



Planning Committee

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MEMBERS: Councillor Ungar (Chairman); Councillor Harris (Deputy-Chairman); Councillors Hearn, Jenkins, Miah, Murray, Murdoch and Taylor

Agenda

- 1 Minutes of the meeting held on 2 September 2014.** (Pages 1 - 8)
- 2 Apologies for absence.**
- 3 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.**
- 4 Urgent items of business.**

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.

5 Right to address the meeting/order of business.

The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of planning applications/items listed and that these applications/items are taken at the commencement of the meeting.

6 25a Belmore Road and 164 Longstone Road. Application ID: 140990. (Pages 9 - 20)

7 46 Beatty Road. Application ID: 140906, 140907, 140909. (Pages 21 - 28)

8 Princes Park. Application ID: 141125. (Pages 29 - 36)

9 Local Validation List. (Pages 37 - 42)

Report of Specialist Advisor (Planning).

10 Utilising the Planning Register. (Pages 43 - 46)

Report of Specialist Advisor (Planning).

11 Tree Preservation Order (TPO) - Land at 91 Parkway, Eastbourne, East Sussex No. 170 (2014). (Pages 47 - 68)

Report of the Senior Head of Development and Environment and Lawyer to the Council.

12 South Downs National Park Authority Planning Applications.

Inspection of Background Papers – Please see contact details listed in each report.

Councillor Right of Address - Councillors wishing to address the meeting who are not members of the Committee must notify the Chairman in advance.

Disclosure of interests - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

In the case of a DPI, if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

Public Right of Address – Requests by members of the public to speak on a matter which is listed in this agenda must be received in writing by no later than 12 Noon, 2 working days before the meeting e.g. if the meeting is on a Tuesday, received by 12

Noon on the preceding Friday). The request should be made to Local Democracy at the address listed below. The request may be made by letter, fax or electronic mail. For further details on the rules about speaking at meetings please contact Local Democracy.

Registering to speak – Planning Applications - If you wish to address the committee regarding a planning application you need to register your interest with the Development Control Section of the Planning Division or Local Democracy within **21 days** of the date of the site notice or neighbour notification letters (detail of dates available on the Council's website at www.eastbourne.gov.uk/planningapplications).

Requests made beyond this date cannot normally be accepted. This can be done by telephone, letter, fax, e-mail or by completing the local democracy or planning contact forms on the Council's website.

Please note: Objectors will only be allowed to speak where they have already submitted objections in writing, new objections must not be introduced when speaking.

Further Information

Councillor contact details, committee membership lists and other related information is also available from Local Democracy.

Local Democracy, 1 Grove Road, Eastbourne, BN21 4TW

Tel: (01323) 415023/415021 Text Relay: 18001 01323 410000, Fax: (01323) 410322

E Mail: localdemocracy@eastbourne.gov.uk

Website at www.eastbourne.gov.uk

For general Council enquiries, please telephone (01323) 410000 or E-mail: enquiries@eastbourne.gov.uk

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Tuesday, 2 September 2014
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Ungar (Chairman) Councillors Hearn, Howlett (as substitute for Jenkins) Miah, Murray and Murdoch

52 Minutes of the meeting held on 5 August 2014.

The minutes of the meeting held on 5 August 2014 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

53 Apologies for absence.

Councillors Harris, Jenkins and Councillor Taylor. Councillor Howlett attended as substitute for Councillor Jenkins.

54 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.

Councillor Hearn declared a prejudicial interest in minutes 56 and 57, 1 Glynde Avenue as a Director of Eastbourne Homes and withdrew from the room whilst those items were considered.

Councillor Ungar declared that with regard to minute 66, 32 Baldwin Avenue, he had previously reached a view in relation this application and considered himself as being pre-determined with regard to it. He therefore withdrew from the room whilst the application was considered.

55 Nomination of Chairman.

Due to considering himself predetermined, Councillor Ungar withdrew from the room whilst this application was considered. In the absence of the Deputy Chair, Councillor Hearn proposed that Councillor Murray chair the meeting for this item. The motion was seconded by Councillor Miah.

RESOLVED: (Unanimous) That Councillor Murray chair the committee for item 16, 32 Baldwin Avenue (minute 66).

56 1 Glynde Avenue. Application ID: 140755.

Reconsultation amendments to rear extension and site layout: Erection of 2no. two storey rear extensions and refurbishment works to existing building to create 10 one bedroom flats – **HAMPDEN PARK**. Six letters of objection had been received. Two further letters of concern were reported

at the meeting raising similar concerns to those included within the officer's report, with one letter referring to an overdevelopment of the site.

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

The observations of the Environment Agency and Highways East Sussex County Council were summarised within the report.

NB: Councillor Hearn withdrew from the room whilst this item was considered.

RESOLVED: (By 3 votes to 1 with 1 abstention) That permission be granted subject to the following conditions: 1) Time Limit 2) Approved Plans 3) No additional windows 4) External Materials 5) Boundary treatments (around the entire plot boundary) 6) Front garden landscaping layout 7) surface details for access-way, passing bay and rear parking court 8) parking spaces shall be surfaced and marked out in accordance with the drawings prior to the first occupation of the dwellings hereby approved 9) the bin store shall be provided in accordance with the drawings hereby approved and retained as such thereafter 10) Hours of construction 11) The development hereby approved shall not be implemented if the bungalow approved under application reference 140756 has first been implemented 12) Notwithstanding the details shown on the plans hereby approved there shall be no first floor flank (kitchen) window to flat No 9 facing properties in Brassey Avenue. This room shall be illuminated via sky/rooflights the details of which shall be submitted to and approved in writing by the local planning authority.

57 1 Glynde Avenue. Application ID: 140756.

The erection of a detached, self-contained two bedroom bungalow with wheelchair access to the rear of No.1 Glynde Road – **HAMPDEN PARK**. Six letters of objection had been received.

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

The Environment Agency made no comment as the site was outside of the flood zone.

NB: Councillor Hearn withdrew from the room whilst this item was considered.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time Limit 2) Approved Plans 3) No additional windows 4) External Materials 5) Boundary treatments (around the entire plot boundary) 6) Front garden landscaping layout 7) surface details for access-way, passing bay and rear parking court 8) parking spaces shall be surfaced and marked out in accordance with the drawings prior to the first occupation of the dwellings hereby approved 9) the bin store shall be provided in accordance with the drawings hereby approved and retained as such thereafter 10) Hours of construction 11) The development hereby

approved shall not be implemented if the scheme approved under application reference 140755 has first been implemented.

58 3 Churchdale Place. Application ID: 140740. (PPP).

Erection of a two storey, two bedroom attached dwelling – **ST ANTHONYS**. Three objections were received, with one signed by 13 residents.

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

The observations of the Council's Estate Manager, Specialist Advisor (Planning Policy) and East Sussex County Council Highways department were summarised within the report.

RESOLVED: (Unanimous) That permission be refused on the grounds that 1) the proposed development would be an overdevelopment of a restricted site, by reason of its scale and siting, and would be out of character with, and detrimental to the regular and symmetrical layout of the surrounding properties, and the outlook from the adjacent dwelling. The proposal therefore conflicts with policies UHT1, UHT4, HO6, and HO20 of the Eastbourne Borough Plan (Saved Policies) 2007, policies B2, C6 and D10A of the Eastbourne Core Strategy Local Plan 2013 and paragraph 56 of the National Planning Policy Framework 2) The application makes no provision for affordable housing or compensatory flood storage and therefore conflicts with policy D5 of the Eastbourne Core Strategy Local Plan 2013 and policy US4 of the Eastbourne Borough Plan (Saved Policies) 2007.

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.

59 4 Susans Road. Application ID: 140841. (PPP).

Retrospective application for canopy / smoking shelter over yard area to the rear. Canopy roof constructed of clear polycarbonate sheeting – **DEVONSHIRE**. One letter of objection had been received.

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

The Council's Licensing Team raised no objections to the current proposal.

The committee were advised that the Specialist Advisor (Environmental Health) had not received any complaints relating to the site.

The East Sussex Fire and Rescue Service had responded stating that after visiting the site, subject to minor issues relating to visibility of fire escapes and appropriate locks to the gate, there were no operational fire safety issues.

RESOLVED: (By 4 votes to 2) That permission be granted subject to the following conditions: 1) Approved drawings 2) Within 14 days from the date of this decision details of means of escape to rear alleyway shall be submitted to and approved in writing by the Local Planning Authority. The

details as approved shall include method of opening and method of securing the gate to/from alleyway. The details as approved shall be implemented at the site within 1 month following their approval and be retained as such thereafter.

60 5 The Courtyard. Application ID: 140901. (HHH).

Conversion of part of garage to extend habitable living space – **UPPERTON**. One letter of objection had been received.

This application had been withdrawn prior to the meeting.

61 10 Rylestone Road. Application ID: 140682. (PPP).

Change of use from a bed & breakfast (Class C1) to a house in multiple occupation (sui generis) – **DEVONSHIRE**. Seven letters of objection had been received.

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

The observations of the Council's Specialist Advisor (Environmental Health) were summarised within the report.

Mrs Bamforth addressed the committee in objection stating concerns regarding increased parking issues with any increase in the number of residents, and potential noise and anti social behaviour related to Houses of Multiple Occupation.

Iona Cameron, agent for the applicant, submitted further points for the committee to consider, including a flood risk assessment, and in response to the objector stated that there was a chronic shortage of this type of accommodation in Eastbourne and that there would be no more than 14 persons residing at the property. The proposed rooms complied with current standards and there would only be an increase of one additional room.

The committee agreed that the proposed rooms were too small and inadequate for any potential resident, and as such was an overdevelopment.

RESOLVED: (Unanimous) That permission be refused on the grounds that 1) the proposals given the poor standard/quality of accommodation is likely to create an unacceptable living environment for the future tenants/occupiers of this building/use and would therefore conflict with policies B2 of the Eastbourne Core Strategy Local Plan 2013 and Policies HO9, HO14 and TO3 of the Eastbourne Plan (Saved Policies) 2007 and paragraph 17 of the National Planning Policy Framework 2) The proposal seeks to create sleeping accommodation for 18 residents and it is considered that the property is inappropriate for this intensity of conversion and as such would have an adverse effect on the amenity of the area generally, and the amenities enjoyed by the occupiers of the neighbouring properties in particular, by reason of increased in activity, noise and general disturbance and would conflict with policies B2 of the Eastbourne Core

Strategy Local Plan 2013 and Policies HO9, HO14 and TO3 of the Eastbourne Plan (Saved Policies) 2007 and paragraph 17 of the National Planning Policy Framework

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.

62 11 Roseberry Avenue. Application ID: 140902.

Proposed two storey extension to existing rear elevation together with proposed outbuilding for use as studio in rear garden. Demolition and re-building of the existing garage and side extension – **HAMPDEN PARK**. One letter of objection had been received. One further letter of objection was reported at the meeting relating to loss of light, overbearing relationship to the neighbouring property. The letter also stated that the objector would not have any objections to a single storey extension.

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

The Specialist Advisor (Planning Policy) advised that the proposal would result in an increase in impermeable area by a total of 20 m² attracting £61 flood storage compensation.

Mrs Parr addressed the committee in objection stating that the height of the garage should be reduced as its current proposed size would result in a loss of light.

Mr Irving, applicant, addressed the committee in response to the objector stating that the current garage required demolition and that he had discussed various options with neighbours with a view to resolving issues relating to size and loss of light.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time limit 2) Approved drawings 3) Materials 4) Paint / render East flank garage elevation white (help reduce visual impact)

63 12 Netherfield Road. Application ID: 140370. (HHH).

Side, Rear Extension with associated internal alterations to provide enlarged accommodation – **ST ANTHONYS**.

Members were reminded that this application/site was reported to Planning Committee in June 2014 and at that Committee the scheme proposed a rear extension incorporating a basement extension. Members discussed the issues relating to the scheme and outlined severe concerns over the construction of a basement element of the scheme and the potential that this may have upon the structural integrity of the neighbouring property/plot. Revised drawings had been received deleting the basement element of the extension from the proposal, the scheme now proposed a single storey rear extension. The footprint of the single storey extension was identical to that as reported to Planning Committee in June 2014

As outlined with the report to Committee in June 2014 there were no substantive objections to the single storey element of the proposal and any impacts that there may be upon the occupiers of the adjacent properties/plots would not be sufficient to substantiate a refusal of planning permission.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time Limit 2) Approved Drawings.

64 16 Harding Avenue. Application ID: 140802. (HHH).

Erection of two-storey side extension – **ST ANTHONYS**. A number of objections were summarised within the report.

The Council's Estate Manager made no comment and the Specialist Advisor (Policy) noted a compensatory flood storage contribution of £112. East Sussex County Council's County Archaeologist made no recommendations.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Commencement within three years 2) Development in accordance with amended plans 3) Submission of samples 4) Position of rear garden fence behind visibility splay 5) Hours of building operations

65 24 Longstone Road. Application ID: 140811.

Change of use of part existing B1 premises to use as a club for the instruction of martial arts to children and adults (D2) – **DEVONSHIRE**. Two letters of support were reported at the meeting, one from Stephen Lloyd, MP, stating that he fully supported the application as the applicant was a long standing business in the town and that the club would bring significant community benefit. Mr Lloyd, MP, did not anticipate and residential issues with the change of use of the site.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time for commencement 2) Approval of drawings 3) Restriction on hours of operation until 2100 Monday to Friday, until 12pm Saturdays and no times on Sundays or bank holidays 4) No amplified music at any time 5) The first floor of the building shall be used as a Martial Arts Studio only and for no other purpose without planning permission from the local planning authority.

66 32 Baldwin Avenue. Application ID: 140648.

Revised scheme for: Proposed two storey extension at rear and first floor extension over porch – **OLD TOWN**. Three objections had been received.

The observations of the Council's Specialist Advisor (Arboriculture), the East Sussex County Council's Archaeologist and East Sussex County Highways department were summarised within the report.

Mr Nay addressed the committee in objection stating that the proposed development would be overbearing and intrusive and would result in a loss of light, and residential and visual amenity for neighbouring properties.

Mrs Shearer addressed the committee in objection reiterating the previous speaker's comments and that the proposal was too large and bulky for the site.

Members sought clarification on matters that could be considered as part of the decision making process, and were advised that any impact on the streetscene was not severe enough to warrant as a reason for refusal.

NB: Councillor Ungar withdrew from the room whilst this item was considered.

