

Tuesday 17 April 2012
at 6.00pm

Planning Committee

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

(An apology for absence was reported from Councillor Harris)

68 Minutes.

The minutes of the meeting held on 27 March 2012 were submitted and approved and the Chairman was authorised to sign them as a correct record.

69 Declaration of Interests.

Councillor Coles declared a personal interest in Item 8, 36 Peppercombe Road as a resident of the street and took part in the debate thereon. Councillors Coles, Miah and Murray, and declared a personal and prejudicial interest in Item 10, 98 Seaside Road as members of the Liberal Democrat Party and users of the buildings as their party headquarters and withdrew from the room whilst this application was considered. Councillors Ungar and Hearn had received a special dispensation from the Standards Committee on 10 April 2012 allowing participation and remained in the room and voted on this item.

70 Report of Head of Planning on Applications.

1) EB/2011/0633 – Sovereign Harbour Retail Park - Demolition of existing health and fitness building, formation of a new pedestrian link and the erection of commercial units (Class A1, A2, A3, D1 and/or D2) facing towards the new pedestrian link, with a replacement cinema above. Change of use of the existing cinema to Class A1 Retail Use, and an extension of existing unit 6 for retail purposes, along with new/replacement Mezzanine Floors in the retail units. External works to refurbish the retail units, improvements to the related pedestrian walkway and formation of additional car parking. Provision of new vehicular accesses from Atlantic Drive and Harbour Quay (limited to use only by buses) to facilitate public transport connections between Sovereign Harbour North and Sovereign Harbour South. (Amended proposal:- 1. Application site boundary redrafted 2. Excluding all but the frontages of Units 4b, 5 and 6 from the scheme, 3. Omit rear extension from Unit 6, 4. Units 4C 7 8 12 & 13 to be retail and controlled via a range of goods condition, 5. Contribution towards off site pedestrian footway works.) – **SOVEREIGN.** Comments by the Sovereign Harbour Residents Association, DPP for and on behalf of Sovereign Harbour Limited and Eastbourne's Retained Independent Retail Consultant were summarised within the report. A 38 signature petition of objection had been received

from Town Centre shop keepers. Objections had also been received from the Enterprise Centre, a further 66 letters of support and 30 letters of objection had been received and were summarised within the report.

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

The observations of Planning Policy, Sussex Police Crime Prevention Officer, Turley Associates (acting for freeholder of the Arndale Shopping Centre), CBRE On behalf of Premier Marinas, EBC Environmental Health (Food Hygiene), EBC Arboriculturalist Officer, EBC Economic Development, East Sussex County Council Archaeological Department, Design Review Panel, East Sussex County Highways Department, Wealden District Council and Environment Agency were detailed within the report.

Mr Simon Russian, Legal and General addressed the committee in objection stating that the proposal was contrary to local and national plans and that the scheme should allow for the Arndale development to be the main shopping area for Eastbourne. Mr Russian stated that the scheme would be supportable as long as the changed floor spaces were restricted by Section 106 agreements as detailed within the report (units 4b,5 and 6).

Mr Ashley Pugh, Chamber of Commerce, addressed the committee in objection stating that the proposals for the Town Centre were instrumental to Eastbourne and were much needed and that this out of town scheme should not jeopardise those plans. The offer at Sovereign Harbour should be different to that which was offered in the Town Centre.

Jan Weeks, Sovereign Harbour Residents association, addressed the committee in support stating that the cross harbour link was vital for the residents in the area as was the regeneration of Sovereign Harbour. Both the Town Centre and Sovereign Harbour developments were key to Eastbourne's vision and should be equally supported in order to enhance the offer for all residents and visitors.

Councillor Warner, Ward Councillor, addressed the committee in support stating that the development would be numerous benefits to the residents of Sovereign Harbour including an improved bus links and access to the medical centre for residents on both sides of the Harbour. Councillor Warner felt that the conditions should not be added to the units as the may deter some smaller businesses.

Councillor Elkin, Leader of the Conservative Group, addressed the committee in support stating his thanks to the developers for their consultation with the community and expressed his hopes for the proposed bus link. Councillor Elkin also raised concerns about imposing such restrictive conditions on the new and existing units.

