

Planning Committee

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MEMBERS: Councillor Murray (Chairman); Councillor Coles (Deputy-Chairman); Councillors Choudhury, Jenkins, Miah, Murdoch, Robinson and Taylor

Agenda

- 1 Minutes of the meeting held on 25 April 2017.** (Pages 1 - 6)
- 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 Central Methodist Church, Langney Road. Application ID: 170036. LB:170033. (Pages 7 - 16)**7 93 Pevensey Bay Road. Application ID: 170239 (PPP). (Pages 17 - 24)****8 St Andrews United Reformed Church, Cornfield Lane. Application ID: 170156 (PPP). (Pages 25 - 36)****9 Update on Housing Delivery. (Pages 37 - 48)**

Report of Director of Planning, Strategy and Regeneration.

10 Summary of performance of the Planning Department Quarter 1 2017 (Jan - Mar). (Pages 49 - 62)

Report of the Senior Specialist Advisor (Planning).

11 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
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For general Council enquiries, please telephone (01323) 410000 or E-mail: enquiries@eastbourne.gov.uk

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Tuesday, 25 April 2017
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)
Councillors Choudhury, Jenkins, Miah, Murdoch, Robinson and
Taylor

119 Minutes of the meeting held on 28 March 2017.

The minutes of the meeting held on 28 March 2017 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

120 Apologies for absence.

There were none.

121 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.

There were none.

122 27 St Leonards Road. Application ID: 170163.

Non-material changes to planning permission 150172 - Erection of mansard roof to provide for four self-contained flats. Alterations to fenestration on building's facade. Changes include: roof lights, vent pipes on roof, rainwater pipes, relocation of bin store and replace the approved glass to 2 balconies guarding with powder coated metal sheet – **UPPERTON**.

RESOLVED: (Unanimous) That permission be granted.

Informative:

For the avoidance of doubt, the plans considered as part of this application and submitted on 14th February 2017 are:

- Site Location Plan
- Block Plans and Proposed Elevations, 16.07.02

123 102a Tideswell Road. Application ID: 161485.

Demolition of commercial building and provision of 4 x 2 bed semi-detached dwellings – **DEVONSHIRE**.

One additional objection was reported as follows:

- Loss of privacy
- Overlooking given the close proximity of new buildings
- Loss of light and overshadowing
- Little available parking in the vicinity, this would make the situation worse
- May increase the risk of localised flooding

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Development in three years 2) Development in accordance with the approved plans 3) Front bathroom window to be made from obscure glass 4) PD rights removed: windows 5) PD rights removed: extensions to any part of the building 6) Submission of a detailed landscaping plan 7) Existing vehicular access to be stopped up in agreement with local highway authority prior to occupation of building hereby approved 8) Provision of waste storage and cycle parking as per the approved plans 9) Working hours 8-6 Monday to Friday, 8-1 Saturday 10) Submission and approval of a construction management plan prior to commencement of works on site 11) Contamination survey.

124 Eastbourne Pier. Application ID: 170221.

To paint the remaining 2 domes in the middle of the Pier in gold colour to match the existing 13 domes. To paint the roof on the entrance mall with a white 'weather proof' sealant paint – **DEVONSHIRE.**

The committee debated the issues arising with this submission and resolved to issue a split decision.

RESOLVED: (By 5 votes to 3) (For: Choudhury, Jenkins, Miah, Murray and Sabri) (Against: Murdoch, Robinson and Taylor) That Listed Building consent be granted for the painting of the two remaining domes in the centre of the pier in gold colour.

RESOLVED: (By 7 votes with 1 abstention) (For: Choudhury, Jenkins, Miah, Murdoch, Sabri, Taylor and Robinson) (Abstention: Murray) That permission to paint the roof on the entrance mall be refused on the grounds that because of the choice of colour and materials used, the painting of the roof areas to the entrance feature to the Pier would harm the special historic interest of this Grade II Listed Building. This would result in less than substantial harm to this heritage asset without sufficient mitigation through demonstrable public benefits of the proposed works. This is contrary to paragraph 134 of the National Planning Policy Framework, Policy B1, D10 and D10A of Eastbourne Core Strategy (adopted 2015) and UHT1 and UHT17 of the Borough Plan (saved policies) 2007.

125 84,86,88 and 90 Northbourne Road. Application ID: 170224.

Demolition of 4. 3 bed houses and erection of 7. 2 bed flats and 5. 1 bed flats. Creation of 12. car park spaces and associated bin and bike stores – **ST ANTHONYS.**

One further objection had been received as a result of the second round of consultation. The objection reiterated previous concerns raised as follow:

- Houses would be acceptable, but flats would create parking and traffic problems
- Lorries associated with the industrial estates struggled to get up and down Northbourne Road – the development would make this worse
- As it is a residential area, safety should be maintained
- Added congestion would make it more of a dangerous place for the elderly, children and the disabled
- Houses on Finmere Street were acceptable
- Overdeveloping the site
- Over parking would increase as there was inadequate off street parking

RESOLVED: (By 7 votes with 1 abstention) That permission be granted subject to a S106 Agreement for a Local Labour Agreement and the following conditions: 1) Time 2) Drawings 3) Samples 4) Construction method statement 5) Hours of demolition and construction 6) New access to be constructed in accordance with plan 7) Existing vehicular access to be closed 8) Details of surface water drainage – highway 9) Vehicle turning space, in accordance with plan 10) Car parking to be constructed in accordance with plan 11) Cycle parking to be constructed in accordance with plan 12) Visibility splays 13) Ground levels – surface water drainage 14) Infiltration testing 15) Detailed drainage strategy 16) Hydraulic calculations 17) SuDS maintenance and management plan 18) Landscaping/planting scheme 19) No bonfires – proximity to residents 20) Refuse and recycling collection and storage, in accordance with plan

Informative:

- 1) S106 for Local Labour Agreement
- 2) Southern Water - connection
- 3) Highways – Licence

126 Sovereign Harbour Community Centre. Application ID: 170162.

The erection of a single storey building (Community Centre) –
SOVEREIGN.

The East Sussex County Council Ecologist consultation response was reported as follows:

The Reptile Mitigation Strategy (dated 13 March 2017) was broadly acceptable. The receptor site was relatively small, when considering the development of the whole of site 6 not just the Community Centre Site, but provided it was managed in accordance with the mitigation strategy and including the proposed enhancements, the carrying capacity was considered sufficient.

