

Tuesday, 17 May 2016
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)
Councillors Jenkins, Robinson, Taylor and Smethers (as substitute for Murdoch)

1 Minutes of the meeting held on 19 April 2016.

The minutes of the meeting held on 19 April 2016 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

2 Apologies for absence.

Councillors Choudhury and Miah.

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.

Councillor Murdoch was present in the public gallery and declared he had a prejudicial interest in minute 8 land at Rodmill Drive as he wished to speak in objection to the application. He advised that he would be exercising his right as a member of the public to address the committee and would be speaking from the public gallery and would then leave the room whilst the item was discussed.

4 3 Susans Road. Application ID: 160304.

Proposed change of use from vehicle hire centre to Eastbourne Food Bank with associated facilities – **DEVONSHIRE.**

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Development within three years 2) Development in accordance with the approved plans 3) Opening hours for service users and deliveries restricted to 8.30 am to 6 pm daily, with the front doors kept locked shut outside of these times 4) You must implement this permission in accordance with the email dated 24th March 2016 from Eastbourne Foodbank to Lee Watson and referred to hereafter as the 'Operational Management Plan'. You must not change the operating procedures of the proposed foodbank use (or any other ancillary uses) without the written approval of the Local Authority through the submission of an amended Operational Management Plan 5) You must retain the area shown on the approved plans as 'deliveries' for the purpose of vehicular parking, loading and unloading in relation to the foodbank use permanently. You must not use this area for any other purpose at any time.

Informative:

1. To help protect the amenity of local residents and surrounding residential and commercial occupiers you are strongly advised to work with the Neighbourhood Panel and Neighbourhood Policing Team to help manage the risk anti-social behaviour arising as a result of the proposed use.
2. This application hereby approves the use of the premises as a foodbank in accordance with the operational management statement submitted in support of this application. Should you wish to expand the use to other community related uses you must submit an amended operational management plan under the terms of condition 4 of this planning permission.
3. Condition 3 restricts the opening hours of the premises from 8.30am to 6pm daily. Outside of these hours the front doors must be kept locked shut and the premises must not be open to the public or other service users outside these hours.

5 5 Gilbert Road. Application ID: 160152.

Retention of 3m x 4.05 m x 2.75 m brick outbuilding build in rear garden of number 5 Gilbert Road – **DEVONSHIRE.**

RESOLVED (A): (Unanimous) That permission be refused on the grounds that 1) Because of its bulk, height and siting the proposed development would lead to an unacceptable loss of outlook and result in an unneighbourly and overbearing relationship that gives rise to sense of being 'shut in' for residents of surrounding residential properties. This is contrary to Policy B2 of our Core Strategy 2013, and Policy HO20 of our Borough Plan (saved policies) 2007 2) The window that is located in the side elevation of the proposed outbuilding would lead to an unacceptable perception of overlooking for the resident of the neighbouring property. This is contrary to Policy B2 of our Core Strategy 2013, and Policy HO20 of our Borough Plan (saved policies) 2007 3) Because of its siting, location, bulk and height and proximity to existing boundary walls it is considered that the development fails to contribute to local distinctiveness and sense of space. This is contrary to Policy D10A of the Core Strategy and Policy UHT1 of the Borough Plan (saved policies).

RESOLVED (B): that enforcement action be authorised with a notice requiring the reduction in height of the outbuilding to 2.5 metres, in line with what would otherwise be permitted under permitted development rules. An informative advises the applicant to take immediate steps to reduce the height of the structure to avoid an enforcement notice being served.

Informative:

1. To avoid an enforcement notice being served you are advised to take immediate steps to reduce the height of the building to 2.5 metres which would bring the building within the parameters of permitted

development. Should you proceed on this basis, you are advised that any future use of the building must remain ancillary to the main residential building at 5 Gilbert Street.

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.

6 33 Meadowlands Avenue. Application ID: 160316 (PPP).

Proposed two storey dwelling with parking space – **RATTON.**

RESOLVED: (Unanimous) That permission be refused on the grounds that: 1) This proposed dwelling by virtue of the scale, siting and detailed design would undermine the original symmetry of the existing pair of semi-detached properties, and by virtue of the siting and prominent location would appear incongruous within the street scene both from Meadowlands Avenue and Timberley Road contrary to Policy D10A of the Core Strategy Local Plan 2013 and Saved Policies UHT1 and UHT4 of the Borough Plan 2007 2) The proposal by virtue of its small size in terms of available internal floor space would provide substandard accommodation for future occupiers of this dwelling contrary to policy B2 of the Core Strategy Local Plan 2013.