Jonathan Best, PruPrim, addressed the committee in response stating that the development would bring many benefits to Eastbourne, and that there was an overall reduction in open A1 use units. Mr Best felt that as the Arndale Centre development would likely take five years to complete, should the application be approved, Eastbourne needed an improved shopping area

in the immediate future. Mr Best expressed his concerns regarding the proposed restriction on units 4b, 5 and 6 and they were currently open A1 use and stated that such restrictions may prevent the development from progressing.

The committee considered that application, in particular the proposed Section106 restrictions on units 4b,5 and 6. It was considered that as units 5 and 6 were currently in open A1 use, it would be unreasonable to impose restrictions as part of the permission. In conclusion the committee agreed that it would not be appropriate to proceed with the proposed Section106 restrictions on units 5 and 6.

Members also felt that the removal of a continuous canopy to shops would be detrimental to shoppers and asked if this element of the scheme could be reconsidered; however, this element would not prevent the Members granting permission.

NB: (Councillor Jenkins proposed a motion to grant the application omitting the Section106 restrictions on units 4b,5 and 6. The motion was lost 2 votes to 6).

Members resolved to refer the application to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009, with the resolution of Planning Committee that planning permission should be granted subject to the following:-

RESOLVED: (A) (Unanimous) That subject to the satisfactory completion of a S106 agreement covering in broad terms the following issues, the application be granted subject to the heads of conditions as outlined below:-

- Travel Plan
- Local Labour Agreement,
- Delivery of The Bus Link
- Restriction on the goods to be sold from units 4B

Notwithstanding the provisions of the Town and Country Planning Use Classes Order the retail store at 4B as identified on the plans hereby approved shall not be permitted to retail to any extent (other than ancillary) any items from the following list unless end user has been named and agreed in writing by the Local Planning Authority:-

- Fashion (clothing)
- Footwear
- Sportswear
- Children's wear
- Toys
- Food (falling within Use Class A1
- Delivery of a fully funded scheme that promotes improved linkages with and to surrounding infrastructure

RESOLVED: (B) In the event that a satisfactory Legal Agreement can not delivered within an satisfactory timeframe (six months from the date of the committee resolution, unless agreed otherwise) then the application should be refused for the following reasons: It was considered that the terms of reference within the S106 agreement were considered essential

components of this scheme and the failure to deliver all of the components of the S106 would result in a form of development that would potentially not comply with planning policy, have an adverse impact of the local highway network, have an adverse impact upon pedestrian safety, have an adverse impact on local job creation and also may have an adverse impact upon the retail hierarchy of Eastbourne.

Conditions relevant to Recommendation A above:-

The full text of the proposed conditions were outlined below, this was considered necessary in this instance so that Members were fully aware of the proposed controls and limitations as proposed by officers and thus mitigate the potential for a legal challenge over the decision.

(1) Time Limit - The development hereby permitted shall be begun before the expiration of three years from the date of this permission. **(2) Samples** - Samples or precise manufacturers details of the materials to be used in the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

The development shall be carried out in accordance with the approved details. **(3) Hard and Soft Landscaping** - Prior to the commencement of the development a) full details of both hard and soft landscape proposals shall be submitted to and approved by the Local Planning Authority. These details shall include, as appropriate: (i) proposed finished levels or contours; (ii) means of enclosure; (iii) car parking layouts; (iv) other vehicle and pedestrian access and circulation areas; (v) hard surfacing materials; (vi) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); (vii) proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc); (viii) retained historic landscape features and proposals for restoration, where relevant; (ix) planting plans; (x) written specifications (including cultivation and other operations associated with plant and grass establishment); (xi) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; (xii) implementation timetables. b) All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation. **(4) Timetable for landscaping** - All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the development hereby approved opening to the public or in accordance with the programme agreed with the Local Planning Authority. **(5) Cycle storage** - The development shall not be occupied until a scheme for the provision of conveniently