The only points raised were that it should be made clear that the minimum capture effort was 60 suitable days (i.e. not necessarily 60 consecutive days from the start of the translocation exercise), and that suitable precautions must be taken to protect breeding birds during habitat manipulation/scrub clearance to increase efficiency of trapping (e.g. should be done under ecological supervision once checks for nesting birds have been carried out). If nesting birds were encountered, scrub clearance must stop until the young had fledged.

An objection had been received from Bespoke Cycle Group and was reported as follows:

- Bespoke were disappointed that the plans fail to provide cycle access from the Harbour. The proposal only offers access via a 1.4m footpath and offers no cycle access.
- The path should be at least 3m wide to accommodate all users.
- Bespoke would also like consideration given to Toucan Crossing being added across the access road to the retail park. Vehicles exit the roundabout at speed which makes it difficult to stop.
- Providing an improved cycle and pedestrian access would also help the Council reach their target of a reduction in traffic pollution by providing realistic alternatives to driving to the community centre.

RESOLVED A: (Unanimous) That permission be granted subject to a deed of variation to the S106 of the 2013 planning permission to develop sites 1, 5, 6, 7, and 8 of Sovereign Harbour being signed within a reasonable timeframe in relation to:-

- Amendments to the location of the Community Centre (previously proposed on site 5 or 7a)
- To include a financial contribution towards pedestrian improvements, footpath provision and assistance with changes to other highway infrastructure via Traffic Regulation Order
- The applicant shall be required to submit a planning application for the provision of a new access road connecting Pacific House with this application site
- Details of reptile translocation site ensuring fit for purpose retained in perpetuity

And the following conditions: 1) Time for commencement of development 2) Approved drawings 3) Materials to be as stated 4) Details of proposed vehicular linking Pacific House and the site and pedestrian access linking The Waterfront carpark to the site and that these to be implemented in full prior to the first beneficial use of the building and retained as such thereafter 5) Submission of detailed landscaping plan showing position of any trees 6) Details of hard and soft landscaping 7) Retention of existing trees and tree protection measures 8) Before commencement the submission of a survey of the site showing the location and species of trees 9) Submission of details of the design of the building foundations and services in so far as they may affect trees and hedgerows 10) Soil levels within the root spread of trees/hedgerows to be retained shall not be raised or lowered 11) Development to be undertaken in strict accordance with the Reptile Mitigation Strategy 12) Submission of a surface water drainage scheme 13) No part of the development shall be occupied until the car parking spaces have been provided 14) No part of the development shall be occupied until a surface water drainage scheme preventing water draining onto the public highway or adjacent sites has been submitted 15) Submission of a construction traffic management plan 16) No part of the development shall be occupied until a vehicle turning space has been provided 17) No part of the development shall be occupied until cycle

parking has been provided in accordance with approved details 18) Prior to the commencement of development a foundation design, and a risk assessment taking into account the adjacent mound and any of its infrastructure shall be submitted 19) No fill material shall be imported to the site unless agreed in writing by the Local Planning Authority. Any fill material shall be clean and inert 20) Site clearance shall be implemented outside of the bird nesting season.

RESOLVED B: (Unanimous) That should the deed of variation to the S106 agreement not be signed within a reasonable time period 8 weeks from the date of the Committee resolution (unless an extension of time has been agreed) the application should be refused on the grounds that there is no legal mechanism in place to secure the improvements to pedestrian access to the site.

Informative:

- 1) Pre commencement conditions information
- 2) Information in relation to requirements of the Surface water drainage system conditions.
- 3) SGN Informative
- 4) Southern water informative in relation to connection to the sewer
- 5) Southern Water informative in relation to wastewater grease trap.

127 South Downs National Park Authority Planning Applications.

There were none.

128 Appeal Decisions.

- 1) 9 Faraday Close. The Inspector dismissed the appeal.
- 2) Suite 2, 22 Church Street. The Inspector dismissed the appeal.
- 3) 26 Jevington Gardens. The Inspector dismissed the appeal.
- 4) Land west of Larkspur Drive. The Inspector dismissed the appeal.

The meeting closed at 7.16 pm

Councillor Murray (Chairman)

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Agenda Item 6

App.No: 170036 Planning Permission 170033 Listed Building Consent	Decision Due Date: 13 June 2017	Ward: Devonshire
Officer: Anna Clare	Site visit date:	Type: Planning Permission
Site Notice(s) Expiry date: 14 April 2017 Neighbour Con Expiry: 14 April 2017 Press Notice(s): Published 03 April 2017		
Over 8/13 week reason: Reported to committee within time		
Location: Central Methodist Church, Langney Road, Eastbourne		
Proposal: Conversion of existing meeting rooms and hall into 10no. one bedroom flats together with the retention of the existing worship space (to be read in conjunction with Listed Building Consent ref. 170033)		
Applicant: Mr Peter Easton		
Recommendation: No1) 170036 Grant planning permission subject to the S106 covering local employment initiatives and affordable housing and subject to conditions No2 170033 Grant Listed Building Consent subject to conditions		

Executive Summary:

There are two applications to be determined here; planning application and a tandem listed building consent application. Both applications propose identical content.

Members will recall that the Emanuel Churches of Eastbourne are coming together to form a common congregation and that this congregation would worship/occupy the redeveloped United Reform Church site in Upperton Road (currently subject to S106 legal agreement).

Members were informed at the application stage of the Upperton Road redevelopment scheme that in order for that new development to commence/conclude then the church community would have to fully realise their assets; in some part this meant that the redundant and vacant sites would need to be redeveloped with the monies raised contributing to the realisation of their new project/scheme. This application therefore relates to one of their portfolio of buildings that due to economic/maintenance reasons will shortly become vacant. As such it is considered that the redevelopment of the United Reform Church site is a material consideration that should be given significant weight in the assessment/decision of this scheme.

Proposed development in terms of retained historical fabric (main congregational space being retained and the limited intrusion onto the historic fabric of the hall and Sunday School building) are such that the development is considered to be acceptable in broad townscape and listed building terms.

When assessed against the lawful use of the site it is considered that the limited number of off street car parking spaces proposed is acceptable and should not give rise to any material highways impacts.

The scheme is recommended for Conditional approval subject to S106 agreement to cover affordable housing and local employment issues.