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.

7 70 Kings Drive. Application ID: 160036 (OSR).

Erection of two semi detached dwelling houses adjacent to the existing house, together with the provision of new access and four parking spaces – **RATTON.**

The committee was advised that the agent had amended the drawings to include a door at lower ground floor level on the rear elevation in order to access the rear garden area for Plot 1. An email was also supplied from Bovis Homes stating they had no objection with the applicant reaching agreement with the Council for the removal and replacement of the two trees on their land. This amendment was not considered to overcome the reasons for recommending refusal as set out in the officers report.

RESOLVED: (By 5 votes to 1) That approval be delegated to the Senior Specialist Advisor Planning to grant planning permission subject to appropriate conditions to include a tree protection condition and to ensure details of the boundary are submitted and approved.

8 Land at Rodmill Drive. Application ID: 151382 (PPP).

Erection of four dwellings with car parking spaces at the rear accessed from Rushlake Crescent – **RATTON.**

Councillors Murdoch, Freebody and Belsey addressed the committee in objection stating that the site was not suitable for a development of this kind. The community needed more facilities such as a GP surgery. The Councillors felt that the development would increase the parking and congestion issues in the area and raised concerns about the local elderly population, the loss of light to St Clements Court and the loss of a prominent tree.

A motion to refuse the application was lost by four votes to three on the Chairman's casting vote.

RESOLVED: (By 4 votes to 3 on the Chairman's casting vote) That permission be granted subject to a mechanism for the continued provision of affordable housing units at the site, replacement tree provision and following conditions: 1) Commencement within three years 2) Development in accordance with the approved plans 3) Hours of operation (building works) 4) Samples of materials 5) Provision of parking spaces in accordance with approval before occupation 6) Provision of cycle/refuse storage in accordance details to be approved before occupation 7) Details of boundary treatment/fences 8) No fences within 1m of the boundary with the footpath in Framfield Way 9) No walls over 600mm in height between the car hardstanding's and the boundary with the footpath 10) Submission of details of surface water drainage 11) Wheel washing facilities 12) Restriction of permitted development rights (extensions).

9 Update on Public Speaking at Planning Committee and Update on the Planning Scheme of Delegation.

The committee considered the report of the Senior Specialist Advisor for Planning advising members of proposed changes to the constitution and the rules of procedure for speaking at Planning Committee and revisions to the planning scheme of delegation for determining planning applications.

A working party comprising Councillors Murray and Taylor had reviewed current practices and procedures associated with processing planning applications and the overall performance of the Planning Committee. A number of recommendations had been made which sought to deliver consistency to the procedure for the public right of address at Committee and to the type of applications reported to the Committee.

The current procedure for speaking at Planning Committee only permitted the applicant or representative to speak in response to an objector. It was proposed to amend the constitution to allow applicants or their representatives an automatic right to address the committee irrespective of a planning officers' recommendation or whether an objection had been made to an application. It was acknowledged that although this may increase the time taken to process each case at committee, it would allow a more informed debate and would provide a more equitable and transparent approach.

In terms of the scheme of delegation, the working party had acknowledged that the role of the Planning Committee was to decide on more complex

planning applications which related to the character, urban fabric and public realm of Eastbourne. It had identified that the type of application being submitted to the Committee over the past year had been inconsistent with previous years and a more stringent approach was proposed to the grounds on which an application was referred to the Planning Committee for decision. A copy of the revised scheme of delegation was appended to the report.

The Committee requested that section D which related to the referral grounds on which applications should be determined by Committee if submitted by a councillor, a member of the Corporate Management Team or an officer within Planning, be amended to all direct employees of the Council and elected members (and their spouse/partner). The Committee also proposed that the request to address Planning Committee should be accompanied by a written summary of the points to be used in an address.

RESOLVED: 1) That full Council be recommended to agree the amendments to the Scheme of Delegation as set out in the report with the following amendments:

- (i) Section D be amended as follows "Where a planning application or householder application has been made by an elected member (or their spouse partner) or any direct employee (or their spouse/partner) of Eastbourne Borough Council".
- (ii) Section J be amended to include the requirement for an objector to include a summary written statement of the issues intended for an address to committee.

(2) That Part 4, Section A of the Council's Constitution, Council Procedure Rules, be amended to allow applicants to have an automatic right to address the Planning Committee.

10 South Downs National Park Authority Planning Applications.

There were none.

11 Appeal Decisions.

14 Maple Road – The appeal was allowed with costs.

St Philips Church – The appeal was allowed.

The meeting closed at 7.43 pm

Councillor Murray (Chairman)