RESOLVED: (By 4 votes to 1) That permission be granted subject to the following conditions: 1) Time limit 2) Approved drawings 3) Materials 4) Restriction of PD rights, no additional windows in North Flank or Eastern Elevation.

67 Fitzmaurice Mews, Fitzmaurice Avenue. Application ID: 140814.

Proposed single story extension together with first floor extension to enlarge existing offices – **ST ANTHONYS**. Seven objections and one comment had been received.

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

RESOLVED: (By 5 votes to 1) That permission be granted subject to the following conditions: 1) Time for commencement 2) Approval of drawings 3) No additional windows in the rear south-eastern elevation 4) Materials to be as specified.

68 Land to the rear of 11-23 Eshton Road. Application ID: 140781. (PPP).

Construction of two one-bedroom single storey houses – **DEVONSHIRE**. 17 objections had been received.

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

The observations of the Council's Housing Manager, East Sussex County Council Archaeologist and East Sussex County Council Highways Manager were summarised within the report.

Members were advised that a revised response had been received from the East Sussex Highways Officer. In summary the revised response referred to a recommendation for refusal due to the lack of on site parking. National guidance stated that not all developments had to provide off street parking, where the additional demand could be catered for on street. The applicant had previously submitted information showing that there were adequate spaces available on street to cater for the extra demand, however this information was recorded last year (2013) and was not submitted as part of the application. The applicant had sent in further/more up to date information which again showed there were enough spaces on street close to the site at peak usage times, i.e. evenings. The Highways Officer requested that should the application be approved, an additional condition

relating to the closing of the existing driveway which would provide additional on street parking, be added.

The Senior Specialist Advisor (Planning) advised the committee that in light of the revised response from County Highways it was recommended that the second reason for refusal (stated in the report) could therefore not now be substantiated and should be withdrawn.

Mrs Wilkinson, addressed the committee in objection stating that the on street parking was limited throughout the daytime and any development would exacerbate this. The proposed bungalows would be out of keeping with the surrounding properties. Mrs Wilkinson also expressed concern about access for emergency services.

Mr Wilson, applicant, addressed the committee in response to the objector, highlighting the revised response of the East Sussex Highways Officer. Mr Wilson also referred to a covenant for the site restricting any buildings to one storey.

The committee agreed that the proposed development would be out of keeping and an overdevelopment of the site. Members agreed that the second reason for refusal (detailed in the report) should be removed in light of the East Sussex Highways Officer revised response.

RESOLVED: (Unanimous) That permission be refused on the grounds that 1) the proposals, by reason of their position, size, design and external appearance, limited external amenity area would be an intrusive development, out of scale and character with the prevailing pattern of development in the locality, as well as having a serious and adverse effect on the amenities enjoyed by occupants of neighbouring property and would be contrary to Policies UHT1, HO1, H06 of the saved Policies in the Local Plan and Policy D10a of the Eastbourne Core Strategy Local Plan 2) the application fails to deliver (mechanism for delivery) the affordable housing contribution required by this development and as such development would have an adverse impact local infrastructure provision.

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 South Downs National Park Authority Planning Applications.

There were none.

The meeting closed at 9.05 pm

Councillor Ungar (Chairman)

Agenda Item 6

App.No: 140990	Decision Due Date: 20/09/2014	Ward: Devonshire
Officer: Leigh Palmer	Site visit date: Numerous pre application and post validation 01/08/2014	Type: Planning Permission
Site Notice(s) Expiry date: 28/08/2014 Neighbour Con Expiry: 28/08/2014 Weekly list Expiry: NA Press Notice(s): NA		
Over 8/13 week reason: Out of time due to Planning Committee Cycle		
Location: Sites of 164 Longstone Road and 25a Belmore Road		
Proposal: Development of 8no. Two bedroom residential units and 10no. parking spaces.		
Applicant: Mr Malcolm Ward and Economic Development Partnership (EHL Ltd)		
Recommendation: Approve conditionally		

Executive Summary:

The size and type of residential units proposed conforms to the National Planning Policy Framework and the Council's Strategic Housing Market Assessment, where smaller accommodation is supported in sustainable locations.

The application provides the positive gain of residential units on a windfall site within the Seaside neighbourhood, contributing positively to the Council's spatial development strategy (Policy B1 of the Core Strategy). The proposed development will assist in meeting the high housing delivery target for the neighbourhood. The development would conform to the Seaside neighbourhood Policy (Policy C3 of the Core Strategy) in delivering new housing through redevelopment of previously developed land and is therefore considered sustainable development.

Application is recommended for approval

Planning Status:

Site is located in a predominantly residential area

Relevant Planning Policies:

National Planning Policy Framework 2012

The following sections are deemed to be appropriate

1. Building a strong, competitive economy
5. Supporting high quality communications infrastructure.

6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities

Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution
C3: Seaside Neighbourhood Policy
D1: Sustainable Development
D5: Housing
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

NE4: Sustainable Drainage Systems
NE5: Minimisation of Construction Industry Waste
NE6: Recycling Facilities
NE7: Waste Minimisation Measures in Residential Areas
UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT7: Landscaping
UHT8: Protection of Amenity Space
HO1: Residential Development Within the Existing Built-up Area
HO2: Predominantly Residential Areas
HO3: Retaining Residential Use
HO6: Infill Development
HO7: Redevelopment

Site Description:

The application site is an amalgamation of two plots;

- The first is currently served via an access-way from Belmore Road, this provides access to the residential unit known as 25a Belmore Road a detached property which contains 7 residential units and has the appearance of a large two storey residential property. To the front/side and side of this building are car parking spaces and external amenity space. This building is now vacant and has permission to be demolished
- The second comprises a two storey commercial building that forms the rear boundary of the plot 25a Belmore Road and is itself accessed via Longstone Road. This building has an irregular footprint and in some parts this building forms the boundary of the site

The wider area is characterised by terraced properties on relatively modest plots formed around a rough grid pattern. These modest properties have modest rear 'courtyard gardens and utilises available on street parking.

There is a fall of approximately 1m across the site and adjacent to elements of the site are pedestrian access/alley-way to some of the rear gardens of the existing residential properties. These alley-ways provide access to rear garden and also refuse bin storage areas.

Relevant Planning History:

Belmore Road

No relevant history relating to the former residential block 25a Belmore Road. Notwithstanding this it has been part of the Housing Services Portfolio for a significant period.

Commercial Unit Longstone Road

970461 Change of Use to B1 Business Use Granted 1997

980572 Conversion of the building into three dwellings Granted 1998

030725 Conversion of the building into three dwellings renewal Granted 2003

Proposed development:

This application relates to the demolition of all existing buildings on the site and the erection of 8 X 2 bedroom dwellings, this development will be accessed by an extension to Longstone Road.

The scheme proposes the creation of an extension to the highway (Longstone Road) with the new dwellings will face onto this highway, with private amenity space to the rear.

The new properties will be formed by four pairs of semi-detached two storey dwellings. The new dwellings have a common footprint with a floor space of 68sqm over two floors. The ground floor provides accommodation for kitchen and separate lounge and WC and the first floor is to provide access for two bedrooms and bathroom. There is no accommodation proposed in the roof space.

These dwellings have an irregular footprint with the width being 7m and the maximum depth being 7.9m and due to modest change in levels the height of the buildings above ground level would be between 6.8m -7.1m. None of the dwellings have first floor flank windows and for both the front and rear elevations oblique/screened windows are proposed to mitigate the perception of direct overlooking.

All of the dwellings have access to private amenity space (courtyard gardens) that range in size due to the configuration of the proposed individual plots. The scheme provides off street car-parking for 10 spaces with the majority being located within plot curtilage.

Consultations:

Internal:

Specialist Advisor (Planning Policy)

Only part of the site (employment premises adjacent to 164 Longstone Road) has been formally identified for development within the Council's Strategic Housing Land Availability Assessment (SHLAA). The SHLAA allocation for the former employment part of the site is 3 residential units. The remaining part of the site would be considered to take place on a windfall site.

The Council relies on windfall sites coming forward as part of its spatial development strategy (Policy B1 of the Core Strategy Local Plan), especially within the Seaside neighbourhood. The delivery of additional affordable units would meet

the requirements set in Policy D5: Housing of the Eastbourne Core Strategy Local Plan.

In line with Policy D5: Housing of the Eastbourne Core Strategy Local Plan (2013) and the requirements of the Affordable Housing Implementation Technical Note, 30% should be affordable. The Council should secure the above commuted sum payment through a Section 106 agreement or unilateral undertaking to comply with the schemes affordable housing requirements.

Specialist Advisor (trees):- No existing trees on site or adjacent to the site that are worthy of retention. Recommends conditions to control tree pit design and also species of trees to be planted.

External:

Environment Agency No comments to make as outside of flood zone

Highways ESCC This site is located within walking distance of the town centre with the associated shops, services and employment opportunities which limit the need to travel. Bus stops and the railway station are also within an acceptable distance which provides opportunities for sustainable travel. The site can therefore be considered to be in a sustainable location. The number of spaces proposed is acceptable if all unallocated.

Any increase in vehicle trips as a result of this development would be accommodated by the local highway network.

Proposed roadway given its layout/configuration would not be able to be adopted, although accepts that it would be built to adoptable standards.

The proposal is acceptable as submitted to the highway authority subject to conditions.

ESCC Archaeologist Recommends that given the development may disturb below ground archaeology that a condition be imposed requiring agreement for a programme of archaeological works.

ESCC Ecologist:- The site has the potential to increase the biodiversity of the site with the installation of bird, bat, insect boxes.

Neighbour Representations:

9 Objections (as at 16TH Sept) have been received and cover the following points:

- Noise and antisocial behaviour from the property in past and the creation of additional units may make this issue worse
- Increase in traffic would be harmful
- Too few parking spaces are proposed
- Road and pedestrian safety will be negatively impacted
- Loss of privacy from upstairs windows
- Poor boundary treatments may give rise to trespass issues
- Access-way not large enough for refuse and emergency vehicles
- On street parking is very congested
- Overshadowing

- Noise and disturbance from the use of the car park
- Loss of light to garden/property
- Too many units on too smaller site
- Overdevelopment
- Impacts during construction period
- Loss of outlook
- If pedestrian access onto Belmore Road is pursued then this would give rise to increase activity which may impact upon residential amenity
- Eastbourne Blind Society (124 142 Longstone Road) is located within the area and any increase in traffic may result in an increase in accidents.
- Proposes small gardens
- Street improvements should be made to the wider area
- May give rise to localised flooding issues
- No public space is being proposed
- Lack of detail over boundary treatments
- May affect property values

1 letter of Support has been received:-

- No objections to the design of the dwellings
- Support the redevelopment on brownfield land

Appraisal:

The main considerations in the determination of this application relate to the:-

- principle of the development
- the acceptability of the layout, siting and design,
- the impact of the proposal on surrounding residential amenity,
- its impact on the character and appearance of the area,
- highway safety considerations and the provision of sufficient car parking spaces for residents and visitors.

Principle of Development

The National Planning Policy Framework is clear that sustainable residential development should be granted planning permission without delay; this is to ensure greater choice of housing in the local market and to meet local and national housing needs.

The scheme is being promoted by Eastbourne Homes (HEDP) and relates to land that forms part of the Councils housing land portfolio as extended with the recent purchase of 164 Longstone Road.

The redevelopment of the site for residential purposes accords with the longstanding use of the site and accords with the Councils wider redevelopment aims and ambitions for affordable housing in the Seaside Neighbourhood in particular and the Wider Eastbourne in general.

Given the above there are no objections to the redevelopment of the site for residential purposes and would go some way to mitigating the pressure for affordable accommodation within the town.

Paragraph 17 of The National Planning Policy Framework 2012 states that Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Bringing forward development on this site is therefore of critical importance to the Council's spatial development strategy (Policies B1 & B2), in order to meet local housing need and housing targets. The development conforms with the Neighbourhood Policy (Policy C3: Seaside) in that it 'delivers additional housing through making more efficient use of land'.

As such, it is considered that, the site being a long standing housing site and is within the Councils portfolio, the efficient use of the site for an identified housing need, it is considered that the redevelopment of the site for housing is acceptable in principle in accordance with Policies within the Eastbourne Core Strategy and the aims of National Planning Policy Framework 2012.

Layout, Siting and Design

Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout.

Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. Members will note that the properties within the surrounding streets (the grain of the buildings) is characterised by two storey semi-detached and terraced dwellings on small plots/curtilage.

Given the proposed scheme follows these general themes and the footprint, scale and layout including the size of the rear gardens are not be materially out of character with this wider pattern of development a refusal based on this issue could not be substantiated.

The external design of the dwellings draws architectural references from the surrounding area and proposes a modern design interpretation with pitched roofs and projecting gable features and two storey rear tunnel backs. As commented elsewhere each of the dwellings has access to a private courtyard garden.

The irregular footprint of the dwelling reflects a design construct to mitigate direct overlooking. The external finishes to the proposed dwellings would be controlled via planning condition but are to be drawn from a simple palette of materials (facing brickwork, cladding panels and roof tiles).

The internal configuration of the proposed dwellings are of an internal space standard along with access to private external space that would provide quality living environment for the proposed occupiers.

The scheme proposes to utilise an extension to Longstone Road, this road extension provides 10 off carriageway parking spaces. It is considered that the parking layout in the manner proposed would function adequately and a parking density of 100% would be appropriate given its location close to the Town Centre and also public transport links.

As such, it is considered that the layout, siting and design of the proposal are acceptable in accordance with Policies UHT1 of the Eastbourne Local Plan and B2 D10A of the Eastbourne Core Strategy.

Residential Amenity Impact

The existing site accommodates two storey buildings (now vacant); however their former use would have generated a degree of activity (comings and goings along with traffic and parking issues). It is accepted that this development may bring additional traffic given that the scheme proposes an additional residential units however the loss of amenity that may accrue as a result of the increase in vehicle movements to and from the site would not be material and would not be sufficient to substantiate a reason for refusal.

As with any new development there will be a change in views/outlooks and relationships to existing properties that bound the site; it is considered that the layout/scale and the specific integral design of the proposed units are such that the off-site impacts have been mitigated to an acceptable level.

Members will note that the NPPF makes it very clear that every effort has to be made to support residential sustainable development unless material considerations indicate otherwise. In this case and given the changes to the longstanding existing site features are quite pronounced that the off-site impacts (Overlooking and over bearing relationship) are clearly material considerations that are to be given weight in the assessment of this application.