Eastbourne Core Strategy Policy

Eastbourne Core Strategy Local Plan 2006-2027

B1 Spatial Development Strategy and Distribution

B2 Creating Sustainable Development Sustainable Neighbourhood

C1 Town Centre Neighbourhood Policy

D1 Sustainable Development

D5 Housing

D8 Travel Demands

D10 Historic Environment Building

D10A Design

LCF21 Retention of Community Facilities

Borough Plan Policies

Eastbourne Borough Plan 2001-2011

UHT 2 Height of Buildings

UHT 4 Visual Amenity

UHT17 Listed buildings

UHT 19 Retention of Historic Buildings

HO2 Predominantly Residential Areas

HO18 Accessible Housing

NE14 Source Protection Zone

TR11 Car Parking

TR12 Parking for those with mobility issues

Site Description:

Central Methodist Church is a GradeII listed building (1997) located within Eastbourne Town Centre.

The entire site relates to a rectangular plot in the town centre at the junction of Langney, Susans and Pevensey Road. The plot has two distinct elements; the main worship/congregation space is located facing Pevensey Road, with the rear element (former Hall and Sunday School building) providing a smaller congregation space/multi-function space and a number of ancillary/support accommodation accessed from Susans Road and Langney Road.

The application plot relates to the redevelopment of the former hall and Sunday School building (rear part) into residential with the main congregation space remaining unaltered.

Relevant Planning History:

EB/1980/0693
 REPLACENT ROOF
 Approved Unconditional
 1981-01-27

EB/1976/0249
 FOOTWAY CROSSING TO CAR STANDING
 Approved Unconditional
 1976-07-13

960027
 Wheelchair access ramp.
 Planning Permission
 Approved unconditionally
 13/02/1997

960069
 New entrance door to existing terrace and wrought iron balustrading around forecourt.
 Planning Permission
 Approved conditionally
 13/05/1996

Proposed development:

Planning and listed building consent is sought to convert the rear part of the building (halls and Sunday School) into residential accommodation (10 apartments) which uses the existing fenestration pattern and does not affect the external fabric of the building.

Accommodation schedule:-

Flat No /Type	Proposed size	National Space Standard
No1 (1 bed 2 person)	60sqm	50sqm
No 2 (1bed 2 person)	70sqm	50sqm
No 3 (1bed 2 person)	72sqm	50sqm
No 4 (1bed 2 person)	77sqm	50sqm
No 05 (1bed 2 person)	70sqm	50sqm
No 06 (2bed 4 person)	81sqm	70sqm
No 07 (1bed 2 person)	52sqm	50sqm
No 08 (1bed 2 person)	82sqm	50sqm
No 09 (1bed 2 person)	53sqm	50sqm
No 10 (1bed 2 person)	56sqm	50sqm

The proposed conversion is facilitated by the insertion of a mezzanine floor to the main hall (flats 7&8), new partition walls, the insertion of a passenger lift to all floors and the utilisation of existing window openings.

It is recognised that the widows within this element of the scheme are beyond economical/salvageable repair and thereby it is proposed that all windows will be replaced with metal 'Crittall Style' painted galvanised steel double glazed units with leaded lights to match the existing profiles. In addition 5 'conservation style' roof lights are proposed to provide illumination to apartments 9&10.

Where they exist original timber skirting/doors and architrave will be retained and where new is proposed they will match existing features.

The application does not propose any changes to the existing foul and surface water disposal arrangements at the site.

The application is supported by a number of information/reports; these are summarised below:-

Transport Assessment: *lawful use as a church had a parking demand which has is absorbed within the local highway network. The proposed development of 10 flats is likely to be attractive to those who chose to live/work in a town centre location and as such the impacts upon the local highway network directly from this scheme is neutral.*

Quinquennial Inspection Report: *This report outlines that in general terms to the building appears to be sound but it does identify a schedule of necessary repairs/maintenance. The main areas of work relate to spalling stonework, roofing issues and the cast iron within the leaded lights. This work considered necessary to maintain the building fit for public use was assessed in 2012 as being around £250k. This figure will be greater in 2017 and there is likely to be the added burden of works to an out of date heating and electrical supply. The accumulation of these factors places the repair bill beyond what is considered to be an acceptable/sustainable level for the existing congregation and as such is deemed to be beyond economical repair*

Historical Building Assessment: *This report concludes that the remodelling of the now unsustainable aspects of the site will not cause substantial harm to the significance of the Grade II listed building. However the original layout of the ground floor will be altered in the region of the hall and adjacent rooms, resulting in the loss of the historic plan and the potential historic fabrics. Given this it is recommended that a programme of building recording is controlled via planning condition.*

Design and Access Statement: *Reaffirms the results from the Quinquennial report in that the building is beyond sustainable economic repair and that the building is uninsurable for/as a public building going forward. The congregation are keen to ensure that the development on this site maximises the return such that it would assist in the delivery of their new combined church in Upperton Road*

The key/ main congregation building does not form part of this proposal and is to be retained. In addition all of the key features are to be retained within this sympathetic conversion of the halls and Sunday School part of the building.

The D&A also recognises the wider benefits that this scheme brings to the town in that the four churches combining to form the new Emmanuel Congregation and Community Project are providing a new facility which will be available for the whole community to use fully funded by the net redevelopment proceeds and supplemented by substantial donations. Not only will the new church be an enhancement to Eastbourne, it will release much needed residential development on the three redundant church sites, two of which are in the Town centre and all are considered to be brownfield sites and thereby safeguarding/mitigating the needs for greenfield land.

Affordable Housing: *This statement outlines that the applicants will honour their affordable housing requirements for this scheme. Given the issues with pepper potting throughout the development it is acknowledged that the it is likely to result in an S106 to cover off site delivery.*

Consultations:

Internal:

Conservation Advisory Committee:- No objections raised no objections to the proposal in principle and felt it would preserve the character and appearance of the building and conservation area.

Specialist Advisor (Planning Policy) – Support the principle of residential dwellings at the site. Residential dwellings are in high demand in the Town Centre and this site was previously identified as having potential in the SHLAA process to accommodate 11 dwellings. Type and size of the accommodation is suitable for the Town Centre neighbourhood, based on the requirements of the Strategic Housing Market Assessment

Specialist Advisor (Conservation) No objection. Supporting commentary reported below:
...Adaptation of former faith buildings for accommodation has an extended history, and it is clear that, with care and attention, they can generate attractive and characterful living spaces able to benefit from the generous proportions and distinctive fenestration that are some of their key characteristics. Conversely, there are numerous examples of church conversions that struggle to harness that potential, remove and / or degrade features in pursuit of housing volume, and succumb to challenges around the detail of their sub-division, most notably around floor levels that sit uneasily with distinctive fenestration, poor flow and unattractive communal areas.