located and secure cycle racks and cycle lockers for customers and staff, and shower facilities for staff has been submitted to and approved in writing by the Local Planning Authority. Upon first occupation of the scheme these facilities shall be provided to the satisfaction of the Local Planning Authority and shall be maintained in operation thereafter. **(6) Location of refuse and recycling facilities** - The development shall not be occupied until details of facilities for the storage of refuse and waste materials and also facilities for the handling and processing of recyclable materials for both the store and customers use have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved and no occupation of the retail store building hereby approved shall occur until those works have been completed. **(7) Exterior lighting** - The development shall not be occupied until details of the technical specification of all exterior lighting, including illuminated signs and lights to be attached to the buildings or sited in the car park and along access roads, have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of times of illumination of all lights and illuminated signs and any variations in brightness. Thereafter the lighting shall continue to be operated only in accordance with the approved details, and no additional lighting shall be installed unless first approved in writing by the Local Planning Authority. **(8) Loading or unloading** - Loading or unloading of goods or materials shall not take place on the land between the hours of 23:00 and 06:00. Details of the method of preventing the use of this service yard between the hours specified shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the service yard and thereafter shall be maintained in operation to the satisfaction of the Local Planning Authority. **(9) Demolition and construction method statement Part 1** - No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority: (i) the proposed methods of demolition, piling, recycling activities and dust suppression and all other construction methods associated with the development; (ii) noise and vibration monitoring arrangements – to be self monitoring by the applicants – for the key demolition and construction phases; and (iii) measures, methods of working and the means of screening the site that will be employed to minimise disturbance to neighbouring properties during all demolition and construction work. No construction or demolition works shall take place outside the following operating hours: 8.00 - 18.00 Monday to Friday. 8.00 - 13.00 Saturdays. No work shall take place at any time on Sundays and Bank Holidays. **(10) Demolition and construction method statement Part 2** - Before any work, including demolition, commences on site a Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This will detail: (i) the estimated volume of spoil to be removed from the site; (ii) a designated route or routes that vehicles may use when removing spoil from the site and all the routes of vehicles delivering construction materials (iii) vehicle wheel cleaning provisions; (iv) road cleaning provisions. Upon approval the Method Statement shall be implemented to the satisfaction of the Local Planning Authority. **(11) Location of trolley parks/bays & prevention of removing trolleys from the site** - Prior to any commercial operator having the desire to use trolleys as part of their commercial operation then details of means to be employed to prevent shopping trolleys from being removed from the application site shall be submitted to and approved in writing by

the Local Planning Authority prior to the commencement of development. Upon opening of the store the agreed measures shall be implemented and maintained in use to the satisfaction of the Local Planning Authority **(12) Foul and surface water details** - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority (ii) Development shall be carried out in accordance with the details approved under ((i) above) and the new commercial development hereby approved shall not open to the public until those works have been completed. (iii) The new commercial development hereby approved shall not open to the public until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development. **(13) Details of the flank of Unit 8** - Prior to the Commencement of Development details of the elevational treatment of unit 8 facing the South Harbour shall be submitted to and approved in writing by the Local Planning Authority. The details shall show improved articulation and active shopfront details. The details as approved shall be implemented at the site prior to the main commercial development coming operational. **(14) Opening times** - The new commercial development (including the Cinema) hereby approved shall not be open to the public except between the following hours:- 06:00 – 24:00 (Monday to Saturday) and 09:00 – 23:00 (Sundays and Bank Holidays) **(15) Restrictive retail (1)** Notwithstanding the provisions of the Town and Country Planning Use Classes Order the retail stores hereby approved within Units 4C, 7, 8, shall not be permitted to retail to any extent (other than ancillary) any items from the following list unless end user has been named and agreed in writing by the Local Planning Authority:-

- Fashion (clothing)
- Footwear
- Sportswear
- Children's wear
- Toys
- Food (falling within Use Class A1)

(16) Restrictive Retail (2) - Notwithstanding the provisions of the Town and Country Planning use Classes Order the units 9,10,11,12, 13, 14,15 and 16 shall not be used for Use Class A1 purposes **(17) Contamination risks** - Prior to the commencement of development approved by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:(i) A preliminary risk assessment which identified:

- All previous uses
- Potential contaminants associated with those new uses
- A conceptual model of the site indicating sources , pathways and receptors
- Potentially unacceptable risks arising from the contamination of the site.

(ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site (iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required

and how they are to be undertaken (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the prior written consent of the local planning authority. The scheme shall be implemented as approved. This condition is sequential and may be discharged at any stage (i)-(iv), provided that the Local Planning Authority is satisfied and advises so in writing. **(18) Remedial measures for contamination** - 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 the Local Planning Authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved. **(19) Piling & Foundation details** - Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. **(20) Clean material** - Nothing other than clean uncontaminated fill materials shall be deposited on the site. **(21) Compliance with FRA** - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (Document Reference: 8341.E.FRA.1A, dated September 2011) and the following mitigation measures detailed within the FRA:

- The scheme shall be based on the proposed flood risk mitigation measures/strategy (Ref: FRA, paragraph 5.2, pages 11/12, and Table 5.2, page 14).

(22) Sewer protection - The developer shall advise the Local Authority in writing of the measures which will be undertaken to protect the public sewers, together with any diversion of the sewers as may be necessary, prior to the commencement of the development. The approved measures and works shall thereafter be implemented for the duration of the construction of the development, and any diversion should be carried out in accordance with timescales which shall first have been agreed by the Local Planning Authority. **(23) Temporary Structures** - (i) No development shall commence (including demolition of existing buildings) until construction access details, and details of the size and location of any temporary structures required during the construction process, together with areas for the storage of materials, and temporary site hoardings, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in full accordance with the approved details and the approved details shall remain in place for the duration of the construction period. Construction and delivery vehicles shall only use the approved access during the construction period (ii) During the construction process all materials, plant and machinery required in connection with the development shall be stored within the confines of the site, and shall be kept clear of all public highways and rights of way. **(24) Gates to Cinema Complex** - Prior to the commercial development hereby approved coming into beneficial use details of all gates and or other mechanisms to be used in order to secure the site when not open and

trading to the public shall be submitted to and approved in writing by the LPA. **(25) Structural Planting** - Notwithstanding the submitted site plans PL(00) 111 REV A, PL(00) 100 REV A , PL(00)110 REV additional areas of structural planting, with trees and shrubs, together with tree pit design for all trees to be planted, shall be included as part of the overall soft landscaping scheme required by condition 3 above. **(26) Directional Signage** - Details of directional signage for both customers and deliveries and to The Waterfront and other local attractions to be provided in the wider area, in locations to be agreed by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority and installed before the commercial development hereby approved opens to the public, and thereafter retained. **(27) Customer Lift** - Prior to the opening of the Cinema hereby approved, a customer lift shall be installed between the ground floor and the Cinema entrance floor level, and shall be retained in working order and made available for customers thereafter at all times when the Cinema is open (except for necessary cleaning and other maintenance). **(28) Carbon reduction infrastructure** - The development shall not be occupied until details of all infrastructure to be installed at the site/development which would be used to reduce the developments carbon footprint. The details as approved shall be implemented at the site prior to the development becoming operational and be retained as such thereafter unless previously agreed in writing by the Local Planning Authority **(29) Provision of parking** - The commercial development hereby approved shall not be operational and trading until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles. In addition the layout of the car park hereby approved shall include access for disabled people, in the form of dropped kerbs (or ramps where appropriate) both to buildings and the communal car parking areas, in accordance with details to be submitted to and approved in writing by the Local Planning Authority before the commencement of development. **(30) Trolley bays** - Prior to their installation at the site the development shall not be occupied until details of the location, number and design of all trolley bays have been submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site and be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority. **(31) Electric vehicle charging points** - The development shall not be occupied until details of electric vehicle charging points (number, location and design) have been submitted to and approved in writing by the Local Planning Authority. The details as approved shall be installed at the site and maintained in working order thereafter for use of customer and staff. **(32) Bus link** - Prior to the commencement of the development detailed drawings (on and of application site) of the proposed bus link roads including levels, sections and constructional details, specification costing, surface water drainage, outfall disposal, timetable for delivery, maintenance programme street lighting and measures to be provided that will enable only bus vehicles to access the bus link to be provided, shall be submitted to the Local Planning Authority and be subject to its approval, in consultation with the County Highways Authority. The bus link hereby approved shall be operational prior to the commercial development becoming operational and be retained as such

