unanimous) That permission be refused on the following grounds: 1) The proposed development would significantly reduce the established openness between the existing residential properties to the detriment of the distinct character, appearance and historic significance of Upperton Conservation Area and Area of High Townscape Value contrary to policies UHT1, UHT4, UHT5, UHT15 and UHT16 of the Eastbourne Borough Plan 2001-2011. 2) The proposed development represents an inappropriate form of backland development that, by reason its massing and close proximity to adjoining residential properties, would be inharmonious and unneighbourly resulting in an over-development of the site to the detriment of the established residential amenities of neighbouring occupiers with particular regard to loss of light and outlook and substandard amenity space for the occupiers of No. 15 Hartfield Road and the future occupiers of the proposed property when compared with surrounding properties. As such, the proposal is contrary to policies UHT1 and HO20 of the Eastbourne Borough Plan 2001-2011. 3) No financial contribution has been received to offset the impact of the development on the Local Sustainable Accessibility Improvements Contributions scheme, and the proposal therefore conflicts with policy TR2 of the Eastbourne Borough Plan 2001-2011. 4) The elevation plans submitted provide insufficient information to assess the

impact of the development on the existing historic wall fronting Eversfield Road.

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

6) EB/2011/0471 - 42 Summerdown Road - Proposed conversion of roof including erection of dormer window facing Old Camp Road and the insertion of rooflight windows to all other elevations – **OLD TOWN.**

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

The committee raised concerns regarding the number and style of windows proposed in elevations facing the boundaries of the property.

RESOLVED: (By 4 votes to 3) That permission be refused on the grounds that the proposals by reason of the proliferation of roof light windows would materially affect the character of the host property and as such would materially affect the visual amenity and character of the area.

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

7) EB/2011/0487 - Land North East of Alder Close – Temporary 30m high Wind Monitoring Mast - **ST ANTHONYS.**

The observations of National Air Traffic Services, the County Archaeologist, the council's Economic Development Officer, Highway Authority and Planning Policy were detailed within the report.

RESOLVED: (By 5 votes with 3 abstentions) That permission be granted subject to the following conditions: 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission. 2) The development hereby permitted shall be placed on site for a period of twelve months only, and thereafter all equipment shall be removed and the land reinstated to its former condition. The local planning authority shall be given one months notice in writing of the date of the installation of the equipment and shall give a written response confirming the date by which it must be removed. 3) The proposed development shall be carried out in strict accordance with the drawings identified as LAYOUT and 30ME-KW1 received on 21 July 2011.

8) EB/2011/0521 - Manor Gardens Gildredge Park - Installation of new skate park within Manor Gardens (Gildredge Park). Alternative proposal: **Option A:** Skate equipment (7 pieces) will replace existing basket ball equipment. Max height of new equipment 1.66m (excluding hand rails). New equipment to be steel framed, infill steel base/side panels and capped with 'skatelite' ramp surfacing. No external illumination. **Option B:** Skate park equipment, solid form and constructed from concrete. No external illumination – **UPPERTON.** 32 objection standard response

notifications had been received from local residents. There were also a further 29 objection responses to Local Residents Survey from local residents. The main issues had been detailed within the report. During the second phase of consultation on the amended proposals 21 objection individual responses had been received and forwarded to Councillor Liddiard, and an additional 50 letters of objection had been received. Six letters of support had been received. The committee were informed of the representations received following the production of the report which included a further eight letters of support from the Tennis Club and East Sussex County Councillor Rodohan and eight letters of objection.

There was no relevant planning history but the site was recently discussed at Cabinet. The minute extract was included within the report.

The application had been submitted by the Parks and Gardens Dept of the Council following the resolution from Cabinet on the 7th September 2011.

The application had been amended since it was originally submitted and now proposed two alternative schemes. The change to the application had followed consultation with likely users of the proposed facility. In proposing the two different schemes (and subject to both options being supported) would then enable both schemes to be fully explored prior to implementation.

The observation of County Highways and Environmental Health were detailed within the report.

At their meeting on 11 October 2011 the Conservation Area Advisory Committee stated that whilst both of the development options were debated, the Group resolved that on conservation grounds Option A would be preferable as it would be less permanent and thereby more readily reversible and therefore less impactful upon the long term character of the Old Town Conservation Area.