This proposal inclines to the virtuous end of the spectrum, evidencing both sensitivity to place and a light-touch that actively works with the contours of the building to limit any unnecessary disruption to historic fabric. Helpfully, the configuration of the building lends itself to relatively easy sub-division, with major structural modification centred on the repurposing of the soaring double height hall

for the two levels of apartment required, and with a preference to retain the building's plain yet impactful detailing wherever possible...

...Moreover, the design actively deploys inherited features, notably the imposing central stairwell, with its attractive ironwork detailing, and the distinctive wood-lined ceiling as unique and compelling partners in the development, acknowledging the building's past use and allowing for a continuing narrative across its changed function. Helpfully, earlier thoughts about removing stained glass windows to allow for the installation of more utilitarian Crittall fittings have been discarded and existing fenestration, which is generously proportioned and allows adequate light flow, will be retained.

Overall, my sense is that this is a carefully considered and sensitive application that has no impact at external level, uses the footprint and potential of the building to good effect whilst high profiling the small number of understated yet appealing features to positive effect. ...On the basis of the above, I am happy to support the application...

External:

Southern Water – Requires their consent prior to any connection is made to the sewerage network.

Historic England – Do not wish to make any comments and are happy to rely on the advice of EBC's conservation officer.

Eastbourne Society – No comments received

Highways ESCC – No comments received (at the time of drafting this report)

ESCC SUDS – This application relates to the internal alteration of an existing building and the external drainage arrangement is left intact and as such no objections are made.
– *Advisory comment any access/ramps into the building should be designed in a way that stops water runoff from Langney Road and Pevensay Road from entering the building.*

Neighbour Representations:

No objections have been received

Appraisal:

Principle of development:

The application relates to a brownfield site in a sustainable location within Eastbourne Town Centre which has been identified as being suitable for residential redevelopment within its Strategic Land Availability Assessment.

The scheme supports the retention/relocation of community facilities on an allied site (United Reform Church Upperton Road), it is considered that there is no objection in principle to the loss of community facility nor for it to be replaced by residential apartments.

It is acknowledged that the high-status elements of this listed building namely the main church congregation building falls outside of this application and as such remains intact.

Impact of proposed development on amenity site and surrounding area:

The scheme is essentially reconfiguration of the internal fabric of the building to create self contained flats and as such when compared to the lawful use of this element of the building the use for residential purposes should create less activity (comings and goings) and in this regard is considered an acceptable form of development.

A new element would be the creation of refuse and recycling facilities to support the residential conversion; it is accepted that the application does not currently propose a solution however officers are satisfied that there is sufficient capacity at the site (external spaces and basement) for this issue to be resolved via planning condition.

The proposed roof lights are conservation style and as such are low profile and will not impact upon the existing roof profile of the building.

It is accepted that the development of apartments on this site will create habitable rooms and living spaces where none formerly existed and in some parts these are in elevated positions. However given this brownfield site is located within Eastbourne Town Centre, with the surrounding properties/plots primarily in commercial use it is considered that the degree of separation between this development and the occupiers of nearby properties is deemed acceptable in order to provide sufficient mitigation to issues of overlooking.

It is acknowledged that the proposal has the full support of the Conservation Area Advisory Group and the Council's conservation officer and in addition solicited a no objection response from Historic England these responses are testament to the fact that this is deemed to be a sympathetic conversion of this building that is respectful to its historic fabric and in this regard there are no objections to the listed building elements of this scheme.

Design issues:

The scheme has been designed around utilizing the existing window openings to the building and where new works are proposed these will reflect the character, form and appearance of the existing features that are retained with the building. Given this, it is considered that the proposed alterations would have little impact upon the external appearance of the host building in particular and the surrounding area in general and as such the development is considered to be acceptable.

It is accepted some of the apartments are better served by natural light than others; this is in part due to the desire to use existing window openings. Notwithstanding this the majority of the apartments have habitable rooms that are served via an external window that looks out either onto the street or over/into the internal courtyard. It is considered that this arrangement provides sufficient daylight/ventilation to the new apartments and as such in this regard it is considered to provide a quality form of living environment for the future occupiers of this block.

All floors and thereby all apartments are served by passenger lifts; this does result in this development being accessible to all sectors of the community. In addition door entry system will also help to increase site security for residents.

The internal layout has been designed so that similar uses/activities (bathrooms/bedrooms/kitchens) as much as is practicable to do so are stacked over each

other and thereby attempting to reduce the noise impacts from apartment to apartment. This is considered to add to the quality of the living environment for the future occupiers of this block.

Impacts on trees:

There are no trees on the site and therefore none impacted by this development. There is the potential to increase the biodiversity of the site with sensitive planting within the central landscape courtyard/amenity area.

Impacts on highway network or access:

In isolation it is clear that the scheme does not deliver the minimum off-street car parking spaces required by the number of apartments proposed. However this position is balanced by comparing the lawful use of the site as a community building that operated without off-street spaces (for its congregation) since it opened and added to its town centre location in close proximity to goods/services and public transport links.

Given that the buildings' site coverage is virtually 100% for this part of the site there is no potential to provide off street parking without demolition of significant elements of this listed building. It is considered that the retention of the historic fabric of the building is an overwhelming material consideration in this application and as such this proposal has been assessed as a car free development. As outlined in the preceding paragraph this is considered acceptable.

Sustainable development implications:

It is accepted that this development promotes the conversion of an existing building and that this building is listed; this will have impacts upon the potential thermal efficiency of the building. Notwithstanding this the applicant are committed to use their best endeavours to implement as many sustainable elements in the build/conversion as is possible.

As much as is practicable the scheme would therefore ensure that the new apartments would be built to high thermal efficiency standards and thereby reducing/mitigating energy consumption. In addition by limiting the number of parking spaces at the site it may also encourage the use of other forms of transport that would support wider sustainable principles.

Other matters:

It is recognised that support for this scheme will in part support the wider community initiative of the delivery of the Upperton Road United Reform Church. Members will note that the principle of the Upperton Road United Reform Church has been accepted and its delivery in terms of support the amalgamation of four of Eastbourne congregations into one central hub is considered to be a material consideration that should be given significant weight in the assessment of this proposal.

