

Planning Committee

MEMBERS: Councillor UNGAR (Chairman); Councillors HARRIS (Deputy

Chairman) and Councillors HEARN, HOWLETT (as substitute for

Jenkins), MIAH, MURRAY, TAYLOR and Mrs WEST.

(An apology for absence was reported from Councillor Jenkins)

63 Minutes.

The minutes of the meeting held on 28 February 2012 were submitted and approved and the Chairman was authorised to sign them as a correct record.

64 Declaration of Interests.

Councillors Harris and Taylor a prejudicial interest in items 5 and 8, Bourne County Primary and Parklands Infants respectively, as members of East Sussex County Council Planning Committee, and did not take part in the debate or vote thereon.

65 Report of Head of Planning on Applications.

1) EB/2011/0783 - 41 Susans Road (courtyard behind Susans Road) - Redevelopment of site comprising part demolition of existing building, erection of 2 no. 2 bedroom semi-detached houses, one no. 2 bedroom bungalow, together with conversion of existing offices into two flats (Outline Application) - DEVONSHIRE. Four letters of objection had been received and were summarised within the report. One further letter of objection was reported at the meeting.

The observations of Cleansing Contracts, Planning Policy, Highways and Sussex Police were detailed within the report.

Mr Guy addressed the committee in objection querying several points of the proposal including siting of demolition skips, sewer / drainage treatment and the completion of conditions attached to the development.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time limit 2) Reserved matters 3) Hard and soft landscaping to be submitted 4) Method of demolition and construction 5) Foul and surface water details to be submitted 6) Materials to be submitted 7) Obscure glazing to windows 8) Details of floor levels 9) External detailing to be submitted 10) Details of cycle parking 11) Removal of vehicular access / dropped curb 12) Removal of alley gate (Susans Road) 13) Construction and demolition times 14) Removal of PD rights 15) Treatment and removal of Japanese knotweed 16) Refuse and recycling facilities to be

submitted 17) Means of enclosure to be submitted 18) Retaining access to public sewers 19) In accordance with approved plans.

2) EB/2012/0020 - Wish Tower Restaurant King Edwards Parade - Planning Permission is sought for the demolition of redundant life expired café building. Part of the building to be retained to protect/support the wall of the Wish Tower pending agreement with English Heritage regarding the removal of the final section of the restaurant building – MEADS. Letters of objection from John Foyle, Meads Community Association and the War Memorial Trust were detailed within the report. Three further letters of objection and two letters of support had been received and the main points summarised within the report. Two further letters of objection and one of support were also reported at the meeting.

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

The observations of the Conservation Officer, Planning Policy, English Heritage, Southern Water, Sussex Police, Wealden District Council, East Sussex County Council Archaeological Officer, Environment Health Development, and Natural England were detailed within the report.

Members were advised of the material planning considerations that could be considered when determining the application. It was noted that it was usual in conservation areas for the design of a replacement building to be known before allowing demolition. This would protect townscapes so that gap sites were not left in streets. The Wish Tower site was unusual in this respect in that it did not fall within the usual criteria of assessment. In this case there would be little difference to the landscape if the site was temporarily vacant.

The applicant's acknowledge that given the nature of the works involved and their proximity to the Wish Tower that consent was needed from English Heritage for Schedule Ancient Monuments Consent (SAMC). Discussions had commenced with the relevant officers from English Heritage and their guidance and advice on issues relating the requirements of the SAMC had been sought.

Mr Riseley, Meads Community Association addressed the committee in objection stating that the he was unsure that the site required demolition due to being unsafe. Mr Riseley was concerned that an iconic replacement restaurant would be too expensive and unappealing for residents.

Mr Murray addressed the committee stating that there had been insufficient work carried out to find a replacement and that a plan should be in place before its demolition. Mr Murray questioned the quality of the survey conducted into the condition of the building. Mr Murray was also concerned that the site would remain empty for a long time.

Mr Boyle, Foyle Estate, addressed the committee in objection stating that he would like somewhere for residents to be able to sit and enjoy the seafront and that there had been some confusion about the re-opening of the Wish Tower Café. Mr Boyle was also concerned about the temporary relocation of the memorial plaque.

Councillor Liddiard, Upperton Ward and Shadow Cabinet, Tourism Portfolio Holder, addressed the committee in objection stating that the building should be repaired and re-opened and that it should not have been allowed to fall into such disrepair. Councillor Liddiard called for a structural survey and asked that a replacement building be agreed prior to any demolition.