Members noted that the gates to Manor Gardens would continue to be closed at dusk. This added to the non illumination of the site would help to mitigate the issue of antisocial behaviour.

Mr Mary Corran – Friends of Manor Gardens and Gildredge Park, addressed the committee in objection stating that the proposals were inappropriate and would be detrimental to residential amenity. Mrs Corran also raised concerns regarding the cost of the scheme the dangers o the users of the skate park and the large numbers of objectors.

Mr Loxley-Harding addressed the committee in objection stating that the design would be out of keeping with the surrounding area, would cause noise disturbance and was secluded and therefore did not comply with RoSPA safety suggestions for skate parks. Mr Loxley-Harding also highlighted skating as a male dominated sport.

Mr Dakin addressed the committee in objection stating his concerns with regard to numbers using the proposed skate park, noise levels and policing and management of the site.

Mrs White addressed the committee in objection stating that the noise, rubbish and bad language would have a huge impact on her family due to their proximity to the proposed skate park.

Mrs Madell addressed the committee in support of the application stating that the proposed skate park would be a positive change for the younger generation in Eastbourne especially providing facilities in the west of the town.

Mrs Surridge addressed the committee in support stating that she knew many of the potential users of the proposed skate park through her children and grandchildren and that they were well behaved young people who needed a facility to help hone their skills in a safe environment.

Francis Mackay addressed the committee in support stating that he had taught tennis in Gildredge Park for a number of years and whilst there had been some problems associated with youth in the park, it was in his experience that the more a site is used the less likely there was to be antisocial behaviour and that currently the basketball court was very neglected.

Tom Gaurdoin addressed the committee in support stating that skating was sport that was increasing in popularity and that the numbers of skaters was increasing in Eastbourne citing Eastbourne Extreme as a well attended event. Mr Gaurdoin stated that whilst the Sovereign skate park was a good site, skaters needed different sites to practice and improve their skills in other areas. Many skaters had been dedicated to creating a skate park in the west of the town for over three years.

Councillor Liddiard, Ward Councillor for Upperton, addressed the committee in objection stating that the proposed skate park would be detrimental to the ambient and tranquil nature of Manor Gardens and raised safety concerns regarding access for emergency vehicles. There would be an increase in noise pollution and it would be detrimental to neighbouring properties. Councillor Liddiard also highlighted the large number of objections to the site.

Councillor West, Ward Councillor for Upperton, addressed the committee in objection stating concerns regarding noise pollution, and potential antisocial behaviour. Councillor West felt that the proposed skate park would be detrimental to neighbouring properties and that it was inappropriate in the secluded Manor Gardens. Councillor West also raised concerns regarding the level of funding available for the scheme.

Councillor Heaps, Ward Councillor for Old Town, presented the committee with a petition of 57 signatures in support of the proposed skate park. Councillor Heaps stated that the facility would be a small skate park on an existing basketball court and that the potential users would be respectful of neighbouring residents. The skaters needed space to hone their skills in different environments and the skate park would provide this facility. The existing basketball court would be relocated. The skate park was a much needed facility for youth in the west of the town.

Leigh Palmer, Development Manager informed Committee that the applicant had commissioned an acoustic report in order to outline the existing background noise levels and the likely noise impacts of the proposal upon the residential amenity of the occupiers of nearby properties. Committee were informed of the conclusions of this report.

Mr Palmer also addressed the concerns raised by the speakers stating that Health and Safety aspects of the site would be within the RoSPA guidelines; Mr Palmer also stated that the site was accessible by a number of footpaths and did not therefore feel the site was secluded. In addition Mr Palmer stated that the cost of the scheme would be no more than the £85,000 lottery funding allocated.

The committee discussed the proposal and the site highlighting its proximity to facilities such as a café and public conveniences, and the evolving nature of Manor Gardens over generations. The site was currently a tarmac basketball court and the committee agreed that facilities for youth were needed in the west of the town. The committee also appreciated the residents concerns regarding noise and antisocial behaviour. Councillor Hearn raised concerns regarding any potential access to the site during construction. Councillor Harris asked about the materials of a barrier as suggested by the Environmental Impact Consultant. Councillor Jenkins raised concerns regarding the hours of use, health and safety, access to the park and future maintenance costs.