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:

This scheme promotes a sustainable form of development in a highly sustainable location and as such is considered to accord with the National advice and also adopted local Plan Policies.

In addition it is acknowledged that the following key themes can be drawn in conclusion from the proposal:

- the scheme in isolation does not comply with the adopted parking standards however it is clear therefore that a judgement needs to be made as to where the overriding material consideration falls in the case. Officers have concluded that the impacts upon the local highway network are at worst neutral in comparison to the site lawful use. Given this brownfield town centre location a refusal based solely on the lack of car parking could not be substantiated.
- The existing church building is unsustainable by the present congregation in terms of its maintenance and repair regime and will be vacated in the near future following.
- That support for this scheme would support in part the wider Emanuel Church's ambition to realise a new community church on Upperton Road.
- Much needed town centre accommodation will be released by a sympathetic residential development which will include a contribution to affordable housing
- A comprehensive repair and restoration scheme to the retained facades will ensure the important features will not be lost.
- Replacement metal windows will be used; these are designed to replicate those used within the existing building and as such in terms of external impacts there is little impact to the host property in particular and the wider area in general.

Recommendation:

No1) 170036 Grant planning permission subject to the S106 covering local employment initiatives and affordable housing and subject to conditions

Conditions:

1 Time Limit

2 Approved Drawings

3 Schedule/specification of external repairs

4 Demolition and construction method statement outlining:

- Building/window recording prior to demolition
- how salvaged materials will be removed/stored and reused
- Hours of operation
- Site storage and welfare facilities
- Routes for demolition and construction vehicles
- Parking regimes for construction workers vehicles

5 cycle parking provided and made available before use commences

6 Refuse/recycling before the uses commences

No2 170033 Grant Listed Building Consent subject to the following conditions

1 Time Limit

2 Approved Drawings

3 Schedule/specification of external repairs

4 Demolition and construction method statement outlining:

- Building/window recording prior to demolition
- how salvaged materials will be removed/stored and reused
- Hours of operation
- Site storage and welfare facilities
- Routes for demolition and construction vehicles
- Parking regimes for construction workers vehicles

5 cycle parking provided and made available before use commences

6 Refuse/recycling before the uses commences

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.

Agenda Item 7

App.No: 170239 (PPP)	Decision Due Date: 21 June 2017	Ward: St Anthonys
Officer: Thea Petts	Site visit date:	Type: Planning Permission
Site Notice(s) Expiry date: 15 April 2017		
Neighbour Con Expiry: 16/04/17		
Press Notice(s): Published 20/04/17		
Over 8/13 week reason: Reported to Committee within time		
Location: 93 Pevensey Bay Road, Eastbourne		
Proposal: Demolition of Existing 102 Bed Care Home, Erection of new 80 Bed Care Home.		
Applicant: Barchester Healthcare		
<ol style="list-style-type: none"> 1. Recommendation: Resolved to grant planning permission subject to the case being referred to HSE for a 21 day period to ascertain whether they want to call the application in for Secretary of State approval. 2. Subject to no call in being received from the HSE/Secretary of State then this application is recommended for approval subject to a legal agreement covering Local Employment initiatives and conditions. 		

Executive Summary:

This application promotes a redevelopment of this sustainable brownfield site into a care home for 80 residents. It is considered that the proposed use and the new building are acceptable and provides an important community facility that would accord with National Advice and Local Policies

The site layout, design of the new building and the car parking and landscaping arrangement are considered acceptable.

The site, albeit currently vacant has a lawful use as a residential care home for 102 residents, this could re-commence within existing planning permissions and set against this background it is considered that the scheme currently before members presents a reduced HSE risk. The application is recommended for approval in this regard.

Relevant Planning Policies:

UHT1	-	Design of development
UHT2	-	Height of buildings
UHT4	-	Visual amenity
UHT7	-	Landscaping
NE20	-	Site of Nature conservation

- NE28 - Environmental amenity
- NO2 - Residential Area
- HO17 - Supported and special needs housing
- HO20 - Residential amenity
- TR1 - Locations for major development proposals
- TR2 - Travel demands
- TR11 - Car parking
- TR12 - Car parking for those with mobility problems
- US4 - Flood Protection and Surface Water
- US5 - Tidal flood risk

Eastbourne Core Strategy Local Plan 2006-2027

- B1 - Spatial Development Strategy and Distribution
Sustainable Neighbourhood
- C8 - Langney Neighbourhood Policy
- D5 - Housing
- D10A - Design

Site Description:

This 1960's two-storey flat-roofed building is located on the North West side of Pevensey Bay Road adjacent to the roundabout at the entrance the Sovereign Harbour Retail Park.

The site is triangular in shape, and is constrained by the dual carriageway to the front, Langney Sewer to the rear, and a car showroom (Bexhill Motors) and a bungalow on the south west side.

The building was formerly used as a care-home, and has been vacant for approximately nine years and is falling into some disrepair.

Relevant Planning History:

App Ref:EB/1985/0367 Description: Change of use from motel to residential care home with ancillary facilities and medical nursing centre, together with external alterations, including the erection of a canopy.

Decision: Approved Date: 10 October 1985

App Ref:EB/1999/0479 Description: Change of use of part of nursing home to crèche/nursery.

Decision: Approved Date: 26 November 1999

App Ref:120398 Erection of a replacement two-storey care home and a new single storey day centre.

Decision: Approved Date: 31 August 2012.

Proposed development:

Permission is sought for a replacement two-storey care home with associated car and cycle parking.

The new care home would follow broadly similar footprint/orientation to the existing building. The elevational treatment differs considerably, however, and has a regular pattern of vertical emphasis windows, punctuated with projecting gables to all elevations under a tiled pitched roof. Approximately the external height to ridge of roof is 9m. The external materials are to be formed from red brick with projecting gables of smooth cream render to all elevations. Windows to be grey aluminium.

The scheme proposes 29 car parking spaces located to the front of the site within an open car park court, adequate turning space is provided for all emergency and service vehicles to enter/leave the site in a forward gear.

In view of the safety of future residents, the open watercourse to the rear is to be fenced off, and the brick wall at the front of the site is to be retained with modifications to provide safe pedestrian access. 24 hour staff presence, appropriate external lighting and door entry/exit system will also support the future safety of residents, staff and visitors.

The scheme will provide level access to all thresholds and provide two lifts to serve both floors.