thereafter. **(33) Parking spaces** - All 638 spaces, inc 30 Disabled and 18 Parent & Child spaces plus 54 Staff parking spaces, hereby approved shall be made available prior to the commercial development becoming operational and trading to the public and all shall be retained and available for parking thereafter unless previously agreed in writing by the Local Planning Authority. **(34) Location and design of ATM's** - Prior to their installation at the site details of location and design of any ATM's shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site and remain as such thereafter. **(35) Approved plans** - The development hereby approved shall be implemented in accordance with the plans listed within the report unless agreed in writing by the local planning authority: **(39) Plant and machinery** - Prior to the commercial development hereby approved becoming operational details of all plant and machinery (e.g. air conditioning, refrigeration units) including predicted noise levels shall be submitted to and approved in writing by the Local Planning Department. The details as approved shall be implemented at the site and retained as such thereafter. **(40) Surface water drainage** - Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall be based on the proposed drainage strategy (Ref: FRA, paragraph 4.2, page 9 and Table 4.1 "SUDS Options", page 10). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion. **(41) Site Waste** - The development hereby approved shall be implemented in accordance with the content of the Outline Waste Minimisation and Site Waste Management Strategy submitted by Ramboll dated September 2011. **(42) Sub Division (1)** - Notwithstanding the provisions of the Town and Country Planning Use Classes Order the retail units hereby approved (4B, 4C 7 & 8) shall not be subdivided or amalgamated into adjacent units unless previously agreed in writing by the Local Planning Authority. The subdivision and amalgamation of the units shall demonstrate that it would have a have a minimum floor area no smaller than 650 sqm as measured over one floor.

2) EB/2011/0757 13 Lushington Road (CONS AREA) - Erection of a second floor side extension – **MEADS.**

The observations of the Conservation Officer were detailed within the report.

At their meeting on 10 January 2012 The Conservation Area advisory Group raised no objections subject to a sliding timber sash window being installed on the front elevation and the use of yellow brick for the extension.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time 2) Submission of window details 3) Submission of colour details of render 4) Approved drawings 5) Submission of String Course brick details

3) EB/2012/0059(FP) - Burlington Hotel Car Park - Proposed residential development of a four storey block of 12 No. apartments with

associated parking and landscaping, including continued parking provision for the Burlington Hotel – **DEVONSHIRE**. 10 letters of objection had been received.

The observations of Planning Policy, Southern Water, Environmental Health, Highways, Design Review Panel & Conservation Area Advisory Group (CAAG), Conservation Officer, County Archaeologist and Sussex Police were detailed within the report.

Mr Lear addressed the committee in objection stating that the development was out of keeping with the surrounding area and that the proposal would result in an increase in parking and traffic issues for residents.

Councillor Wallis, Ward Councillor, addressed the committee in objection stating that the development would be too large for the site and that there would be a loss of sunlight daylight or the surrounding properties. In addition there would be a loss of privacy for the neighbours and an increase in parking issues and congestion.

Ms Emma Trinder, Morefield Group on behalf of the owners of the site, addressed the committee in response stating that the application and be the result of considerable discussion, alteration and amendment in conjunction with Eastbourne Borough Council requirements. The application had been designed to minimise any impact on the residents of Elms Avenue. The development would be in a good town centre location with access to transport links. Ms Trinder also stated that the design meet the test of suitability in relation to the National Planning Policy Framework.

Members discussed that application and requested that officers conduct further negotiations for an additional disabled space. Additional conditions relating to slab level and bird control measures should also be included.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Commencement of development within three years 2) Samples of materials to be submitted 3) Details of all windows, doors and balconies to be submitted 4) Details of haulage route and storage compound to be submitted 5) Details of hard and soft landscaping to be submitted 6) Details of active and passive ventilation to be submitted 7) Details of surface water drainage to be submitted 8) Details of foul and surface water sewerage disposal to be submitted 9) Contaminated land assessment to be carried out prior to commencement of development 10) No occupation until on-site parking provided 11) No occupation until cycle parking provided 12) No occupation until new access completed 13) Restriction of times for building operations 14) Provision of on-site wheel washing facilities 15) No mechanical equipment for valet parking 16) Approved plans 17) provision of additional off street parking, 18) inclusion of a disabled space within the undercroft parking area, 19) bird control measures, 20) slab levels

4) EB/2012/0082 - The Cedars, 26 Upperton Road - Redevelopment of site with four storey building, including accommodation in the roof space, comprising 12 flats and two detached houses to the rear together with

access from Upperton Road and Selwyn Road, car parking spaces, bin and cycles stores – **UPPERTON**. 12 Letters of objections had been received.