The layout and integral design of the units are such to limit the degree of direct overlooking to oblique views only; it is considered that this degree of overlooking is no more severe than that which currently exists between properties and adjacent gardens. Given this it is considered that a refusal based on issues of direct overlooking could not be substantiated.

It is accepted that this scheme promotes development in parts of the site where none previously existed and as such there will be a change to the outlook and relationship with existing properties. It is noted that the layout of this scheme is reflective of the existing situation within the neighbouring streets, namely small dwelling set in modest plots with courtyard gardens and as such there is no objection in principle to the layout. In the context of the predominant pattern of development in area it is considered that the degree of separation between the rear of the proposed dwellings and rear of existing properties is acceptable. This view is further enforced by the external detailing of the proposed properties which mitigates direct overlooking by the window design.

It is accepted that the residential amenities of the existing occupiers of the properties that boarder the site are material considerations in the assessment and judgements in this application, however it is considered that greater weight is to be given the benefits of additional sustainable dwellings on a previously developed site in an accessible location.

Access, Car Parking and Highway Considerations

Policy TR1 states that large development proposals should locate on sites within the town centre or edge of town centre and accessible by a variety of means of

transport, it is clear that this application site is located close to the Eastbourne Town Centre where there is access to a range of public transport links.

Policy TR11 of the Eastbourne Local plan states that new development must comply with car parking standards as set out in the East Sussex County Council Highways SPG parking standards.

The scheme proposes 10 parking spaces for 8 new dwellings, it is considered that this level of parking in this part of the town is acceptable and meets with the approval of the County Highways Engineer.

It is accepted however that with any new scheme it may place pressure for on street parking as if there remains a latent demand then this would have to be accommodated within the surrounding streets. There is parking in the surrounding street and at times of parking stress this development will rely on on-street parking. This is supported by national highway guidance (Manual for Streets) that states that it is suitable for some developments to cater for all anticipated demand on street, in areas where adjacent streets are easily able to accommodate the increase. Therefore it would also be acceptable for a development to at times rely on on-street parking for any overspill parking which occurs. As is evident from officer's site visits in connection with this application that there is available on street parking at locations that are readily accessible to the users/occupiers of the site at a density to meet any shortfall in on site demands. Given this and the advice contained with the NPPF on traffic/parking grounds should only be made where the cumulative impacts of the decision would be severe, a refusal based on the lack of parking could not be substantiated.

It is noted that cycle parking is to be provided for each dwelling in accordance with ESCC standards. Details of cycle storage facilities are not shown on the plans, however, the applicant has indicated that cycle storage will be provided/stored in the rear gardens of each house. As such, a condition is recommended requiring details of the facilities prior to occupation of the development.

Therefore, it is considered that the proposal accords with Policy TR11 of the Eastbourne Local Plan and Policy C6 of the Eastbourne Core Strategy.

Affordable Housing

Policy D5 seeks to deliver housing within the sustainable centres and sustainable neighbourhoods and must take appropriate account of the need identified in the most up-to-date strategic housing market assessment with particular regard to size, type and tenure of dwellings. All development will be required to contribute towards affordable housing where there is a resultant net gain of 1 or more residential units (C3 Use Class).

This scheme is being promoted by Eastbourne Homes and has an even mix of 4 dwellings remaining within the housing stock and 4 dwellings to be sold as open market dwellings. The revenues from these sales will assist in meeting the demand for future Council Housing.

It is considered that this approach is acceptable given the quality of the accommodation that is being retained by the Council is materially superior to that which formally existed within the No25a Belmore Road and that the capital receipts

will support future housing initiatives and public realm improvements as such the reduction in residential units within the Councils portfolio is acceptable.

In addition given the above no affordable housing contribution is being sought.

The Strategic Housing Manager advises that the proposal is appropriate in mitigating the accessibility to affordable housing across all of our the client group within Eastbourne and also that it would go some way to mitigating the growing pressures going forward. As such, the proposal would, meet the requirements of Policy D5 of the Eastbourne Core Strategy in bringing forward a viable housing scheme which would meet an identified housing need in the area with as much affordable housing as possible.

Sustainable Development

The standards proposed through the application align with current Building Regulations and where possible measures will be introduced to reduce household waste, water consumption and energy. The scheme proposes to use FSR timber products and where possible adopt waste minimisation and waste recycling practices.

It is considered that the development would provide well insulated and highly energy efficient residential units.

The scheme proposes secure cycle parking which may assist in the number of vehicles trips that the occupiers of the units may choose to make. Any reduction in vehicle trips would also help to reduce the extent of Co2 emissions.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion:

The proposal represents a satisfactory form of development that provides sustainable development on previously developed land. The impacts upon the occupiers of existing adjacent properties are considered to be insufficient to substantiate a refusal of planning permission.

The delivery of new sustainable dwellings scheme would also support the vision for the Seaside Neighbourhood

Recommendation:

Approved conditionally

Conditions:

- 1 Time Limit
2. Approved Plans
3. No additional windows
- 4 External Materials
- 5 Boundary treatments (around the entire plot boundary)

- 6 Front garden landscaping layout
- 7 Surface details for access-way, parking spaces
- 8 parking spaces shall be surfaced and marked out in accordance with the drawings approved under condition 7 prior to the first occupation of the dwellings hereby approved
- 9 Construction and demolition method statement (to include site compound site mess facilities)
- 10 Hours of construction
- 11 No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
Reason To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
- 12 The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in Written Scheme of Investigation approved under condition 12 to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority.
Reason. To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.
- 13 No works which include the creation of trenches and culverts or the presence of pipes shall commence until measures to protect mammals from being trapped in open excavations and /or pipe and culverts are submitted to and approved in writing by the Local Planning Authority. The measures may include:
A/ creation of escape ramps from mammals which may be achieved by edge profiling trenches/excavations or by using planks placed into them at the end of each working day; and
B/ open pipework greater than 150mm outside diameter being blanked off at the end of each working day.
Reason In the interest of maintaining the biodiversity of the site and surrounding area
- 14 No development shall take place until an Ecological Design Strategy (EDS) addressing enhancement of the site for biodiversity has been submitted to and approved in writing by the local planning authority.
The EDS shall include:-
- Purpose and conservation objectives for the proposed works
 - Review of site potential and constraints
 - Detailed designs and or working methods to achieve stated objectives
 - Extent and location/area of proposed works on appropriate scale maps and plans
 - Type and source of materials to be used eg. Native species of local provenance
 - Timetable for implementation demonstrating that works are aligned with the proposed phasing of development
 - Person responsible for implementing the works
 - Details of initial aftercare and long term maintenance
 - Details of the monitoring and remedial measures

- Details of disposal of any wastes arising from the works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason In the interest of maintaining the biodiversity of the site and surrounding area

- 15 Prior to demolition works commencing on site a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. (Given the restrictions of the access and the approach road the hours of delivery/ collection should avoid peak traffic flow times and the size of vehicles should be restricted to)
- Reason: In the interests of highway safety and for the benefit and convenience of the public at large
- 16 During any forms of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads
- Reason: In the interests of highway safety and for the benefit and convenience of the public at large
- 17 The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles
- Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development
- 20 Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with this Authority
- Reason: In the interests of highway safety and for the benefit and convenience of the public at large
- 21 Prior to development commencing details of car parking layout including tree pit design shall be 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.
- Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
- 22 Prior to their planting at the site details of tree planting, indicating positions or density, species, and planting size shall be submitted to and approved by the Local Planning Authority, the details as approved shall be implemented at the site before the end of the current or first available planting season following practical completion of the development hereby permitted and retained as such thereafter.
- Reason To ensure the provision of the amenity value afforded by trees in respect of the proposed development.

INFORMATIVE

1. The Highway Authority would wish to see the roads within the site laid out and constructed to standards at, or at least close to, adoption standards

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Agenda Item 7

App.No: 140906 140907 140909	Decision Due Date: 2 September 2014 17 September 2014 24 September 2014	Ward: Sovereign
Officer: Mr Wayne Batho	Site visit date: 08 August 2014	Type: Planning Permission & Advertisement Consent
<p>Site Notice(s) Expiry date: 17 September 2014</p> <p>Neighbour Con Expiry:</p> <p>140906: 18 August 2014, and 17 September 2014 140907: 29 August 2014, and 17 September 2014 140909: 30 August 2014, and 17 September 2014</p> <p>Weekly list Expiry:</p> <p>140906: 04 August 2014 140907: 18 August 2014 140909: 18 August 2014</p> <p>Press Notice(s): n/a</p>		
<p>Over 8/13 week reason: Referred to Committee</p>		
<p>Location: Londis, 46 Beatty Road, Eastbourne</p>		
<p>Proposal:</p> <ol style="list-style-type: none"> 1) (Ref 140906) Installation of one cold store, one frozen store, two refrigeration condenser units and one a/c condenser unit. Erection of 1.8m galvanised palisade fence around cold and frozen stores, and plastic-coated corrugated canopy over cold and frozen stores, and replacement of existing east elevation close-boarded timber fence with 2.8m close-boarded timber fence to provide screening. 2) (Ref 140907) Installation of a new external ATM through shopfront glazing, and existing recessed entrance removed and brought forward. 3) (Ref 140909) Two (2) externally illuminated fascia signs plus one (1) externally illuminated projecting hanging sign. 		
<p>Applicant: Mr Simon Court for and on behalf of Morrisons</p>		
<p>Recommendation:</p> <p>140906: Approve conditionally</p>		

140907: Approve conditionally

140909: Approve (Advert – standard conditions)

Executive Summary:

This report relates to a suite of three applications pertaining to the remodelling and rebranding of a local convenience store in the Langney Point area of Eastbourne, from Londis to Morrisons.

No material impacts from the remodelled shopfront, advertisements and ATM and these are recommended for approval. (140907 and 140909.)

There are potential material issues with the chiller/freezer units to the rear of the site. With additional screening supplied by a 2.8m fence the visual appearance of the structure is considered acceptable. Conditions are considered necessary to control potential noise from the chiller units and condenser units. (140906.)

Planning Status:

The site is located on a short parade of shops in a predominantly residential area.

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
7. Requiring good design
8. Promoting healthy communities

Core Strategy Local Plan 2013 Policies

B2: Creating Sustainable Neighbourhoods
C13: St Anthony's & Langney Point Neighbourhood Policy
D2: Economy
D4: Shopping
D5: Housing
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development
UHT4: Visual Amenity
UHT12: Advertisements
BI6: Business and Industry in Residential and Tourist Areas
BI7: Design Criteria
SH7: District, Local and Neighbourhood Centres
HO2: Predominantly Residential Areas
HO20: Residential Amenity

Site Description:

The site is the ground floor and rear yard of 46 Beatty Road, Eastbourne. Set back from Beatty Road by a small (40 vehicle) car park to the front which serves the whole parade of shops which the site is at the eastern end of, the property is bounded to the east by Hardy Road.

There are flats/apartments above the parade of shops, and to the rear of the property there is an access road servicing the rear yard and a number of garages.

Relevant Planning History:

EB/1971/0506

Installation of new shop front, and erection of internal partitions in ground floor shop.

Granted, subject to conditions. 1971/09/09

EB/1969/0460 (original scheme for the entire block)

Erection of a three-storey block of 8 shops and a supermarket, with 8 maisonettes and a flat over, parking spaces for 40 cars in front and provision of a service road with 10 garages and refuse stores at the rear.

Granted, subject to conditions 1969/10/09

040343

Installation of aluminium powder coated shop front and installation of automatic sliding door, including brickwork infill to side elevation.

Planning Permission

Approved unconditionally 26/07/2004

960453

Display of two externally illuminated fascia signs.

Advertisement

Standard advert approval 01/02/1996

Proposed development:

The applicant is seeking permission for:

140906 – The installation of two cold stores (one refrigerator unit, one freezer unit) in the rear yard, to be enclosed by a 1.8m high palisade and plastic-coated corrugated canopy. In addition there would be two condenser units, one for each of the two cold stores, and a further condenser unit for air conditioning. These condenser units are located on the opposite wall from the proposed chiller/freezer units and sited below the stair-run providing access to the upper floor residential properties. Furthermore the current fencing along the property boundary with Hardy Drive is to be replaced with a 2.8m high closed-boarded timber fence which will screen the chiller/freezer units from nearby properties.

140907 – The installation of a new ATM through the shopfront glazing at the eastern end of the front elevation, and the removal of the existing recessed entrance – the entrance to be remodelled to the outline of the building.

140909 – Advertising comprised of:

- (01) One externally illuminated fascia sign (810mm x 12725mm) along entire front elevation, dark green in colour with yellow and white text.
- (02) One externally illuminated fascia sign (810mm x 7060mm) along part western side elevation, dark green in colour with yellow and white text.
- (03) One externally illuminated hanging sign (1030mm x 800mm x 100mm), dark green in colour with yellow and white text, to be suspended above the eastern end of the front elevation fascia sign.

Neighbour Representations:

It should be noted that the three applications under consideration here were initially subject to individual neighbourhood consultations involving the standard neighbour consultation letters over what was considered to be an appropriate area. (Please see title page for dates.)

Following input from local residents and the subsequent referral of the suite of applications to Committee, a further neighbourhood consultation combining all three applications was undertaken. This involved more neighbour consultation letters (over an increased area following concerns about the extent of the original consultations) and site notices.

140906

Objections have been received and cover the following points:

- Potential increase in noise from fridge/freezer and additional condenser units.

140907

No consultation responses have been received.

140909

No consultation responses have been received.

There have also been representations on matters **not directly related** to the content of the three applications under consideration here on the following points:

- Concern that the new operators of the store have permission for extended opening hours, which will include the sale of alcohol potentially encouraging problem drinking.
- Concern that the extended opening hours may cause disturbance within the local area due to cars and individuals visiting the premises.
- Concern that there could be more delivery movements, potentially at unsociable hours. (Suggestion of 07:00-19:00 restriction.)

- Concern that the initial levels of public consultation were limited.

Appraisal:

The main considerations in the determination of this suite of three applications relate to the:

- Principle of development
- The impact of proposed development(s) on amenity of adjoining neighbours and surrounding area
- Impacts upon the local economy

Principle of development:

There is no objection in principle of making alterations to the building provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity or the character of the area and is in accordance with the policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007 and the National Planning Policy Framework.

In addition the NPPF and the Core Strategy both promote that schemes/applications that support the local economy and foster economic growth should be supported. It is clear from these applications that a National retailer is seeking to invest in refurbishing a building with a view of maintaining the retail function of the key facility in this local parade. In maintaining a retail presence at the site the applicant may secure existing jobs and also there is the potential for job creation.