Applicant's Points:

- The application seeks to obtain Full Planning Permission to create an 80 Bed Care Home following the demolition of the existing building. The home will be used by experienced operators Barchester Health Care; one of the biggest independent care providers in the UK employing 17,000 staff supporting 11,000 people in 200 homes.
- Each new Bedroom will be minimum 20sqm En-Suite facility. Each room will also be serviced with Bathrooms and Day Rooms, and the scheme further includes Kitchen, Laundry and Staff Facilities.
- The adjacent Day Care Unit will offer space for up to 30 residents and also offers Dining Room and Dayroom, WC, Bathroom, Treatment Room and Training Kitchen facilities.
- The previous facility would have employed around 62 staff, 34 at any one time between shift patterns. However this facility has ceased for some considerable time, so the proposed would be considered as new employment for around 45 staff.
- The overall increase in floor area is just 6m² which is equal to less than a 1% increase in floor area.
- The site is very accessible by all modes from substantial surrounding residential areas, particularly newer development to the south of the A259, providing a potential source for local staff recruitment. The site's location also provides for easy access by staff and visitors to a range of retail, commercial and social activities at The Crumbles Retail Park and at Sovereign Harbour.
- Construction Management Plan demonstrates that the proposal will generate less traffic and visits trips than the existing and also identifies preferred routes to/from the site and outlines that noise and air quality will be monitored during the construction phase of the scheme.
- The Flood Risk Assessment concludes that even though a Care Home is classed as 'More Vulnerable', as there will be a net decrease in impermeable area and because the surface water will be rerouted from the foul sewer into the watercourse, this development proposal reduces the overall local flood risk.

- The Heritage Statement outlines that due to the high levels of existing development on the site it is recognised that the likely impact on existing /retained archaeology is low.
- The Geo-Environmental Appraisal outlines that the site is formed from made ground to a depth of 1-3m and natural geology from 3-9m. Recommends piled foundation into natural geology.
- The Habitat Survey recognises that there is some potential on this and neighbouring sites for habitat likely to support protected species; this report outlines steps/actions to mitigate the loss of this habitat (barrier fencing – exclusion fencing tree shrub removal outside of planning season).
- The Arboriculture report identifies trees worthy of retention and outlines how they are to be protected during construction.

Consultations:

EXTERNAL

ESCC SuDS Team: - No objection subject to conditions

Health and Safety Executive: - Given the proximity to the High Pressure Gas main (within Pevensey Bay Road) the HSE should be given 21 days post resolution to grant permission to establish if they intend to call the case in for determination by the Secretary of State.

ESCC Highways: - No objections subject to conditions

Sussex Police Crime Prevention Officer: Supports the scheme to revitalise the building/area. Satisfied that the applicant (a National Health Care provider) will create a safe and secure environment for residents and staff and visitors. Recommends fence to the rear to provide secure garden and to deter intruders.

ESCC Archaeology: - No objection to the proposal given that there should not be any below ground archaeology affected by this development.

ESCC Ecologist: - No objections subject to conditions.

Environment Agency: - No objection subject to conditions

Southern Water: - Highlight issues with the long term operation of the site in terms of foul and surface water disposal and the implications that this may have on localised flooding. They recommend conditions to control this issue

INTERNAL

Specialist Advisor Trees: - No objection subject to conditions

Specialist Advisor Regeneration: - No objection subject to S106 agreement to cover local labour issues

Neighbour Representations:

Objections: One representation has been received from a resident in Tanbridge Road, who is concerned that no ventilation or central heating system is shown on the submitted plans, and therefore is anxious that noise emissions from the building is kept below

acceptable limits. He wishes to see the foliage along the river retained as a natural noise barrier; pollution of the river should also be addressed.

Support: Three letters of support have been received who both welcome the improvement to the appearance of the site and surrounding area.

Appraisal:

Principle of Development: The loss of the existing building has been dealt with under EB/2012/0397(FP) and is considered acceptable.

Design of new building: The proposed new building is considered to be suitable for the site in terms of its use and site coverage. The precise siting and appearance has been the subject of discussion and negotiations with the agent to achieve an acceptable scheme, and the standard of accommodation for residents of the home would be much increased from that which currently exists

The existing building is very much of its time, displaying a wide range of materials and extensive glazing with a horizontal emphasis. The proposed building is also linear and runs parallel to Pevensy Bay Road but now includes a pitched roof and has a palette of external materials limited to a good quality brick and cream render; together with the reordered window layout, the emphasis has changed to vertical.

The flank wall of the new building has been pulled away from the boundary by approximately 12m, which is sufficient to protect the amenities of the occupiers of the adjacent bungalow, the only residential property affected by the development.

Soft Landscaping: The loss of most of the trees on the site is regrettable, but none are of outstanding quality, and in practical terms, the construction of a building of this scale on a site of this size/arrangement will mean that few are likely to survive in the limited space available; there is a good hawthorn on the bank of the sewer which could be retained and this will require protection. The landscaping scheme submitted with the application is good with a substantial number of trees and shrubs to be planted; a number of these are to be planted on the boundary with the adjacent bungalow, which will also help to soften the building and provide a good screen.

Parking and layout issues: Due to the vulnerability of the future residents, it will be necessary to fence off Langney Sewer which borders the site. A timber fence is to be provided, 1.8m high, but with only the bottom 1.2m solid.

The parking arrangements and turning facilities have been designed to provide an increase in the number of parking spaces over the existing situation (considered necessary for a use that involves shift work and is located on the edge of town), and pedestrian safety has also been included in the modifications to the main access; a benefit of the scheme is that the former delivery route exiting onto the main roundabout is to be closed.

Other Neighbour Issues : With respect to the neighbours concerns regarding noise from ventilation systems/boilers, Environmental Health has confirmed verbally that no problems have been substantiated in relation to this problem.

Other issues HSE Risk : Members should note that running under Pevensey Bay Road is a gas main that has been identified by the HSE as a potential site constraint that may limit the sites development potential. In this regard the HSE have requested that post resolution to grant planning permission they be given a further 21 days consultation period in order to establish whether the risk is of sufficient magnitude to result in the application being called in by the Secretary of State.

Whilst the ultimate judgment on this matter rests with the HSE, officers consider that the existing lawful use of the site as a residential care home with a greater number of residents should be a material consideration in the evaluation of this case. It is considered therefore that the application proposal represents a reduced risk when compared to the existing lawful use of the site.