The relevant planning history for this site was detailed within the report. The observations of the Arboriculturalist, County Highways Officer, Planning Policy, Southern Water, Crime Prevention Officer, County Archaeologist and the Eastbourne Society were detailed within the report.

Mrs Robinson addressed the committee in objection stating that the coach houses would be out of keeping with the properties in Selwyn Road, and would result in a loss of amenity for residents neighbouring the property.

Mr Rewell addressed the committee in objection stating his concerns regarding the line of the proposed building and the location of the bin and cycle store and its proximity to neighbouring properties.

Mr Howell, Eastbourne Society, addressed the committee in objection stating his concern regarding the loss of parking in Selwyn Road, and the access to and from the parking area at the Selwyn Road entrance. Mr Howell also highlighted the concerns of the Conservation Advisory Committee.

Members discussed the location of the bin and cycle stores and requested that they be located further away from the neighbouring property.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Reserved matters (landscaping) 2) Time limit for reserved matters 3) Time limit 4) External materials of new building works 5) Foul and surface water disposal 6) Archaeology 7) Tree protection details 8) Tree protection details 9) Tree protection details 10) Tree protection details 11) Hard and soft landscaping details 12) No occupation until parking is provided 13) No occupation until cycle parking is provided 14) Vehicle access in accordance with the approved details and redundant access close up 15) Restricted hours of building operations 16) Gates to be sited 5m back from highway 17) Approved plans 18) notwithstanding the details shown on the plans hereby approved detail of the location and design of the cycle and bin store shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site shall be implemented at the site and retained as such thereafter. Reason In order to ensure that the siting and appearance of the proposed accommodation is fit for purpose and appropriately located so as to mitigate any loss of amenity to the occupiers of the adjacent units.

5) EB/2012/0090 - 13 Old Mansion Close - Erection of three storey extension to side – **RATTON**. Seven letters of objection had been received.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time Limit 2) Matching materials 3) Approved drawings

6) EB/2012/0113 - Land to the rear of 129-131 Queens Crescent - Erection of a detached dwelling and associated parking – **SOVEREIGN**. One letter of objection had been received.

The observations of Planning Policy and Highways were detailed within the report.

RESOLVED: That consideration of this item be deferred to a future meeting of the Planning committee.

7) EB/2012/0124 - 84-86 Wish Hill (CONS AREA) - Change of use from single private dwelling and hairdressers shop to two single private dwellings, together with the provision of an enlarged front entrance porch – **RATTON**.

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

The observations of the Highway Authority and Conservation Officer were detailed within the report.

At their meeting on the 3 April 2012, the Conservation Area Advisory Group raised no objections to the application, although it was considered that it would be preferable to retain the small window to the porch.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Commencement of development within three years 2) Development to be carried out in accordance with the approved plans 3) Submission of samples 4) Provision of a sample panel of brickwork 5) Submission of details of joinery at a scale of 1:10 (elevations) and 1:2 (sections) 6) Submission of details of the porch at a scale of 1:20, including rainwater goods and windows 7) All rainwater goods used and/or replaced on the building to be cast metal.

8) EB/2012/0129 - 36 Peppercombe Road - Erection of a part two storey extension and part single storey extension with roof terrace to the rear including a bridge to raised garden level – **OLD TOWN**. Three letters of objection had been received.

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

Members agreed that this proposal would result in overlooking, loss of privacy and would be detrimental to the neighbours of this property.

(NB: Councillor Coles declared a personal interest in this item and remained in the room and voted thereon).

RESOLVED: (By 4 votes to 3 with 1 abstention) That permission be refused on the grounds that The proposal by reason of the elevated walkway is considered to be an intrusive and unneighbourly development causing a severe loss of amenity to the occupiers of the adjacent properties by way of direct overlooking. |

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.

9) EB/2012/0158 - Land north west of Oak Tree Close - Use of the land for the siting of three caravans, as an extension to the existing caravan park – **LANGNEY**. Five letters of objection had been received.

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

The observations of Planning Policy and Arboricultural Officer were detailed within the report.

Mr Devereux addressed the committee in objection stating that the proposal would exacerbate the existing drainage and sewer problems close to his property.

Mr and Mrs Whitmore addressed the committee in objection stating his concerns regarding the loss of Oak trees on the site and the associated drainage and flooding issues.