As such there are no objections to the principle of any elements of the scheme reported here.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

140906 – Chiller/freezer units and condensers:- There is some concern that the siting of the two cold units and associated palisade in the yard at the rear of the store could result in the loss of the use of the rear as an option for taking deliveries. If this were to be the case there are limited other options available, namely the use of the front car park (causing undue disturbance, and potentially causing damage to the surface of the car park – as seen on site – which was never intended to support heavy vehicles), or the use of the section of Hardy Road adjacent to the store (with the potential, again, to cause undue disturbance).

The applicant has supplied vehicle tracking plans that clearly demonstrate that with the size of the vehicle they intend to service the building the chiller/freezer units do not fetter the potential for rear servicing.

Members should note that whilst officers have requested this servicing information and the applicant will use their best endeavours to comply there are no planning conditions that exist on the site and none that could now be imposed to require the site to be serviced from the rear.

The proposed chiller/freezer units and the condensers that support their operational requirements are new features to the site and given that this parade is located within a predominantly residential area and residential flats on the upper floors, the existing background noise levels are considered to be quite low in the evening and early hours of the morning. As such, the proposed operational noise levels as indicated on the application plan may give rise to noise related complaints from the neighbours and given the existence of 6 other external units, may result in a cumulative noise impact. A noise report has been submitted by the applicants and has been forwarded to Environmental Health Officers for comment. These comments will be reported to the planning committee and any relevant conditions that may be necessary to address any potential undue noise problem.

The proposed chiller/freezer units are of a size that would be seen over the existing close boarded fence. Revised plans have been submitted showing a 2.8 metre high fence to the boundary which would screen the chiller units, palisade fence and plastic corrugated canopy. As such, it is considered that the proposal would not have any adverse visual impact within the streetscene along Hardy Road and from houses opposite and is thus considered acceptable on visual amenity grounds.

As commented above the applicant has demonstrated that there still remains the potential for rear servicing and that they will use their best endeavours to service the site from the rear service road.

140907 – The installation of an ATM will provide a useful service to the local area. It is located within a prominent part of the ground floor shopfront that commands a significant amount of active surveillance and as such it complies with the elements of secure by design. No objections are raised to the degree of illumination or the advertisement material that the ATM carries and would not have any adverse impact on the appearance of the building or shopfront.

The remodelled store entrance in filling the corner section of the shopfront provides a unified, consistent entrance and would be in keeping with the appearance of the existing building and shopfront. As such, it is considered that the proposed alterations are acceptable and would not be out of character with the rest of the shopping parade.

140909 – With regard to the proposed fascia signs, the proposed advertisements show the applicants corporate rebranding of the store. The proposed fascia signs on the front and side of the building are to be externally lit and as such the degree of illumination is more muted than internally illuminated signs as such they are considered not to give rise to any material

visual impact upon the site and surrounding area especially given the commercial nature of the ground floor of this parade. As such, it is considered that given the fascia signs location, standard design and appearance, they would not give rise to any material highway safety or visual amenity issues.

Given the small size of the proposed hanging sign which is similar to that of the existing Londis hanging sign, it would not give rise to any issues with visual intrusion or highway safety and therefore is considered to be acceptable.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conditions:

140906 – Approve subject to conditions:

1. Time limit
2. Subject to approved drawing numbers.
3. Noise condition relating to chiller and condensing units.
4. Notwithstanding the details shown on the plans hereby approved, prior to the commencement of the retail operation, the 2.8 metre side fence to the flank boundary of the site shall be provided and permanently retained as such for the duration of the use.

140907 – Approve subject to conditions:

1. Time limit
2. Subject to approved drawings

140909 – Approve advert consent with standard conditions

Appeal:

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

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Agenda Item 8

App.No.: 141125	Decision Due Date: 30 th September 2014	Ward: Devonshire
Officer: Leigh Palmer	Site visit date: Numerous pre & post submission	Type: Planning Permission
Site Notice(s) Expiry date: 21/09/2014 Neigh. Con Expiry: N/A Site Notices displayed Weekly list Expiry: 29/09/2014 Press Notice(s)-: 29/09/2014		
Over 8/13 week reason: Within Time		
Location: Princes Park, Royal Parade Eastbourne		
Proposal: Creation of new entrance to the park and the provision of a new pedestrian link with ramped access between the park and the Promenade. The removal of redundant bowling greens to create an area of new public space within the park. Remodelling and refurbishment of existing cafe, demolition of existing toilet block hard and soft landscaping within the park.		
Applicant: Allen Scott Ltd		
Recommendation: 140821 That planning permission be granted subject to conditions.		

Executive Summary:- Members will note that this application follows very closely the key points and themes from the adopted (Princes Park Master Plan 2012) and seeks to enhance the connectivity between the park and promenade, proposes new areas of public realm and also proposes enhancement to the café offer with the heart of the park.

Whilst there is no guarantee the above enhancements/improvements to the park and its environs should go some way to supporting the Councils aims of maintaining the parks 'Green Flag' status going forward.

All elements of the scheme are considered acceptable and are perceived to be beneficial to all users of the park and are recommended for approval.

Planning Status:

Princes Park is one of the Borough's largest formal parks providing a range of activities and landscape areas with an area that has recently been awarded 'Green Flag' status.

Relevant Planning Policies:

National Planning Policy Framework

Borough Plan 2001-2011

UHT1	-	Design of development
UHT4	-	Visual amenity
NE28	-	Environmental Amenity
D6	-	Recreation and Leisure
UHT7	-	Landscaping
UHT8	-	Amenity Space
UHT10	-	Design of Public Areas
TR6	-	Facilities for Cyclists
TR7	-	Provision for Pedestrians
LCF8	-	Small Scale Sport and Recreation Facilities
LCF21	-	Retention of Community Facilities
US6	-	Integrity of Flood Defences

Core Strategy

B1	-	Spatial Development Strategy and Distribution
B2	-	Creating Sustainable Neighbourhoods
D1	-	Sustainable Development
C3	-	Seaside Neighbourhood Policy
D3	-	Tourism and Culture
D7	-	Community, Sport and Health
D9	-	Natural Environment
D10A	-	Design

Site Description:

Application site relates to the Princes Park and surrounding area.

A number of existing access points (both pedestrian and vehicular) are sited around the park, these access points link into existing routes around the park.

Located with the centre of the park is The Crumbles Pond and the café. The Crumbles Pond is a large expanse of water (man- made) that along with the café forms the central focus for/to the park. The lake supports a number of informal/formal recreational activities.

The park also includes formal and informal landscaping and also areas for more active recreation (bowling greens and open parkland for ball related sports).

Princes Park is separated from the Promenade by Royal Parade a highway linking the Langney with other areas of the seafront and the Town Centre.

Relevant Planning History:

Princes Park is the third largest park in the town and was formed (to what can be seen today) generally between 1900 and 1930.

Princes Park Management Plan Approved 2012.

The adopted vision for the park as identified with the Management Plan:- *The vision for Princes Park for 2020 is to create a protected parkland environment with innovative landscape design and features which provide a wide range of high quality sporting and leisure opportunities to meet the needs of the local*

community and visitors within a sustainable, clean, safe and appealing landscape setting'.

The management plan document identified the park as having both local/community and tourism importance given the diverse nature of the facilities/activities that the park supports.

The main purpose of the management plan was to identify the important existing features, consult with the public and interest groups and as a result direct/guide further investment to ensure that its current 'Green Flag' status is retained.

The management plan identified the important features to be:-

- The boating lake
- Support infrastructure including Café and WC's
- Space for informal and formal recreation
- Formal and informal planting
- Children's play areas including the splash park

The public consultation that formed part of the Princes Park Management Plan reinforced key areas for improvement; these included:-

- Retention of café use for users of the park
- Refurbishment/upgrade the offer for the café within the park
- Improve access to and around the park
- Improve recreational offer within the park
- Retain/improve toilet facilities
- Improve/maintain planting/landscaping
- Establish links to/from the promenade

Proposed development:

There are a number of elements to this application and it is important to note that not all of the aspirations of the Princes Park Management Plan have worked their way into this application/submission.

The elements of this application that fall to Members to consider and determine are:-

- **Pedestrian Link:-** The creation of a new pedestrian connection between the Promenade and the Park.

Members will note that that Promenade in this location (adjacent to the 'Spray Water Sports Centre') is elevated above the adjacent 'Pay and Display Fort Fun' car park. A new ramp is proposed to be formed to assist in this change of levels.

- **Zebra Crossing:-** To link the new ramp to the Park a new crossing of Royal Parade is to be formed (this will be delivered by East Sussex County Council). This crossing will arrive at a newly formed entrance to

the park.

- **New Park Entrance:-** . This element of the scheme proposes to completely remove the redundant bowling greens from this area of the Park to be replaced with approximately 4,500sqm of new public realm.

This new area of public realm will be formed from hard and soft landscaping. It is proposed to create an area of new publicly accessible open space that would also assist in improving the visual link between The Promenade, The Café and the Crumbles Pond.

- **Demolition of existing Toilet Block:-** This element of the scheme proposes the demolition of the existing toilet block located close to the main café building with replacement WC facilities to be located within the remodelled Café building.
- **Remodelled/refurbished café building:-** This element of the scheme proposes to refurbish (internally and externally) the existing café building. The refurbishment includes the creation of externally accessed level WC units in the eastern wing of the building.

The proposal also includes the demolition of the non original infill extensions located on both flanks elevations. In addition a new glazed extension is proposed on the elevation facing the crumbles pond.

The existing café building is located on higher ground above The Crumbles Pond whilst this position commends long and short range views over the pond/park the access from the café up/down to pond level is not practicable for all park users. This scheme proposes some re-profiling of the area between the café and the pond to introduce more usable graded ramps.

Consultations:

Spray Water Sports Centre:- Object

The specific objections or issues concerning the proposed development of the pond are:

1. the installation of a floating island (health and safety)
2. the introduction of a pedalo/rowing boat concession (health and safety)
3. the installation of rip-rap edging (health and safety)
4. the installation of a pontoon / decking space for the Model Boat Club and café users (Unclear as to the benefits to members)
5. reed planting (biodiversity is to be welcomed however there are health and safety if capsizing in the reed area)
6. the replacement of the pond edging (no objection to the current material but if changed then would have to have the same functional properties as currently materials).

Every year, the centre provides training, qualifications and positive curriculum outcomes to thousands of children and young people. It provides courses and adventurous experiences to many foreign visitors to the town, as well as a

significant number of adult participants. The centre is an important contributor to individual development, social and family cohesion, and the local economy. Bringing, as it does, thousands of users and visitors to the pond every year, the centre is the principle stakeholder in how the pond is developed in the future. Accepting all others, this response, therefore, focusses on the proposals for the pond itself.

They claim that the client group they represent has been undervalued in the design process of the scheme with greater weight given to Friends of Princes Park and the Model Boat Club. Given this they request that the centre is included in any further negotiations on future designs for the Park.

Europartner:- Long standing language school user of the lake for sailing facilities. The Spray Water Sports Centre use of the lake provides a safe place to learn to sail and is ideal for non-confident beginners. Other uses for the pond may impact upon the benefits for sailing.

East Sussex Outdoor Activity Centre:- the facilities of the spray water centre should not be compromised without further consultation.

Chief Instructor Spray Water Sports Centre:- Object, proposed changes to the lake would affect the available tuition area and may give rise to hazards. The introduction of planting material is unlikely to survive given the tidal nature of the pond and its high salt water content. Further consultation is needed prior to moving towards a conclusion of the remodelling of the lake.

East Sussex County Council Archaeologist:- No significant archaeological remains are likely to be affected by these proposal and as such no comments to make.

East Sussex County Highways:- All works within the highway will be subject to agreements with the County. No Traffic Regulation Orders are required.

Eastbourne District Model Yacht Club:- Support the refurbishment of the café and the toilets, question the longevity of the Dotto train and as such this should be assessed.

If the café fails would the maintenance of the toilets continue as these are an important asset for park users.

The works proposed to the lake (forming a floating island with planting edge and moorings for rowing boats) would severely compromise the use of the lake for model yachting.

The lake is only one of three international class model yacht racing waters in the Country and has been used by model yacht enthusiast since the 1920's.

Friends of Princes Park:- Question the effectiveness of getting more people into the park from the ramp/walkway from the promenade

Neighbour Representations:

None received

Appraisal:

Members please note that the majority of the comments received relates to the remodelling of The Crumbles Pond/lake. These remodelling works whilst forming part of the 'Management Plan' do not form part of this planning application. The applicant has confirmed that further rounds of public consultation/engagement will take place prior to implementing any changes to the current situation to the lake/pond.

Principle:- The significant elements of this application follow directly from the aspiration of the 'Management Plan' and as such there is no objection to the principle of these improvement works.

Public Access:- It is clear that the linking of the promenade to Princes Park by an new ramped access will assist in drawing additional patrons into the park. Currently the assets/features of the park are hidden from view and not readily accessible from the promenade. The proposed ramp and pedestrian crossing of Royal Parade will ease access to the park and should assist in increasing footfall and therefore is acceptable in principle.

The access ramp is to be formed from facing brickwork to the support walls and given its location/size/scale would not be visually intrusive addition to this part of the promenade.

Public Realm:- Members will note that where the new access-point joins the park there are two redundant bowling greens. It is considered that these in their current state redundant state do not make a positive contribution to the Park and as such their removal is supported.

The removal of both bowling greens enables an area between the café building and the park boundary to be landscaped to create a significant area of new public realm. This area will be formed by a combination of hard and soft landscaping. It is considered that this area of new public realm would be visually appealing, be landscaped to a high standard and provide a new focal point to the access to the Park.

Whilst there are no designated uses within the Masterplan for this new area of public space it is clear that its size and planned layout is such that once formed it would reinforce the visual connection between the promenade and the park. It is would also create the potential for both informal activity (accessing the park new access for the Dotto Train) and more formal use (activities/events/community hub).

It is considered that the enhancements created by the creation of this element of new public realm would be a significant enhancement to this part of the park in particular and the wider park in general and would be of material benefit to all users of the park and should therefore be supported.

Human Rights Implications:

The improvements in access to/from the park and in and around the café building including improved accessible WC facilities as well as enhancements to the footpaths around in and around the park is considered beneficial to all users of the park and would help to support the widest cultural heritage of the town for its residents and visitors.

Recommendation:

Grant Planning Permission subject to conditions

1. Time Limit
2. Approved Drawings
3. Materials

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**.