Human Rights Implications:

It is considered that there would be no adverse impact on residential amenity.

Conclusion:

The proposed scheme is acceptable in terms of use, siting, design, scale, access and landscaping, and would not have an adverse impact on visual, residential or environmental amenity or on highway safety. As such it complies with the relevant local policies and also National Advice.

Recommendation:

- 1) grant planning permission subject to the case being referred to HSE for a 21 day period to ascertain whether they want to call the application in for Secretary of State approval.

- 2) Subject to no call in being received from the HSE then this is application is recommended for approval subject to a legal agreement covering Local Employment initiatives and condition listed below:

Commencement of development within three years

- (1) Compliance with approved plans
- (2) Hours of operation (construction works)
- (3) Wheel washing facilities
Retention of tree/vegetation adjacent to Langney Sewer & protection during construction
- (4) Provision of landscape maintenance programme
- (5) Hedgerow removal outside of bird nesting season
- (6) Amphibian Mitigation strategy
- (7) Amphibian restoration strategy
- (8) Construction and Environment mitigation strategy
- (9) Surface water run off
- (10) details of attenuation tanks
- (11) Maintenance programme for surface water system
- (12) Details confirm implementation of surface water details
- (13) no development within 3m either side of the exiting sewers at the site
- (14) foul water disposal details
- (15) Existing Access onto the Roundabout to closed up such that it cannot be used
- (16) Car parking in accordance with details
- (17) Cycle parking in accordance with details

- (18) Vehicle turning shall be provided prior to occupations
- (19) Highway construction management plan
- (20) Travel plan
- (21) Landscaping planting scheme implemented prior to occupation
- (22) Details of service runs in connection with retained trees
- (23) Tree protection
- (24) Existing ground levels around saved trees shall not be altered
- (25) Development in accordance with the submitted FRA

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.

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Agenda Item 8

App.No: 170156 (PPP)	Decision Due Date: 12 May 2017	Ward: Meads
Officer: Neil Holdsworth	Site visit date:	Type: Planning Permission
Site Notice(s) Expiry date: 10 March 2017		
Neighbour Con Expiry: 10 March 2017		
Press Notice(s): Published 20 February 2017		
Over 8/13 week reason: reported to committee out of time given committee cycle and requests for further drawings/information		
Location: St Andrews United Reformed Church, Cornfield Lane, Eastbourne		
Proposal: Demolition of St Andrews Church and Albury House behind retained facade to Blackwater Road. Construction of 3-4 Storey building comprising 36 residential units and 11 parking spaces accessed from Wish Road and Cornfield Lane		
Applicant: Rev David Yule		
Recommendation: Approve subject to Conditions and S106 covering affordable housing and local employment issues.		

Executive Summary:

Members will recall that the Emanuel Churches of Eastbourne are coming together to form a common congregation and that this congregation would occupy the redeveloped United Reform Church site in Upperton Road (currently subject to S106 legal agreement).

Members were informed at the application stage of the Upperton Road redevelopment scheme that in order for the new development to commence/conclude then the church community would have to fully realise their assets; in some part this meant that the redundant and vacant sites would need to be redeveloped with the monies raised contributing to the realisation of their new project/scheme. This application therefore relates to one of their vacated sites and as such it is considered that the redevelopment of the United Reform Church site is a material consideration that should be given significant weight in the assessment/decision of this scheme.

Proposed development in terms of retained historical fabric, scale, mass and design of new building are such that the development is considered to be acceptable in broad townscape terms.

When assessed against the lawful use of the site it is considered that the limited number of off street car parking spaces proposed is acceptable and should not give rise to any material highways impacts.

The scheme is recommended for Conditional approval subject to S106 agreement to cover affordable housing and local employment issues.

Planning Status:

St Andrews Church is a vacant locally listed building located within an area of high townscape value in Eastbourne Town Centre.

Eastbourne Core Strategy Policy

Eastbourne Core Strategy Local Plan 2006-2027

B1 Spatial Development Strategy and Distribution

B2 Creating Sustainable Development Sustainable Neighbourhood

C1 Town Centre Neighbourhood Policy

D1 Sustainable Development

D5 Housing

D8 Travel Demands

D10 Historic Environment Building of Local Interest

D10 Historic Environment Area of High Townscape Value

D10A Design

LCF21 Retention of Community Facilities

Borough Plan Policies

Eastbourne Borough Plan 2001-2011

UHT 2 Height of Buildings

UHT 4 Visual Amenity

UHT16 Area of High Townscape Value

UHT18 Buildings of Local Interest

UHT 19 Retention of Historic Buildings

HO2 Predominantly Residential Areas

HO18 Accessible Housing

NE14 Source Protection Zone

TR11 Car Parking

TR12 Parking for those with mobility issues

Site Description:

The application site relates to a now vacant church building (Gothic Style 1878) with ancillary mid-20th Century buildings, these are located on a corner plot at the junction of Blackwater Road, Cornfield Lane and Wish Road. It is acknowledged that in hierarchy terms Blackwater Road is the principle highway with Wish Road and Cornfield Lane being principally service roads that provide rear access to residential units and also commercial businesses.

The existing accommodation covers virtually the whole of the application plot and in broad terms there are no significant changes of level across the site.

The site is located outside but adjacent to the boundary with the Town Centre and Seafront Conservation Area.

Relevant Planning History:

St Andrews Church was designed by F.J. Baker in 1878, as a Presbyterian place of worship to serve the Lower Meads community. The church was built over a 20 year period and extended to the south to incorporate accommodation for the church warden. Albury House is a more recent addition and is currently used in part by Eastbourne Food Bank.

The building was deemed by Historic England as not of nationally noteworthy quality for it to be Statutory Listed, notwithstanding this the building has been identified as having some merits and appears on Eastbourne's Local List of Heritage assets.

The applicant has supplied evidence outlining the repair works required within their 5 year maintenance programme. This evidence confirmed that the building was beyond economical repair/maintenance such that the building (for public use) is uninsurable, hence the building is now vacant with the congregation have relocated.

Proposed development:

Application proposes the façade retention of the key elevations of the existing church building facing Blackwater Road and Wish Road. All other parts of the Church and ancillary buildings are to be demolished to be replaced with a new building comprising 36 flats (27 X 1 bedroom flats and 9 X 2 bedroom flats), the full mix of the units and its relationship to the National Space Standards is outlined below.