Councillor Elkin, Conservative Group Leader, raised concerns regarding the decision to demolish the site and stated that an alternative should be sought prior to demolition. Councillor Elkin was concerned that English Heritage would not agree to a replacement on this site once the existing building had been removed.

The Development Manager advised the committee of the two previous planning briefs regarding the site and again reiterated the material planning grounds that could be considered. The Development Manager also stated that the intention to demolish had been stated on two occasions and that the applicant did not wish to bring the site back into use. Pictures of a potential temporary replacement were shown to Members; however this scheme was simply illustrative as to the type of potential future scheme.

The committee discussed the application in detail and the lack of large numbers in support or objection to the proposal. Members highlighted concerns regarding the potential for English Heritage to resist a replacement building at the site, Members would have also liked to see a proposed replacement. The committee were keen to know the location of any temporary replacement. It was also considered that the removal of the café may, in fact; improve the visual amenity of the site.

RESOLVED: (By 5 votes to 3) That permission be granted subject to the following conditions: 1) Time Limit 2) Archaeological mitigation of the development, hereby approved, shall be undertaken in accordance with the approved written scheme of investigation (for an archaeological building recording & archaeological watching brief on all ground works associated with the development) submitted with the planning application, and within 6 months of the completion of the watching brief, a report on the archaeological findings shall be submitted by the applicant and approved in writing by the local planning authority and the works shall be undertaken in accordance with the approved details. 3) Within three months from the date of this approval a planning application for a scheme for a temporary replacement facility shall be submitted to the Council. The details as approved shall be implemented in full within six months from the date of the approval of the temporary offer and be retained as such until replaced by a permanent building or removed form the site within three years from the date of this approval which ever is the sooner. 4) Within two years from the date of this approval a scheme for a permanent building shall be submitted to the Council. The details as approved shall be implemented at the site within three years from the date of the approval of the permanent building. 5) Prior to the closure of any parts of the seafront (promenade, access, Western Lawns) details of measures to prohibit public access and the times and period for these measure to be implemented on site shall be

submitted to and approved in writing. 6) Unless controlled via the Scheduled Ancient Monument Consent then prior to the demolition commencing a demolition method statement shall be submitted to and approved in writing by the Local Planning Authority. The demolition shall only occur in accordance with the approved details. 7) Prior to any demolition commencing at the site a detailed photographic record of the dedicatory plaque shall be submitted to and approved in writing by the Local Planning Authority. In addition, a statement shall be submitted in writing to the Local Planning Authority stating how the Plaque will be removed from its current position in a manner to secure its integrity and also outlining where the Dedicatory Place will be re-sited/located so as to afford Public Access during the demolition and construction phases of this project. The details as agreed shall be implemented in full.

3) EB/2012/0024 - Residents of Meads Playing Association (ROMPA), Upper Carlisle Road - Installation of floodlighting to the hard courts adjacent to the western boundary, comprising nine 6.7m high columns supporting ten luminaries - MEADS. Three letters of representation had been received.

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

At their meeting on 21 February 2012, the Conservation Area Advisory Group raised no objections to the proposal.

The Conservation Officer considered that the proposal would have minimal impact on the conservation area, in view of the existing lights and the proposed painted finish.

RESOLVED: (Unanimous) That permission be refused on the grounds that: It had not been adequately demonstrated that the proposed development would not result in an unacceptable degree of harm to the living conditions of the closest affected occupiers in terms of light spillage and noise, and it therefore conflicts with Policy HO20 of the Eastbourne Borough Plan 2001-2011.

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.

4) EB/2012/0029 - Rear of 348-358 Seaside (Proposal to front Finmere Road) - Erection of three two-bedroom terraced houses with associated off road parking – ST ANTHONYS. Seven letters of objection had been received. One further letter of objection was reported at the meeting.

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

The observations of the Trees and Woodland Team, Highways, Planning Policy were detailed within the report.

Mr Boiling addressed the committee in objection stating that the proposal would have a visual impact on his property, and that it was an over development of the site, and would be in close proximity to surrounding houses. Mr Boiling was also concerned about the loss of parking.

Miss Witherow addressed the committee in objection stating that the proposal would be too high and that parking would be seriously affected with the loss of three spaces.