COMMITTEE	PLANNING COMMITTEE
DATE	30 September 2014
SUBJECT	Local Validation List
REPORT OF	Anna Clare Specialist Advisor (Planning)

WARDS	All
PURPOSE	This report outlines the Council's Local Validation List
CONTACT	Anna Clare Anna.Clare@eastbourne.gov.uk 01323 415 644
RECOMMENDATION	That Members note the content of this report

Purpose of this report:-

The purpose of this information item is to bring to your attention to the Council's Local Validation List (LVL).

The LVL is prepared by the Local Planning Authority to clarify to Applicants what information is usually required for planning applications of a particular type, scale or location. The LVL will be available to members of the public through our website.

In addition to being specified on an up-to-date LVL information requested with a particular planning application must be:

- Reasonable having regard, in particular, to the nature and scale of the proposed development; and
- About a matter it is reasonable to think will be a material consideration in the determination of the application.

The statutory tests are set out in section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 29(4) (bb) of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

The legislation requires that the LVL be updated at least every two years to take into account any changes in legislation or policy. At creation and review the LVL will be subject to a consultation period of 8 weeks to allow any comments from members of the public, agents or professionals.

Recommendation:-

That members note the content of this report and endorse the Local Validation List. The legislation requires a consultation period of 8 weeks with the local community including applicants and agents. Should no comments be made no further address to the committee will be made and the Local Validation List will be adopted.

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Information Required	Link(s) to further information	Householder application for planning permission for works or extension to a dwelling	Householder application for works or extension to a dwelling and relevant demolition in a conservation area	Householder application WITH listed building consent for alterations, extension or demolition of a listed building	Application for planning permission (Major Development = 10+ Residential Units Created or 1000m ² + floorspace)	Application for planning permission and relevant demolition in a Conservation Area (Major Development = 10+ Residential Units Created or 1000m ² + floorspace)	Application for planning permission WITH Listed Building Consent for alterations, extension or demolition of a listed building (Major Development = 10+ Residential Units)	Application for outline planning permission (Major Development = 10+ Residential Units Created or 1000m ² + floorspace)	Application for Reserved Matters	Application for advertisement consent
Application Form	http://www.planningportal.gov.uk/planning/applications	YES with relevant certificate signed	YES with relevant certificate signed	YES with relevant certificate signed	YES with relevant certificate signed	YES				
Site location plan. Scale 1:1250	http://www.planningportal.gov.uk/planning/professionalinfo/buyingplans	YES Scale 1:1250 or showing at least two road names. The property curtilage must be outlined in red with any other land under the same ownership outlined in blue.	YES Scale 1:1250 or showing at least two road names. The property curtilage must be outlined in red with any other land under the same ownership outlined in blue.	YES Scale 1:1250 or showing at least two road names. The property curtilage must be outlined in red with any other land under the same ownership outlined in blue.	YES Scale 1:1250 or showing at least two road names. The property curtilage must be outlined in red with any other land under the same ownership outlined in blue.	YES Scale 1:1250 or showing at least two road names. The property curtilage must be outlined in red with any other land under the same ownership outlined in blue.	YES Scale 1:1250 or showing at least two road names. The property curtilage must be outlined in red with any other land under the same ownership outlined in blue.	YES Scale 1:1250 or showing at least two road names. The property curtilage must be outlined in red with any other land under the same ownership outlined in blue.	YES Scale 1:1250 or showing at least two road names. The property curtilage must be outlined in red with any other land under the same ownership outlined in blue.	YES Scale 1:1250 or showing at least two road names. The property curtilage must be outlined in red with any other land under the same ownership outlined in blue.
Block Plan. Scale 1:500		YES Should indicate proposal within the context of the whole site.	YES Should indicate proposal within the context of the whole site.	YES Should indicate proposal within the context of the whole site.	YES Should indicate proposal within the context of the whole site.	YES Should indicate proposal within the context of the whole site.	YES Should indicate proposal within the context of the whole site.	YES	YES	YES
Existing and proposed floor plans. Scale 1:50 or 1:100		YES	YES	YES	YES	YES	YES	Depends on Matters Reserved	Depends on Matters Reserved	NO
Existing and proposed elevations. Scale 1:50 or 1:100		YES	YES	YES	YES	YES	YES	Depends on Matters Reserved	Depends on Matters Reserved	YES and/or Schedule of Advertisements
Roof plan. 1:50 or 1:100		YES where proposal impacts roof	YES where proposal impacts roof	YES where proposal impacts roof	YES	YES	YES	Depends on Matters Reserved	Depends on Matters Reserved	NO
Plan of architectural details, joinery and mouldings. Scale 1:1		NO	NO	YES [except for demolition]	NO	YES	YES	Depends on Matters Reserved	Depends on Matters Reserved	NO
Affordable housing statement	http://www.eastbourne.gov.uk/about-the-council/council-policies-plans-and-strategies/planning-policy/local-development	NO	NO	NO	Yes if 1 or more dwelling proposed to be created	Yes if 1 or more dwelling proposed to be created	Yes if 1 or more dwelling proposed to be created	Yes if 1 or more dwelling proposed to be created	NO	NO
Air Quality Assessment		NO	NO	NO	NO	NO	NO	NO	NO	NO
Assessment of Significance		NO	YES	YES	NO	YES	YES	NO	NO	NO
Biodiversity survey and report	http://www.eastbourne.gov.uk/about-the-council/council-policies-plans-and-strategies/planning-policy/local-development	NO	NO	NO	YES if ecologically sensitive site	YES if ecologically sensitive site	YES if ecologically sensitive site	YES if ecologically sensitive site	NO	NO
Daylight/sunlight assessment		NO	NO	NO	YES if 6 storey or >18m	NO	NO	YES if 6 storey or >18m	Depends on Matters Reserved	NO

Information Required	Link(s) to further information	Householder application for planning permission for works or extension to a dwelling	Householder application for works or extension to a dwelling and relevant demolition in a conservation area	Householder application WITH listed building consent for alterations, extension or demolition of a listed building	Application for planning permission (Major Development = 10+ Residential Units Created or 1000m2+ floorspace)	Application for planning permission and relevant demolition in a Conservation Area (Major Development = 10+ Residential Units Created or 1000m2+ floorspace)	Application for planning permission WITH Listed Building Consent for alterations, extension or demolition of a listed building (Major Development = 10+ Residential Units	Application for outline planning permission (Major Development = 10+ Residential Units Created or 1000m2+ floorspace)	Application for Reserved Matters	Application for advertisement consent
Design and Access Statement	http://www.eastbourne.gov.uk/about-the-council/council-policies-plans-and-strategies/planning-policy/local-development-documents/eastbourne-core-strategy-local-plan/about/	NO	Yes if floorspace created is 100sqm or more or more than 1 dwelling proposed.	NO	Yes if floorspace created is 100sqm or more or more than 1 dwelling proposed.	Yes if floorspace created is 100sqm or more or more than 1 dwelling proposed.	Yes if floorspace created is 100sqm or more or more than 1 dwelling proposed.	If Design is not reserved	Depends on Matters Reserved	NO
Economic statement	http://www.eastbourne.gov.uk/about-the-council/council-policies-plans-and-strategies/planning-policy/local-development-documents/eastbourne-core-strategy-local-plan/about/	NO	NO	NO	Yes if Major Development	Yes if Major Development	Yes if Major Development	Yes if Major Development	NO	NO
Environmental statement	http://planningguidance.planningportal.gov.uk/blog/guidance/environmental-impact-assessment/	NO	NO	NO	Refer to Guidance	Refer to Guidance	Refer to Guidance	Refer to Guidance	NO	NO
Flood risk assessment	http://www.environment-agency.gov.uk/homeandleisure/floods/31650.aspx http://www.eastbourne.gov.uk/environment/planning/apply/FRA/	YES if within a flood risk zone	YES if within a flood risk zone	YES if within a flood risk zone	YES if within a flood risk zone	YES if within a flood risk zone	YES if within a flood risk zone	YES if within a flood risk zone	NO	NO
Foul sewage and utilities assessment		NO	NO	NO	YES	NO	NO	YES	Depends on Matters Reserved	NO
Heritage statement	http://www.eastbourne.gov.uk/about-the-council/council-policies-plans-and-strategies/planning-policy/local-development-documents/eastbourne-core-strategy-local-plan/about/	NO	YES	YES	NO	YES	YES	NO	NO	NO

Information Required	Link(s) to further information	Householder application for planning permission for works or extension to a dwelling	Householder application for works or extension to a dwelling and relevant demolition in a conservation area	Householder application WITH listed building consent for alterations, extension or demolition of a listed building	Application for planning permission (Major Development = 10+ Residential Units Created or 1000m2+ floorspace)	Application for planning permission and relevant demolition in a Conservation Area (Major Development = 10+ Residential Units Created or 1000m2+ floorspace)	Application for planning permission WITH Listed Building Consent for alterations, extension or demolition of a listed building (Major Development = 10+ Residential Units	Application for outline planning permission (Major Development = 10+ Residential Units Created or 1000m2+ floorspace)	Application for Reserved Matters	Application for advertisement consent
Land contamination assessment		NO	NO		Yes for contaminated sites and sites used for industrial purposes	Yes for contaminated sites and sites used for industrial purposes	Yes for contaminated sites and sites used for industrial purposes	Yes for contaminated sites and sites used for industrial purposes	NO	NO
Landfill statement		NO	NO	NO	Yes if on a landfill site	Yes if on a landfill site	Yes if on a landfill site	Yes if on a landfill site	NO	NO
Landscaping details		NO	NO	NO	Yes if Major application	Yes if Major application	Yes if Major application	If Landscaping not reserved	If Landscaping Reserved	NO
Lighting assessment		NO	NO	NO	Yes if external lighting scheme proposed	Yes if external lighting scheme proposed	Yes if external lighting scheme proposed	Yes if external lighting scheme proposed	Depends on Matters Reserved	YES
Noise impact assessment		NO	NO	NO	Yes if adjacent to noise sensitive development	Yes if adjacent to noise sensitive development	Yes if adjacent to noise sensitive development	Yes if adjacent to noise sensitive development	NO	NO
Open space assessment		NO	NO	NO	Yes if major development	Yes if major development	Yes if major development	Yes if major development	NO	NO
Parking provision		NO	NO	NO	YES	YES	YES	YES	If Access Reserved	NO
photographs		YES	YES	YES	YES	YES	YES	YES	NO	YES
Planning statement		NO	NO	NO	Yes if Major application	Yes if Major application	Yes if Major application	Yes if major development	NO	NO
Statement of community involvement		NO	NO	NO	Yes if Major application	Yes if Major application	Yes if Major application	Yes if major development	NO	NO
Structural survey			NO	YES	NO	YES	YES	NO	NO	NO
Sustainability Checklist		NO	NO	NO	YES	YES	YES	NO	Depends on Matters Reserved	NO
Telecommunications development, supplementary information		NO	NO	NO	NO	NO	NO	NO	NO	NO
Transport assessment	http://www.eastsussex.gov.uk/environment/planning/applications/developmentcontrol/guidance.htm	NO	NO	NO	Yes if Major application	Yes if Major application	Yes if Major application	Yes if major development	NO	NO

Information Required	Link(s) to further information	Householder application for planning permission for works or extension to a dwelling	Householder application for works or extension to a dwelling and relevant demolition in a conservation area	Householder application WITH listed building consent for alterations, extension or demolition of a listed building	Application for planning permission (Major Development = 10+ Residential Units Created or 1000m2+ floorspace)	Application for planning permission and relevant demolition in a Conservation Area (Major Development = 10+ Residential Units Created or 1000m2+ floorspace)	Application for planning permission WITH Listed Building Consent for alterations, extension or demolition of a listed building (Major Development = 10+ Residential Units)	Application for outline planning permission (Major Development = 10+ Residential Units Created or 1000m2+ floorspace)	Application for Reserved Matters	Application for advertisement consent
Travel Plan	http://www.eastbourne.gov.uk/about-the-council/council-policies-plans-and-strategies/planning-policy/local-development-documents/eastbourne-core-strategy-local-plan/about/	NO	NO	NO	Yes if Major application	Yes if Major application	Yes if Major application	Yes if major development	NO	NO
Tree Survey/Arboricultural report		YES, if trees on site or adjoining land	YES, if trees on site or adjoining land	YES, if trees on site or adjoining land	YES, if trees on site or adjoining land	YES, if trees on site or adjoining land	YES, if trees on site or adjoining land	YES, if trees on site or adjoining land	If Landscaping Reserved and/or proposal affects trees	NO
Ventilation/extraction statement		NO	NO	NO	YES If ventilation or extraction equipment required	YES If ventilation or extraction equipment required	YES If ventilation or extraction equipment required	NO	NO	NO
Waste minimisation plan		NO	NO	NO	YES	YES	YES	YES	NO	NO

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Prior Approvals for Larger Home Extensions		Link to Planning Portal Guidance and Forms	
Prior Notifications/Approvals for Changes of Use		Link to Planning Portal Guidance	Link to Planning Portal Forms

COMMITTEE	PLANNING COMMITTEE
DATE	30 September 2014
SUBJECT	Utilising the Planning Register through our Website
REPORT OF	Anna Clare Specialist Advisor (Planning)

WARDS All

PURPOSE This report provides details of the information in relation to planning applications available on our website and how to access this information.