Mr Palmer, Development Manager, addressed the committees concerns stating that the proposed skate park closing time would be the same as Gildredge Park, and reminded Members that the planning merits of the site should be assessed and judged on material planning grounds. Mr Palmer advised that any barrier to the site would be a timber fence which would act as a sound barrier.

The committee expressed their support for option B over option A. The committee were assured that each option would be considered on its merits before a final decision was made regarding materials should the application be approved.

(NB: Councillors Liddiard, Murray and West withdrew for the committee whilst this item was considered).

RESOLVED: (By 4 votes to 1) Option A: That permission be granted subject to the following conditions: 1) Time Limit 2) Notwithstanding the details (Option A or Option B) submitted with this application and prior to any development commencing at the site full details of the layout and construction type and external appearance of the skate park including details, if appropriate of barrier fencing and documentation confirming that the noise levels would be consistent with that submitted to accompany this application by MAS Environmental (and received 24th October 2011) shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site prior to the use commencing and be retained as such thereafter.

3) Construction method statement including access details 4) No external illumination 5) Number and location of refuse facilities to be submitted 6) Cycle parking facilities 7) Gates to be locked to the skate park at same time as Manor Gardens

RESOLVED: (By 4 votes to 1) Option B: That permission be granted subject to the following conditions: 1) Time Limit Conditions 2 & 3 to be merged to read (2) Notwithstanding the details (Option A or Option B) submitted with this application and prior to any development commencing at the site full details of the layout and construction type and external appearance of the skate park including details, if appropriate of barrier fencing and documentation confirming that the noise levels would be consistent with that submitted to accompany this application by MAS Environmental (and received 24th October 2011) shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site prior to the use commencing and be retained as such thereafter 3) Construction method statement including access details 4) No external illumination 5) Number and location of refuse facilities to be submitted 6) Cycle parking facilities 7) Gates to be locked to the skate park at same time as Manor Gardens

36 South Downs National Park Authority Planning Applications.

None reported.

37 Eastbourne Park Supplementary Planning Document.

The committee considered the report of the Senior Head of Development and Environment informing Members of the Draft Eastbourne Park Supplementary Planning Document. The report enabled Members to make any amendments, in preparation for the forthcoming consultation period, which was scheduled to commence on 4th November, 2011, and to run until 27th January, 2012.

Members were advised that the Draft Eastbourne Park Supplementary Planning Document (SPD) had been prepared to set out a clear strategy for the future management of Eastbourne Park as an ecological, archaeological and leisure resource that benefited both residents and visitors. It provided details on the interpretation of Policy D11: Eastbourne Park of the Eastbourne Plan (Proposed Submission Core Strategy) and establishes a vision for the Park:

"By 2027, Eastbourne Park will provide a unique, accessible and sensitively managed 'green heart', which makes a significant contribution to the social, economic, environmental and physical well-being of the community".

The Eastbourne Park SPD would play an important role in conserving and enhancing the existing environmental, ecological and archaeological characteristics of Eastbourne Park, whilst at the same time sensitively managing the area for appropriate leisure and recreation uses. It would be used in the determination of planning applications within Eastbourne Park's boundaries.

The decision to prepare an SPD follows cross-party recognition of the importance of Eastbourne Park and the need to protect it for existing and future generations. The Park already functioned as an important flood plain and an area of archaeology, ecology, and leisure/recreation interest. The Council acknowledged, however, that the Park was an under-utilised resource, which required additional protection and a clear vision and framework for its future use. The decision to adopt the document in its final form, after consultation and any necessary further revisions, as part of the Local Development Framework, would lie with the Full Council.

The report proposed that Cabinet approve the Draft Eastbourne Park Supplementary Planning Document prior to the commencement of a 12-week consultation period. It summarised the main points and issues contained in the document.

NOTED.

38 Additional Meeting – 13 December 2011.

Members were advised that an additional special Planning meeting had been scheduled for Tuesday 13 December 2011.

NOTED.

The meeting closed at 9.40pm.

**Councillor Ungar
(Chairman)**