RESOLVED: (By 6 votes to 2) That permission be granted subject to the following conditions: 1) Time limit 2) Hard and soft landscaping to be submitted 3) Foul and surface water details to be submitted 4) Materials to be submitted 5) Details of floor levels 6) Position of access 7) Car park details to be supplied incorporating details to prevent surface water running onto the footway 8) Details of cycle parking 9) Construction and demolition times to be limited to 9am to 6pm, Monday to Friday only 10) Removal of PD rights 11) Refuse and recycling facilities to be submitted 12) Means of enclosure to be submitted 13) Windows in the NW & SE elevation at first floor level shall be obscure glazed 14) In accordance with approved plans

5) EB/2012/0098 - Bourne County Primary School - Replacement of boundary fence – **DEVONSHIRE**.

(NB: Councillor Harris and Taylor, as East Sussex County Council Planning Members did not take part in the debate or vote thereon)

RESOLVED: (By 6 votes) That East Sussex County Council be informed that this Council raised no objections to the proposal.

6) EB/2012/0110 - 202 Terminus Road - Conversion of the existing building into a 65 bed hotel restaurant and flexible commercial space at the ground floor. Rear side extension and external alterations – **MEADS**. Letters of objection had been received from the Eastbourne Hospitality Association, which included a petition containing 97 signatures objection to the scheme. Councillor Stanley Portfolio Holder for Tourism & Leisure on Behalf of Tourism also submitted a letter of objection to the proposal. Two letters of support had been received.

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

The observations of the Conservation Officer, Planning Policy, Sussex Police Crime Prevention Officer and Southern Water were detailed within the report.

Mr Weir, Eastbourne Hospitality Association addressed the committee in objection stating that there had not been any consultation to use this site as a hotel and that it would be contrary to council policy. Mr Weir also raised concerns about the parking in and around the site.

Mr Deering, Reef Estates, addressed the committee stating that the application would create between 60-70 jobs. The site had been marketed for six years and the Co-operative had not received any offers for its current permission (Flats and retail on the ground floor). No plant would be

visible from the ground floor and Mr Deering also stated that ample parking was available in a multi storey car park 75m from the site. It was hoped that a hotel in this location would boost the local economy and provide additional accommodation options for visitors.

The Development Manager advised that this application was not contrary to Council Policy and had been highlighted in the Town Centre Area Action Plan as a potential site for a hotel in 2011.

Members agreed that a hotel in this location would be good for the Town Centre economy and that in general, users of such hotel were likely to be a different demographic to those visiting for longer periods and should therefore enhance the accommodation offer.

RESOLVED: (By 5 votes to 3) That subject to S106 agreement detailing local employment issues, permission be granted subject to the following conditions: 1) Commencement of development 2) Samples of materials 3) Time restriction for demolition, site clearance or building operations 4) Accordance with plans 5) Window details and spefication drawings 6) BREEAM assement accreditation 7) Details of Plant and Machinery 8) Details of refuse facilities 9) Details of loading and unloading 10) Foul and surface water disposal

7) EB/2012/0123 - Eastbourne Car Auctions - Change Of Use From Indoor Go Kart Track (Sui Generis) To Mix Use, Motor Vehicle Auctions, Car And Van Rental Offices, Vehicle Body Shop And Garage, Mot Testing Station And Associated Offices, Restaurant And Parking, Together With Associated External Alterations Including Demolition Of Part Of Existing Building At 46 Brampton Road – HAMPDEN PARK. One further letter of objection was reported at the meeting.

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

The observations of Building Control, Estates Department, Economic Development, Wealden District Council and Planning Policy were summarised within the report.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time Limit 2) Approved Plans 3) External materials of new building works 4) Foul and surface water disposal 5) Details of staff and customer parking at the site.

8) EB/2012/0178 - Parklands Infant School, Brassey Avenue - Provision of two single mobile classrooms, to be located to the south-west (site A) and north-east (site B) of the main school building for a temporary period of four years to August 2016 - HAMPDEN PARK. One letter of objection had been received. One further letter of objection and a petition of 34 signatures was reported by Councillor Hearn. Councillor Hearn advised that a further 16 letters of objection had been submitted to East Sussex County Council.

Members discussed the current parking issues surrounding this site and the potential for major disruption to residents and students alike, should additional classrooms be granted. Members agreed that there was a need for additional spaces at the school; however felt that the existing issues should be resolved prior to any consent.

(NB: Councillor Harris and Taylor, as East Sussex County Council Planning Members did not take part in the debate or vote thereon)

RESOLVED: (**By 6 votes**) That East Sussex County Council be informed that this Council raised the following concerns to the proposal: Members asked that a travel plan for the school be developed and that parking issues should be resolved before any permission be given to the application. Members also suggested that permanent classrooms be provided for students.