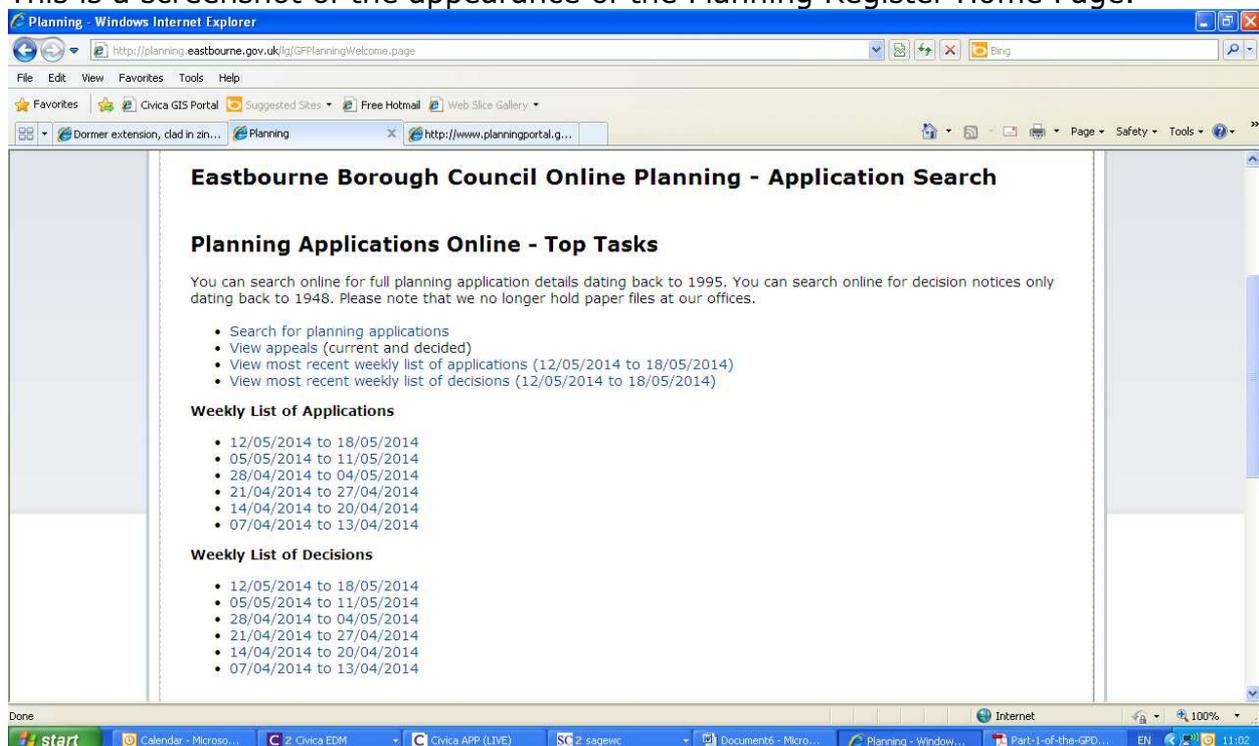
CONTACT **Anna Clare**
anna.clare@eastbourne.gov.uk
01323 415 644

RECOMMENDATION That Members note the content of this report

The purpose of this information item is to bring to your attention the functions available through the Planning Register on our website.

You can access the Planning Register on our website at the following link;
<http://planning.eastbourne.gov.uk/lg/GFPlanningWelcome.page>

This is a screenshot of the appearance of the Planning Register Home Page.



Useful links on this page can be used to obtain a weekly list of applications validated, a weekly list of decisions made and a list of ongoing appeals.

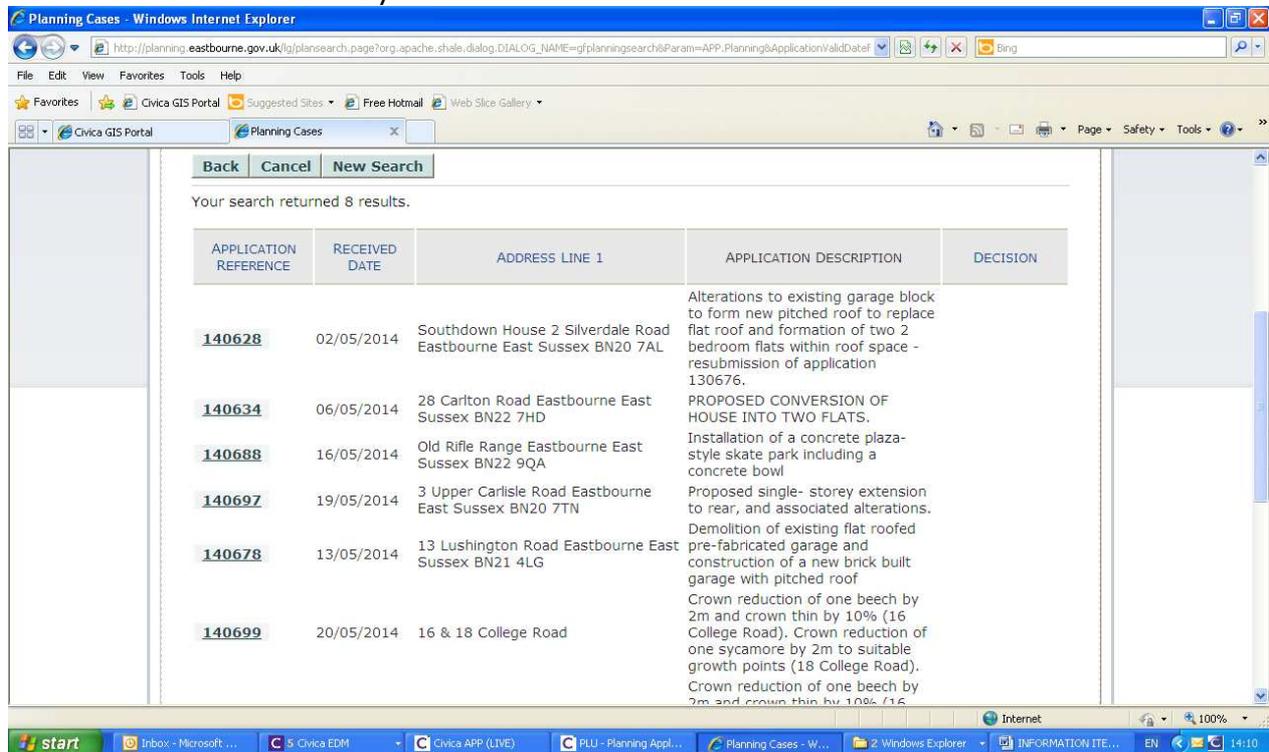
'View most recent weekly list' will link to a list of applications validated the previous week; for older 'weekly lists' see the list available which gives the previous 6 weeks lists.

The Weekly List of Planning Applications

In line with the principles of Customer First we are moving away from any Officer generated emails; with our website automatically instead providing all the information needed for the Council to fulfil its statutory obligations. The motivating factor is to enable greater customer satisfaction removing the need for additional work by Caseworkers to make information available and easy to obtain for all members of the public not just those registered to receive the weekly list.

Previously a list of applications received and validated would be generated internally by a Caseworker and emailed to those who have registered an interest in receiving the information. However the list of applications received is of little value as an application may not become valid, and at this time may not have a Caseworker assigned.

Screen shot of the weekly list.



APPLICATION REFERENCE	RECEIVED DATE	ADDRESS LINE 1	APPLICATION DESCRIPTION	DECISION
140628	02/05/2014	Southdown House 2 Silverdale Road Eastbourne East Sussex BN20 7AL	Alterations to existing garage block to form new pitched roof to replace flat roof and formation of two 2 bedroom flats within roof space - resubmission of application 130676.	
140634	06/05/2014	28 Carlton Road Eastbourne East Sussex BN22 7HD	PROPOSED CONVERSION OF HOUSE INTO TWO FLATS.	
140688	16/05/2014	Old Rifle Range Eastbourne East Sussex BN22 9QA	Installation of a concrete plaza-style skate park including a concrete bowl	
140697	19/05/2014	3 Upper Carlisle Road Eastbourne East Sussex BN20 7TN	Proposed single- storey extension to rear, and associated alterations.	
140678	13/05/2014	13 Lushington Road Eastbourne East Sussex BN21 4LG	Demolition of existing flat roofed pre-fabricated garage and construction of a new brick built garage with pitched roof	
140699	20/05/2014	16 & 18 College Road	Crown reduction of one beech by 2m and crown thin by 10% (16 College Road). Crown reduction of one sycamore by 2m to suitable growth points (18 College Road). Crown reduction of one beech by 2m and crown thin by 10% (16	

Only valid applications are displayed on the website, an application is only made valid when we have received all information required for us to determine the application. Regardless of when an application is received it will appear in the weekly list of applications when it is validated and therefore the public consultation has begun.

You can open the application by clicking on the blue highlighted Application Reference to view all the documents associated with the application including the plans.

The weekly list of decisions

A weekly list of decisions is also provided through the website, this is also a static list which is populated when the application is determined. The list will include all decisions made that week, whether they are through Delegated powers or by Planning Committee. The decision is displayed on the front page; you can open the application by clicking on the blue highlighted Application Reference to see the

decision notice with any conditions, and plans and any comments submitted during the application process.

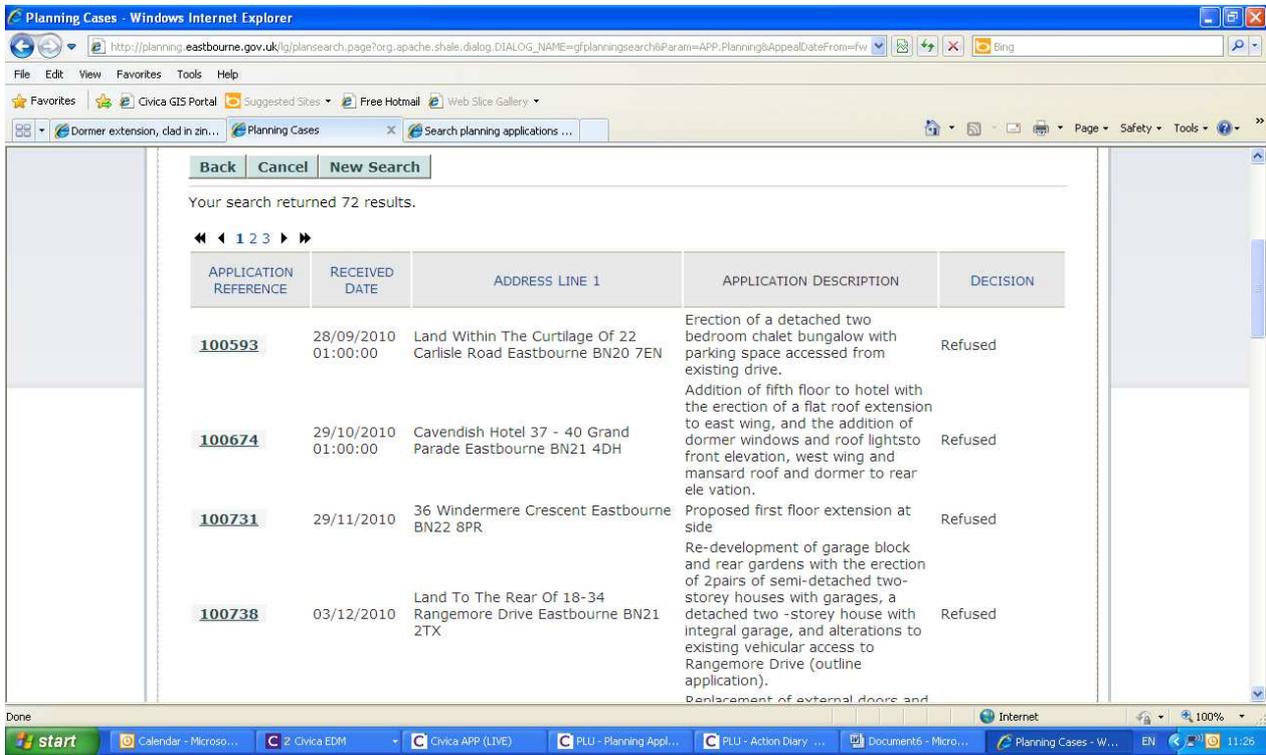
Screen Shot of Weekly Decisions



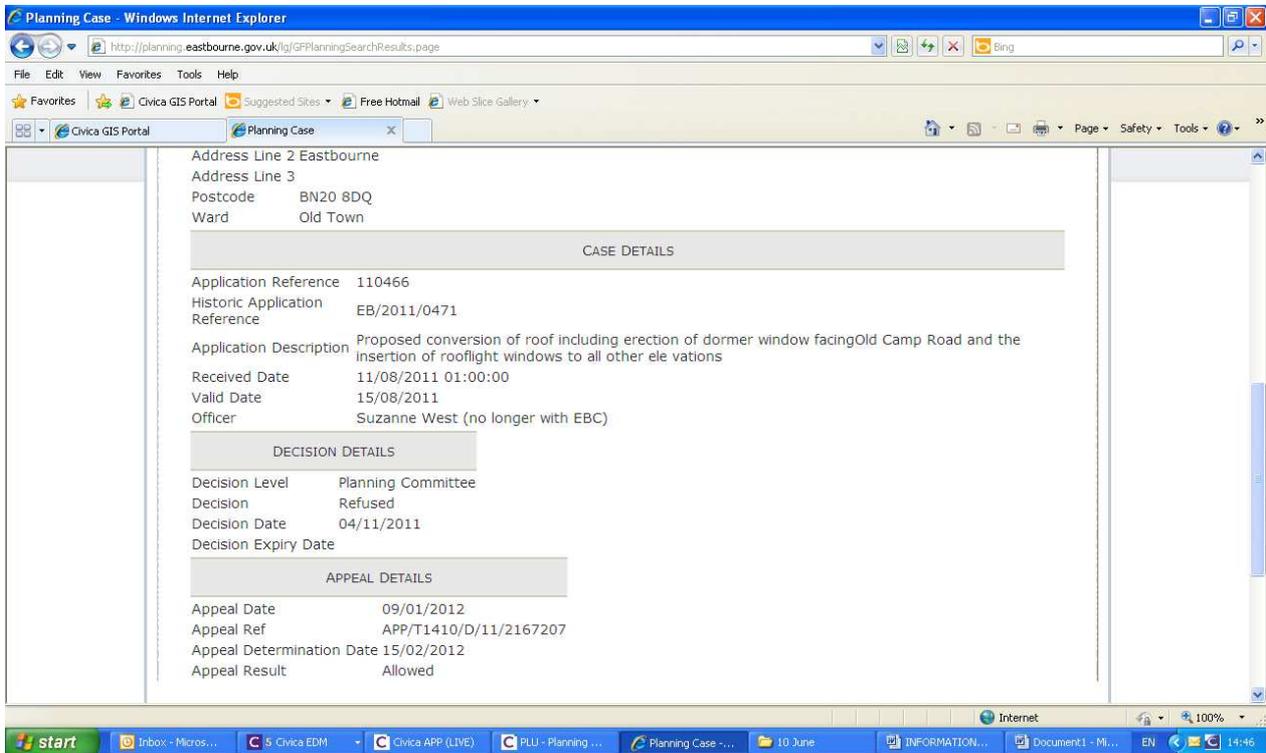
List of Appeals

The view appeals function will display all appeals, both currently under consideration by the Planning Inspectorate and those already decided.