Councillor Tester, Ward Councillor addressed the committee in objection stating that the development would have a detrimental effect on the neighbouring residents and highlighted the existing flooding issues at the site.

Councillor Shuttleworth, ward Councillor, addressed the committee in objection citing the inadequacies of the flood compensation measures, difference in ground levels, access to the site and surface water drainage damage to neighbouring properties and the nearby railway line.

The committee agreed that development could potentially add to the flooding problems in the area and the erosion of the railway line. The committee felt that the planting suggested to mitigate flooding issues should be allowed to grow prior to consideration of any development for the site. The members asked that Environmental Health be instructed to investigate the sewage issues associated with the site and report their findings to the committee and surrounding residents.

RESOLVED: (Unanimous) That permission be refused on the grounds that The proposal by reason of the number of units and layout proposed would result in an unacceptable and unneighbourly development that would give rise to a material impact upon the occupiers of the adjacent properties by reason of overlooking, drainage, vehicle access and localised flooding issues

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.

10) EB/2012/0219 - 98 Seaside Road - Change of use of first floor from offices (Class B1) to part office (Class B1) and part residential (bedsittingroom) – **DEVONSHIRE.**

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

NB: (Councillor Coles, Miah and Murray withdrew from the room whilst this item was considered).

RESOLVED: That permission be granted subject to the following conditions:
1) Temporary permission until 30 April 2017 2) Development to carried out in accordance with the approved plan

71 South Downs National Park Authority Planning Applications.

None reported.

NOTED.

72 Enforcement Performance Monitoring January 2012 – March 2012

Members considered the report of the Development Planning Manager informing and updating Members of the current performance and workload within the Enforcement section of the Planning Department.

RESOLVED: That this item be deferred to a future meeting of the Planning committee.

73 Appeals Received January 2012 – March 2012

Members considered the report of the Development Planning Manager updating Members of the content of appeal decisions received between January 2012 and March 2012.

RESOLVED: That this item be deferred to a future meeting of the Planning committee.

74 Sovereign Harbour Supplementary Planning Guidance (SPD)

Members considered the report of the Senior Head of Development and Environment seeking Members views on the Sovereign Harbour Supplementary Planning document (SPD) prior to its submission to Cabinet on 18 April 2012.

Members noted that the completion of the Sovereign Harbour development was long overdue and that the area was missing the social and economic infrastructure that was required for it to become a sustainable community. The Sovereign Harbour Planning document (SPD) had therefore been prepared to guide development and ensure new and improved community facilities were at the heart of any future building plans. The committee were asked to comment on draft Sovereign Harbour SPD prior to its submission to Cabinet for approval for consultation with the community and stakeholders between May and July 2012.

The report outlined the key issues and site specific proposals, which included the Sovereign Harbour Retail Park, outer Harbour Peninsula, land adjacent to the Lock Gates, Martello Tower 64 and Haven School.

The committee welcomed the document and hoped that some of the outstanding issues within the Sovereign Harbour area were closer to being resolved following consultation on the proposals. Members commended officers for their input into the development of this important document.

NOTED

75 Modifications to Eastbourne Local Plan: LDF Core Strategy

Members considered the report of the Senior Head of Development and Environment seeking Members views on the Modifications to the Eastbourne Local Plan: LDF Core Strategy prior to its submission to Cabinet on 18 April 2012.

Members were advised that the Cabinet report asked Members to note the consultation period on proposed major modifications to the Core Strategy (Eastbourne Plan) between 9 March 2012 and 20 April 2012 was taking place, using the Chief Executive's urgency powers. The Cabinet report also sought delegated authority to the Senior Head of Development and Environment, in consultation with the Lead Cabinet Member and Local Development Steering Group to make further necessary amendments arising from the consultation or otherwise to the Eastbourne Plan, in preparation for both its examination in public and throughout the pre-adoption process.

NOTED

76 Draft Meads Conservation Area Appraisal

Members considered the report of the Senior Head of Development and Environment seeking Members' support on the amendments to the Meads Conservation Area Appraisal, following the public consultation, prior to its submission to Cabinet on 18 April 2012.

RESOLVED: That this item be deferred to a future meeting of the Planning committee.

The meeting closed at 11.00 pm.

**Councillor Ungar
(Chairman)**