66 South Downs National Park Authority Planning Applications.

The committee considered the report of the Development Manager informing and updating Members of the implications of handing back the planning function to the South Downs National Park Authority after 31 March 2012.

As Members will be aware The South Downs National Park Authority (SDNPA) adopted its full administrative powers in April 2011.

Eastbourne, along with the 14 other Local Authorities had been included in the new park boundary signed a Legal Agreement to enable then to act as an agent for the SDNPA in terms of pre application advice and also processing and determining planning applications on their behalf. This agency agreement was arranged in order to assist the SDNPA in lifting some of the burden of work whilst their new organisation and infrastructure was established and bedded in.

The SDNPA had identified that their chosen 'back office' software provider was different to that currently used by Eastbourne. This added to the very low volume of applications that were received for the parts of Eastbourne that fall within the National Park had resulted in Eastbourne withdrawing from the agency agreement. Eastbourne along with Wealden, Arun and Brighton and Hove Councils had all withdrawn from the agency agreement.

The SDNPA now had an establishment large enough to begin to take control over the planning function for those Councils withdrawing from the agency agreement as referred to above. In acting as the determining planning authority the SDNPA had committed to consult with Eastbourne on every application that was deposited with them. On receipt of this consultation the application and the issues involved would be reported to the Chair of Planning Committee at the weekly delegated meeting and, if issues arose, the views of the Eastbourne Borough Council would be reported in writing and would be reported to the Planning Committee of the SDNPA if there was a difference of opinion between the SDNPA case officer and the views of Eastbourne Borough Council. The formal consultation process as outlined above did not prohibit any Eastbourne Member or constituent from making their views known direct to the SDNPA.

NOTED.

67 Draft Torfield Conservation Area Appraisal and management Plan

Members considered the report of the Planning Policy Manager seeking authority for consultation on the draft Torfield Conservation Area Appraisal.

Members noted that the draft Torfield Conservation Area Appraisal set out the special interest of the area and reviews the boundary of the existing Conservation Area, with a recommendation for the boundary to remain as it was.

The draft Torfield Conservation Area Appraisal set out the special interest of the area and reviews the boundary of the existing Conservation Area with a recommendation for an extension to the boundary. The conservation area extension would provide control over the demolition of historic properties and works to trees within the area. The Torfield Conservation Area Appraisal was the fourth of a rolling programme of appraisals.

The purpose of the draft **Torfield Conservation Area Appraisal** was to define the special architectural and historic interest of the designated area in the form of a detailed character analysis. The Character Appraisal includes a review of the Conservation Area boundary. The draft Appraisal also contained a Management Plan, which aims to manage change in ways that maintain and strengthen the area's special qualities.

Further to the recommendations made by Planning Committee on the 31st January 2012, with regards to the proposal that Mill Gap Road and the associated areas of Torfield Road (south side), Selwyn Road (east side), Arundel Road (north side), St Anne's Road (west side) and Ivy Lane, should be considered for inclusion into the Torfield Conservation Area (Appendix). A site assessment was undertaken in line with the Criteria for extensions to the boundary of the Conservation Areas. The recommendation from this assessment was that with respect to the special interest and character of Torfield Conservation Area, the proposed extensions did not warrant its inclusion into the conservation area, due to the age and the impact of modern development to occur within the area. However, it was agreed that this section of the proposed extension should be included, as part of the public consultation to gain views of the local residents on whether the site should be adopted within the conservation area.

A further site assessment was also undertaken on the west side of Selwyn Road and the associated north side of Arundel Road (No. 1a, 3 and 3a). This again did not meet the criteria set within the Guidance Manual, as the majority of buildings were modern in construction and did not contribute to the special architectural and historical character of the Torfield Conservation Area. It was agreed that no further action on this proposed extension should be taken.

Subject to approval of the recommendations in this report, it was proposed to carry out public consultation on the draft Torfield Conservation Area

Appraisal. The consultation would take place for 12 weeks, starting on the 6th April 2012 and running until the 29th June 2012.

Councillor Liddiard addressed the committee asking that the consultation be carried out as requested and presented a petition of 58 signatures in support of the extension to the Torfield Conservation area as suggested previously.

RESOLVED: (**Unanimous**) That the commencement of the 12 week public consultation period beginning 6 April 2012, be approved.

The meeting closed at 10.37 pm.

Councillor Ungar (Chairman)