Screen shot of list of Appeals



By clicking on the blue highlighted Application Reference you can open the application to view any plans etc. Once an appeal has been determined the Inspectors Decision will be available to read through the application. Our website is used to provide information in relation to the appeal but the appeal is handled and processed by the Planning Inspectorate. Important to note is the decision on the front page relates to the decision of the original application determined by the Council not the Appeal. Whether the appeal is allowed or dismissed will be detailed when you open the application as shown in the following screen shot.



COMMITTEE:	Planning
DATE:	30th September, 2014
SUBJECT:	Tree Preservation Order – Land at 91 Parkway, Eastbourne, East Sussex No. 170 (2014)
REPORT OF:	Senior Head of Development and Environment and Lawyer to the Council

WARD Ratton.

PURPOSE This report asks the Planning Committee to confirm the aforementioned Tree Preservation Order on behalf of the planning authority.

CONTACT: Victoria Simpson, Lawyer to the Council, Telephone 01323 415018 or internally on extension 5018.
E-mail address: victoria.simpson@eastbourne.gov.uk

RECOMMENDATION: That The Eastbourne Borough Council Tree Preservation Order (Land at 91 Parkway, Eastbourne, East Sussex) No. 170 (2014) be confirmed without modification.

1.0 Introduction

1.1 On 4th June, 2014, a Senior Specialist Adviser at the Council exercised his delegated powers by authorising the making of a provisional tree preservation order in respect of trees on the above land. The individual trees marked T1 to T7 are 1 Lime (T1) and 6 Yew (T2 to T7). The group of trees within G1 consist of 7 Yew, 9 Ash and 1 Sycamore. The group of trees within G2 consist of 4 Ash.

The Senior Specialist Adviser made the provisional tree preservation order having taken the view that the relevant trees made a significant contribution to the visual amenity of the area, and as their loss would be detrimental to that amenity it was expedient to make the order.

The order was made on 5th June, 2014. A copy of the order plan is attached (Appendix 1).

1.2 The order will continue in force until the expiration of a period of six months from the making of the order or the date on which the order is confirmed, whichever first occurs.

2.0 Confirmation Procedure

The Committee must now decide whether to confirm the order. The Committee may either:

- confirm an order either without modification or subject to such modification as it considers expedient; or
- decline to confirm the order, in which case it lapses

Before making a decision the Committee must first take into account any objections or representations made within the prescribed period.

3.0 Consultation

- 3.1 Copies of the order and statutory notice were served on the owners and occupiers of the land and adjoining land.
- 3.2 Letters of objection to the confirmation of a Tree Preservation Order have been received from one of the owners of the property and from residents of one property in Parkway. Copies of these letters are attached at Appendix 2 and Appendix 3 for your information.
- 3.3 The officer's response to the objections received is attached at Appendix 4.
- 3.4 Letters of supporters of the order have been received and a copy of a letter is attached at Appendix 5. This letter and seven others containing the same text were received within the deadline from interested parties.
- 3.5 It will be noted that the points on which the objectors and the Council differ include the following:
- 1) how scoring was applied using the TEMPO system. The objector considers that separate scoring was not used for each single tree and group while the Council states that although an initial assessment was based on the trees' group value, individual scoring was done on a further visit
 - 2) whether the visual amenity requirement is made out, and
 - 3) whether the impact of a restrictive covenant on the facts obviates the need for a Tree Preservation Order to be made.

4.0 Resource Implications

- 4.1 Financial
- There are none.
- 4.2 Staffing
- There are none.

5.0 Environmental Implications

- 5.1 The confirmation of the order will ensure the protection of the trees which are considered to make a significant contribution to the visual amenity of the area.

6.0 Human Rights

6.1 Whilst the owners of land have the right to peaceful enjoyment of their property, tree preservation orders are the principal regulatory means for protecting trees and the local planning authority is empowered to make an order to protect trees which it considers to be of amenity value to local communities.

7.0 Conclusion

7.1 The trees make a significant contribution to the visual amenity of the area. It is therefore recommended that this tree preservation order be confirmed without modification.

JEFF COLLARD
SENIOR HEAD OF DEVELOPMENT AND ENVIRONMENT

VICTORIA SIMPSON
LAWYER TO THE COUNCIL

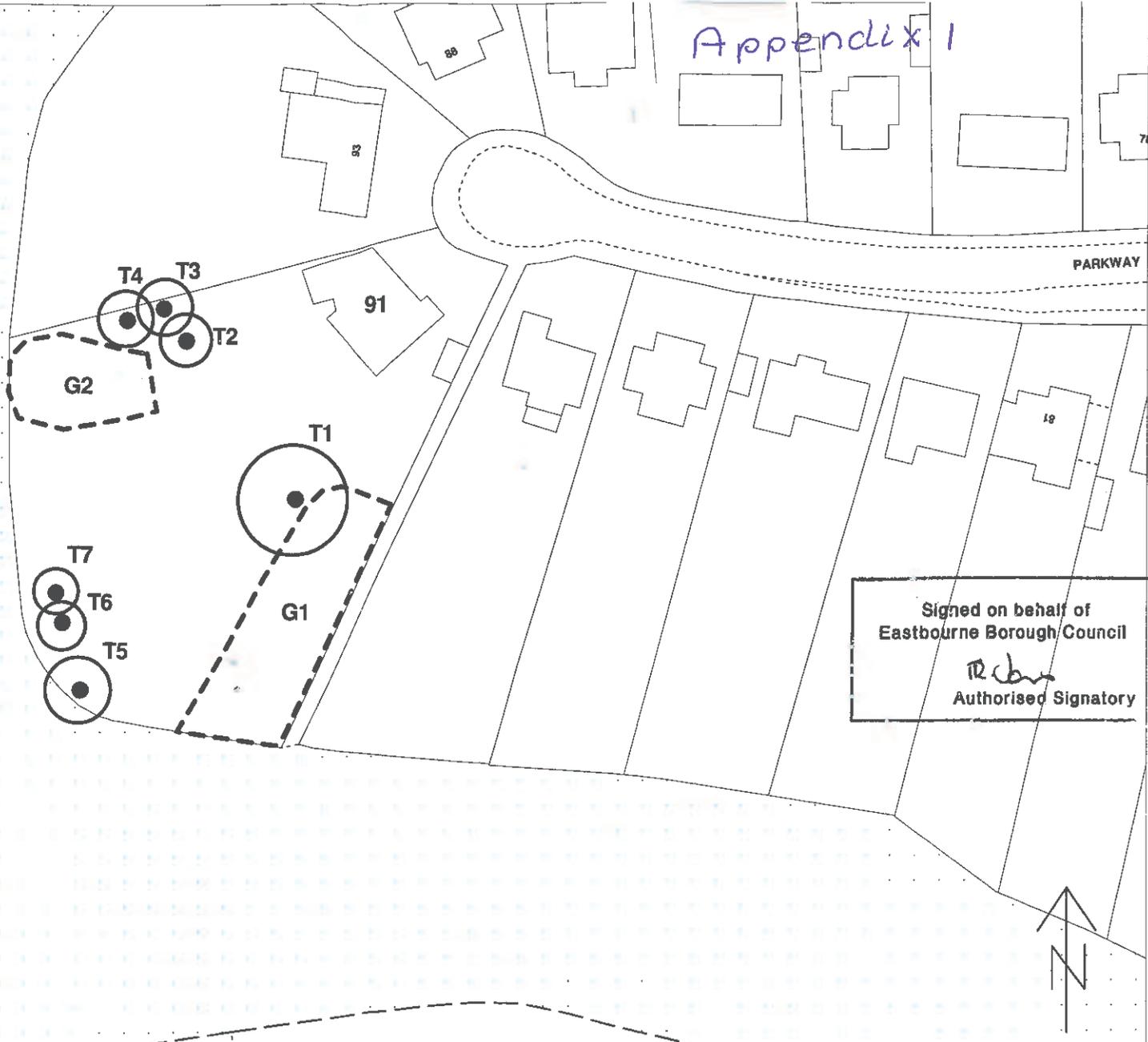
Background Papers:

The Background Papers used in compiling this report can be found in PLAN/64.

To inspect or obtain copies of background papers please refer to the contact officer listed above.

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Appendix 1



Signed on behalf of
 Eastbourne Borough Council
R. [Signature]
 Authorised Signatory



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T.P.O 170
 LAND AT 91 PARKWAY

ECONOMY, TOURISM AND ENVIRONMENT
 PARKS AND GARDENS
 68 Grove Road, Eastbourne

Prdcd by: LM	Scale: 1:500
Date: 03/06/2014	Drg. No.:

For reference purposes only. No further copies may be made.

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Appendix 2

Miss D Fearn
Legal Services
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex
BN21 4TW

BY HAND

13th July 2014



Dear Miss Fearn,

Provisional TPO 170

I write with reference to the above provisional Tree Preservation Order in order to make representation as to why it should not be made permanent in its current form.

In compiling this representation we have had cause to speak to 3 different Arboricultural Consultants in order to obtain their views on the various merits of the trees under the protection of this order.

The first and most compelling argument is that the various single trees and groups of trees were assessed as to their suitability in a single TEMPO scoring sheet when the advice provided by the Arboricultural Association is that a separate scoring tool should be used for each single tree and group.

The single TEMPO scoring sheet completed by Mr L Michael, contains scores that cannot be true of all trees and contains within it no contemporaneous notes, again at variance with the advice provided by the Arboricultural Association.

Thus, when it comes to the preservation order applied to our own trees for example, we have asked the consultants to provide a separate scoring for each tree and group of trees which are provided below. From these scores it may be seen that only 4 trees are thought to merit a Tree Preservation Order.

Government advice on the single factor for applying a Tree Preservation Order is significant visual amenity. Since many of the trees contained within TPO 170 are not visible at all to the general public, we would submit, they are not therefore suitable for a tree preservation order.

It is worth noting here that the photograph provided to us by the Council, and supplied to the Council by Tree Officer Mr L Michael, on 4th June 2014 at 12.52 hrs, to support his contention that a tree preservation order be applied in this instance, shows mostly the South Downs National Park and its woodlands, which commences immediately at our boundary fence and that of our neighbours, and only the trees in the very immediate foreground are actually our trees.

Moreover our house is situate at the very end on the left hand side of a cul de sac. We have no passing traffic and even those houses within our road, namely Parkway, are of an orientation which does not permit them a view. There is therefore an extremely limited visual amenity being provided in this instance.

In addition, the majority of trees contained within TPO 170 are already protected by a restrictive covenant, acceded to by ourselves on purchase of our property in February 2014, which covers the rear 30 feet of garden and so to create a Tree Preservation Order and the attendant cost to the Council, in these times where the Council is looking to use its money in the wisest way possible, would seem somewhat wasteful of resources – now and into the future.

The trees in our garden are not at risk of being felled and have never been at risk of being felled. With the sole exception of even where we wished to create some light to our very shaded swimming pool, and those trees not falling within the restrictive covenant imposed upon our purchase, we still sought the opinion of the Eastbourne Borough Council's Tree Officer to ensure that all views were considered. It is fact that the only two trees then at risk of being felled, namely T2 and T3, were at risk because the Council's Tree Officer had, on the 2nd June 2014 given permission for us to fell them.

The subsequent imposition of the Tree Preservation Order caused us to seek permission to fell a single tree, T2, which, whilst rejected by the Council, did not attract a single voice of dissent from the wider public.

A different strategy has now been adopted by ourselves, which does not require the felling of any trees, and so the expediency element has been entirely removed.

As can be seen from our Arboricultural Consultants Assessment and TEMPO scoring only 4 trees would merit a Tree Preservation Order and so we would submit if the Council wishes to impose this order in perpetuity, the limit of this order be reduced to T1, T2, T3 and T4.

Yours sincerely,

Tempo scoring assessments for the trees within the provisional order 170.

T1 Lime - Amenity Assessment - 3, Retention Span - 4, Relative Public Visibility - 3, Other Factors - 2,
Total 12

Expediency Assessment 0 - Overall Total 12

Tree Preservation Order Defensible.

T2 Yew - Amenity Assessment - 3, Retention Span - 4, Relative Public Visibility - 3, Other Factors - 4,
Total 14

Expediency Assessment 0 - Overall Total 14

Tree Preservation Order Defensible.

T3 Yew - Amenity Assessment - 3, Retention Span - 4, Relative Public Visibility - 3, Other Factors - 4,
Total 14

Expediency Assessment 0 - Overall Total 14

Tree Preservation Order Defensible.

T4 Yew- Amenity Assessment - 3, Retention Span - 4, Relative Public Visibility - 3, Other Factors - 4,
Total 14

Expediency Assessment 0 - Overall Total 14

Tree Preservation Order Defensible.

T5 Yew - Amenity Assessment - 3, Retention Span - 4, Relative Public Visibility - 1, Other Factors - 1,
Total 9

Expediency Assessment 0 - Overall Total 9

Does not merit TPO but covered by Restrictive Covenant.

T6 Yew - Amenity Assessment - 3, Retention Span - 4, Relative Public Visibility - 1, Other Factors - 1,
Total 9

Expediency Assessment 0 - Overall Total 9

Does not merit TPO but covered by Restrictive Covenant

T7 Yew -Amenity Assessment - 3, Retention Span - 4, Relative Public Visibility - 1, Other Factors - 1,
Total 9

Expediency Assessment 0 - Overall Total 9

Does not merit TPO but covered by Restrictive Covenant

G1 - comprising 7 Yews, 7 Ash 1 Sycamore - Amenity Assessment - 3, Retention Span - 4, Relative
Public Visibility - 2, Other Factors - 1, Total 10

Expediency Assessment 0 - Overall Total 10

Does not merit TPO but 13 covered by Restrictive Covenant

G2 - comprising 4 no Ash -Amenity Assessment - 3, Retention Span - 2, Relative Public Visibility - 3,
Other Factors - 1,

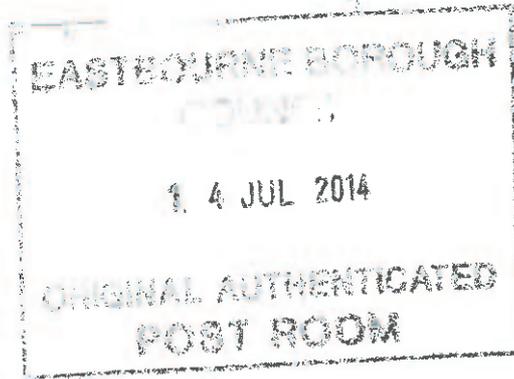
Total 9

Expediency Assessment 0 - Overall Total 9

Does not merit TPO but covered by Restrictive Covenant.

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Miss D Fern
 Legal services
 1 Grove Road
 Eastbourne
 East Sussex
 BN21 4TW



11th July 2014

Dear Miss Fern

Ref: DF/PLAN/64
 91 Parkway

You wrote to my husband and I individually to inform us of a tree preservation order placed on our neighbours garden trees, at 91 Parkway, Eastbourne. Your letter informed us of the extent of the order and asked us if we had any objections or comments regarding this order, and that they must be submitted to you by 14th July 2014. (We are responding in just the one correspondence to save cost but we have both signed this letter as we are both in agreement with each others opinions and therefore hope that our opinions will be considered individually as we were contacted individually.)

Our neighbours moved into 91 Parkway in May of this year, and as work speedily commenced on the garden, it appears that the garden was high on their priorities, as there is much work to do in the house and garden.

Having spoken to our neighbours it appears that the order was placed on the garden after some consultations and discussions at the property, and after, with yourselves and somewhere along the line it appears that there is concern by the Council that our neighbours wish to remove a considerable amount of trees that would in your opinion significantly effect the contribution to the visual amenities of the area and that this loss would be detrimental to those amenities. From my discussion with our new neighbours we are led to believe that this is not the case. My understanding is that their priority is to remove T2/3 and 4 as these trees are rather dense and close to the pre existing swimming pool. The tree sheds a considerable amount of dead wood and pine needles which causes a problem to the pool and its users. We feel, we are fair in saying that our neighbours wish to take full advantage of the position of the house and garden on the downs and a small terrace was planned at this location to appreciate the view and this is the only position on the plot which receives maximum sunlight and the view of the sea. We do not consider this unreasonable. Whilst these Yew trees are beautiful and should be respected for their age, they are indeed dense in nature and certainly do restrict the sun, but there are still plenty of other yew trees in this area that can be appreciated inside the garden and outside. We completely understand why they would wish to remove these particular 3 trees. We believe, from speaking to our neighbours that whilst some their garden plans would certainly benefit from the removal of some of the other trees in their garden, they fully understand the need to maintain them. We would have thought that as garden

lovers, they have every intention of making the most of their environment and that it would be a reasonable compromise to allow the remaining trees to be professionally trimmed or thinned or tidied at the very least. We really do not get the impression that our neighbours were asking for anything more than reasonable and as neighbours we would fully support the removal of T2 3 and 4 and reasonable professional tidying up to the other trees as required. We do not feel that this would significantly impact the contribution to the visual amenities of the area or be detrimental in any way to those amenities. We truly consider this unimaginable considering the amount of trees in the area and natural regrowth.

In addition, and as a matter of support to our neighbours, we feel that these requests are reasonable in light of the fact that the original covenant placed on these trees was made to protect the original installation of the plantation, and that it is abundantly clear to see that this area of woodland is not maintained to any degree. We are also led to believe, also that there is no longer a forester responsible for this plantation and that the whole woodland area is slowly being taken over by Ash trees (considered a self-seeding weed, surely); is full of unmaintained trees that are dying and falling due to the suffocation of ivy. Many of the trees in this woodland are creaking due to disease and weakness and there are many trees leaning precariously against other trees preventing them from falling. On a windy day we wait to see which trees are going to fall. We live here because of its location, particularly the woodland and the views. We love this community, this environment and appreciate that people from other areas can too, but would hope that we have some say in what happens in the privacy of our own gardens.

Thank you for giving us the opportunity to write and express our opinions. Our neighbours appear reasonable people and we are certain that a satisfactory compromise can be found to satisfy everyone without causing regret, animosity and with kindness and consideration.

Yours faithfully

Arboricultural Report

SITE: Squirrels Corner 91 Parkway BN20 9DZ		
	Ward: Ratton	Date: 12 th September 2014
Officer: Tim Whelan	Site visit dates: 2 nd , 3 rd and 26 th June 2014	
To Diane Fearn, Legal Services.		
Re TPO 170. Squirrels Corner 91 Parkway BN20 9DZ		

Planning Status:

The trees within the rear garden of the property are protected by a Provisional TPO 170 'Squirrels Corner 91 Parkway'. The trees to the West of the rear garden on an area of land known as 'the Plantation' are protected by TPO 1A Parkway, Melvill Lane, Marcia Dene, The Combe, Willington Road (Ratton Estate)

The points on which the objectors and the Council's Specialist Advisor differ include the following: 1) how scoring was applied using the TEMPO system. The objector considers that separate scoring was not used for each single tree and group while the Council states that although an initial assessment was based on the trees' group value, individual trees and two groups were scheduled in the Tree Preservation Order due to their value. 2) whether the visual amenity requirement is made out and 3) whether the impact of a restrictive covenant on the facts obviates the need for a Tree Preservation Order to be made.

Amenity

Section 3 of Tree Preservation Orders; a guide to the law and good practice (Department of Communities and Local Government) states;

LPAs may make a TPO if it appears to them to be:

'Expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.

The Act does not define 'amenity', nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO. In the Secretary of State's view, TPOs should be used to protect selected trees and

woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public. LPAs should be able to show that a reasonable degree of public benefit would accrue before TPOs are made or confirmed. The trees, or at least part of them, should therefore normally be visible from a public place, such as a road or footpath, although, exceptionally, the inclusion of other trees may be justified. The benefit may be present or future; trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore or future development; the value of trees may be enhanced by their scarcity; and the value of a group of trees or woodland may be collective only. Other factors, such as importance as a wildlife habitat, may be taken into account which alone would not be sufficient to warrant a TPO. In the Secretary of State's view, it would be inappropriate to make a TPO in respect of a tree which is dead, dying or dangerous.

The trees scheduled within TPO are part of a group, which provides a significant contribution to the landscape, where the urban edge meets the woodland belt. The Woodland to the rear of the property is protected by a Tree Preservation Order from 1949.

The trees have grown in co-existence adjacent to a woodland, are visible from the public highway and a public footpath and contribute to the historic landscape. The trees scheduled for the Tree Preservation Order are also considered to have a significant life expectancy providing benefit for the future. When considering the retention or removal of trees that have grown in co-existence it is important to note that the removal of one of them exposes the others to new dynamic wind pressures, often leading to branch and stem failure.

TEMPO scoring system.

The scoring system is designed as a field guide to decision making and a record that a systematic assessment has been made.

The letter of objection from the landowner, states;

- *The most compelling argument is that the various single trees and groups of trees were assessed as to their suitability in a single TEMPO scoring sheet, when the advice provided by the Arboricultural Association is that a separate scoring tool should be used for each single tree and Group.*

The TEMPO Scoring Sheet does allow for a group assessment and notes the importance of groups of trees for their cohesion.

The Specialist advisor had an appointment 2nd June 2014 with the landowner to discuss tree management on site as part of the garden was believed to have a Restricted Covenant. During the visit the Specialist Advisor was concerned that there was no control preventing removal of all tree on site. While he was informed that a restrictive covenant existed, the Planning Authority did not hold details of it.

On the 3rd June 2014 The Specialist Advisor returned to site, with a colleague and undertook a TEMPO assessment based on the group value to ascertain whether the Tree Preservation Order process should be undertaken. The TEMPO Scoring sheet (appendix one) indicates that the score of the group was 21, which 'definitely merits A Tree Preservation Order'. The Specialist advisor did not make any notes on the TEMPO sheet, which is acceptable practice. He did take photographic evidence of the group, which was submitted through the Tree Preservation Order process (appendix 2).

At this visit, having accessed the land and examined the trees he scheduled two groups and seven individual trees, which is an acceptable practice.

Given the TEMPO score of the group, it would have been defensible to schedule all trees as a group on his second visit, which would have protected every tree in the garden. His decision to individual schedules gives the landowner more opportunity to manage the trees within their property.

The objection also contains individual scores for the individual trees, provided by an Arboricultural Consultant. The trees are assessed on four factors and if they accrue more than 9 points they are assessed in accordance with the criteria of expediency, with the factors being:

- Precautionary only (1 point)
- Perceived threat to tree (2 Points)
- Foreseeable threat (3 points)
- Immediate threat to tree (5 points)

The most important consideration with the scoring is that the Arboricultural Consultant cited by the objectors has scored all the trees as 9 and above, which means that their Amenity assessment, retention span and public visibility value makes them suitable for an expediency assessment. This is in agreement with the Specialist Advisor's original assessment.

At this point there is a difference of opinion. The objector's Arboricultural Consultant indicates the expediency score should be nil. and that there is no threat to any tree in the garden. Meanwhile the Specialist Advisor was

of the opinion that given the conversations which he had on site with the property owner, and in light of the local authority's limited powers to deal with the situation by recourse to a restrictive covenant, that there was an immediate threat to the trees.

If a scoring for immediate threat or foreseeable threat were to be added to the Amenity assessment provided by the objector's Consultant, the making of a TPO in relation to the individual trees would be defensible.

Once the Tree Preservation Order was scheduled, an application was immediately made to fell one Yew (App ID140820), which was refused. After advice given a subsequent application (App ID 14945) to manage a group of three Yews was approved.

Conclusion

The application of a Tree Preservation Order as scheduled was considered appropriate when an assessment was made using an approved scoring system (TEMPO).

The Tree Preservation Order on the site will not prevent management or redesign of the garden, but will preserve important trees adjacent to woodland protected by a historic Tree Preservation Order.

By way of context, there are on average over 250 site visits a year to assess trees. On average between 5 and 7 TPOS are scheduled which is indicative of a proportionate use of the authority's legislative powers.

If you require any further information, please let me know.

Tim Whelan
Neighbourhood First Team manager

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: <u>3/20/14</u>	Surveyor: <u>LM</u>
Tree details	<u>91 Parkway</u>
TPO Ref (if applicable):	Tree/Group No:
Owner (if known):	Location:
	Species:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

5) Good	Highly suitable	Score & Notes 5
3) Fair	Suitable	
1) Poor	Unlikely to be suitable	
0) Dead/dying/dangerous*	Unsuitable	
* Relates to existing context and is intended to apply to severe irremediable defects only		

b) Retention span (in years) & suitability for TPO

5) 100+	Highly suitable	Score & Notes 4
4) 40-100	Very suitable	
2) 20-40	Suitable	
1) 10-20	Just suitable	
0) <10*	Unsuitable	

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

5) Very large trees with some visibility, or prominent large trees	Highly suitable	Score & Notes 3
4) Large trees, or medium trees clearly visible to the public	Suitable	
3) Medium trees, or large trees with limited view only	Suitable	
2) Young, small, or medium/large trees visible only with difficulty	Barely suitable	
1) Trees not visible to the public, regardless of size	Probably unsuitable	

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

5) Principal components of arboricultural features, or veteran trees	Score & Notes 4
4) Tree groups, or members of groups important for their cohesion	
3) Trees with identifiable historic, commemorative or habitat importance	
2) Trees of particularly good form, especially if rare or unusual	
1) Trees with none of the above additional redeeming features (inc. those of indifferent form)	

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

5) Immediate threat to tree	Score & Notes 5
3) Foreseeable threat to tree	
2) Perceived threat to tree	
1) Precautionary only	

Part 3: Decision guide

Any 0	Do not apply TPO	Add Scores for Total: 21	Decision: TPO
1-6	TPO indefensible		
7-11	Does not merit TPO		
12-15	TPO defensible		
16+	Definitely merits TPO		

Tree Evaluation Survey and Decision

Planning Making a TPO (W2 ref:909368)

APP reference: 046952

Site address: Squirrels Corner 91 Parkway Eastbourne East
Sussex BN20 9Dz

Officer: LEE MICHAEL

Date of site visit: 3 JUNE 2014

Tree / group no: T1, T2, T3, T4, T5, T6, T7, G1, G2.

Species: LIME, YEW, ASH, SYCAMORE

Part 1: Amenity assessment

a) Condition and suitability for TPO: 5

Notes:

b) Retention span (in years) and suitability for TPO: 4

Notes:

c) Relative public visibility and suitability for TPO: 3

Notes:

Accrued score of a, b and c: 12

d) Other factors: 4

(Trees must have accrued 7 or more points (with no zero scores) to qualify)

Notes:

Part 2: Expediency assessment

Trees must have accrued 7 or more points (with no zero score) to qualify.

Notes: 5

Part 3: Decision guide

Total accrued score: 21

Decision: TPO WARRANTED

Notes: **URGENT. OWNERS WISH TO FELL.**

Photographs

Drag and drop photographs (if any) below:



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The Legal Department
Eastbourne Borough Council
1 Grove Road
Eastbourne
East Sussex
BN21 4TW

Appendix 5

Ref: DF/PLAN /64

TOWN & COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (TREE PRESERVATION, ENGLAND, REGULATIONS
2012)

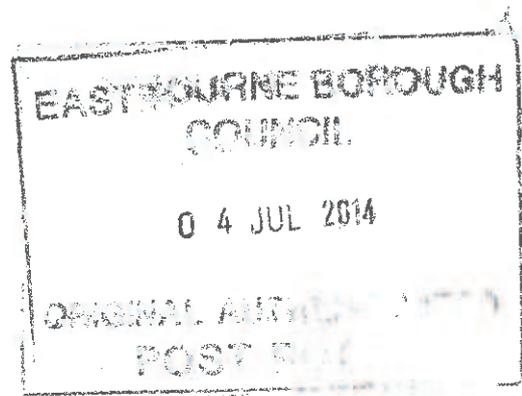
THE EASTBOURNE BOROUGH COUNCIL TREE PRESERVATION ORDER
(LAND AT 91 PARKWAY, RATTON MANOR, EASTBOURNE, EAST SUSSEX BN20 9DZ)
NUMBER 170 (2014)

In reference to the above Tree Preservation Order, I wish to declare that I have no objection to this order and am in full and rigorous support of it.

The reasons are stated below:

- [1] The trees are protected by a Covenant
- [2] The trees lie contiguously with Eastbourne Borough Council owned mature mixed woodland
- [3] The trees lie within the recognised uncultivated mature woodland section of the land within the curtilage of 91 Parkway. They do not lie within the domestically cultivated section of 91 Parkway
- [4] The trees represent a substantial and mature woodland wildlife habitat
- [5] The trees provide a significant visual amenity visible from public land
- [6] The trees constitute part of a publicly documented and recorded habitat for a number of protected UK bat species including the rarer Leisler bat (*Nyctalus leisleri*)

Signed:



Dated: 10 June 2014

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