The development has a broadly 'J' shaped footprint with:-

- 7 flats, 10 spaces and central courtyard on the ground floor
- 11 flats on the first floor
- 11 flats on the second floor
- 7 flats on the third floor (within roof space)

There are three pedestrian access points to the development two to/from Cornfield Lane and the other from Wish Road, all flats within the development will have access to a lift.

The scheme proposes 10 car parking spaces including 1 disabled space, these car parking spaces are located within two blocks, 6 spaces accessed via Cornfield Lane and 4 spaces accessed off Wish Road. Within these car parking areas there is also accommodation for cycle and refuse stores. These car parking areas will include horizontal sliding doors, this would provide defensible space for the car park holders and also reduce the impacts of anti-social behaviour that can often be associated with undercroft parking areas.

A central landscaped amenity area is also proposed, this provides circulation to and around all elements of the scheme as well as providing the potential for some soft landscaping.

Flat No/Type/location	Proposed Space	National Space Standards
GROUND FLOOR		
10 Car Parking Spaces		

Central Courtyard Garden		
1 X 2 Bed-3 Person	63	61
2 X 1 Bed-2 Person	55	50
3 X 1 Bed-2 Person	63	50
4 X 1 Bed-2 Person	87	50
5 X 2 Bed-3 Person	70	61
6 X 2 Bed-3 Person	88	61
7 X 1 Bed-2 Person	72	50
FIRST FLOOR		
8 X 2 Bed-3 Person	64	61
9 X 1 Bed-2 Person	55	50
10 X 1 Bed-2 Person	58	50
11 X 1 Bed-2 Person	58	50
12 X 1 Bed-2 Person	65	50
13 X 1 Bed-2 Person	87	50
14 X 2 Bed-3 Person	69	61
15 X 2 Bed-3 Person	70	61
16 X 1 Bed-2 Person	71	50
17 X 1 Bed-2 Person	50	50
18 X 1 Bed-2 Person	53	50
SECOND FLOR		
19 X 2 Bed-3 Person	63	61
20 X 1 Bed-2 Person	57	50
21 X 1 Bed-2 Person	60	50
22 X 1 Bed-2 Person	60	50
23 X 1 Bed-2 Person	65	50
24 X 1 Bed-2 Person	87	50
25 X 2 Bed-3 Person	72	61
26 X 2 Bed-3 Person	69	61
27 X 1 Bed-2 Person	71	50
28 X 1 Bed-2 Person	51	50
29 X 1 Bed-2 Person	53	50
THIRD FLOOR		
30 X 1 Bed-2 Person	57	50
31 X 1 Bed-2 Person	51	50
32 X 1 Bed-2 Person	60	50
33 X 1 Bed-2 Person	54	50
34 X 1 Bed-2 Person	54	50
35 X 1 Bed-2 Person	62	50
36 X 1 Bed-2 Person	60	50

The application is supported by a number of supporting information/reports; these are summarised below:-

Transport Assessment: *lawful use as a church had a parking demand which has is absorbed within the local highway network. The proposed development of 36 flats is likely to be attractive to those who chose to live/work in a town centre location and as such the impacts upon the local highway network directly from this scheme is neutral.*

The parking spaces provided by this scheme are of a size suitable for disabled drivers.

Both of the town centre churches forming the wider congregation (combined Emanuel churches) do not have any off street car parking for parishioners so in a wider town centre context the redevelopment of the Upperton United Reform Church with an element of off-street parking is considered to be an enhancement.

A parking capacity survey has been undertaken and this has concluded that there is sufficient capacity in the wider network to accommodate surplus parking and that this is mitigated by the sites proximity to town centre and thereby its accessibility to other services and public transport links.

Services Assessment Report: *the new building will be designed to 'Lifestyle Home' standards; incorporate sustainable drainage attenuation measures within the central courtyard/amenity area and the potential grey water harvesting will be explored at the detailed design stage.*

Historical Building Assessment: *This report concludes that from the perspective of the built heritage, it is considered that the proposed scheme will secure the significant elements of the heritage asset. It is considered that the archaeological potential of the site is low given the post medieval development on/near to the site.*

Historical Environment Report: *Since the last Quinquennial inspection was carried out an inspection has been made which has identified substantial problems with the existing installation requiring significant expenditure to rectify in order to obtain insurance cover for a public building. This and other structural/building fabric repair issues has led to the conclusion that the building is not fit for purpose and that any redevelopment should be respectful to the historic environment.*

Design and Access Statement: *Reaffirms the results from the Quinquennial report in that the building is beyond sustainable economic repair and that the building is uninsurable for/as a public building. The congregation are keen to ensure that the development on this site maximises the return such that it would assist in the delivery of their new combined church in Upperton Road*

The key features/assets from within the existing building (stained glass windows, pews, organ, slates) will be salvaged and reused. The scheme seeks to retain the two key facades onto Blackwater Road and also Wish Road; in addition other key roofline features will be salvaged and or rebuilt/reused at the site.

The D&A also recognises the wider benefits that this scheme brings to the town in that the four churches combining to form the new Emmanuel Congregation and Community Project are providing a new facility which will be available for the whole community to use fully funded by the net redevelopment proceeds and supplemented by substantial donations. Not only will the new church be an enhancement to Eastbourne, it will release much needed residential development on the three redundant church sites, two of which are in the Town centre and all

are considered to be brownfield sites and thereby safeguarding/mitigating the needs for greenfield land. The redevelopment will also make full use of the latest Green technology.

Affordable Housing: *This statement outlines that the applicants will honour their affordable housing requirements for this scheme. Given the issues with pepper potting throughout the development it is acknowledged that the it is likely to result in an S106 to cover off site delivery.*

Consultations:

Internal:

Conservation Area Advisory Group: The Group applauded the proposal's intention to retain the facade of the local landmark building. The demolition of Albury House was considered acceptable in the circumstances given that the facade of the church would be retained. The Group supported the principle of the proposal's modern contemporary design and considered that in terms of conservation design it would form a good relationship with the surrounding conservation area.

Specialist Advisor (Economic Development) – S106 agreement to cover local labour agreement

Specialist Advisor (Planning Policy) – Support in principle, would deliver housing in a sustainable location, site has been identified in the SHLAA, would comply with the Meads Policy C11 of the core strategy by providing new housing through redevelopment and conversions in a mix of type and style, including affordable housing, within the existing urban area.

Specialist Advisor (Conservation) No objections to the proposal, key themes from response contained below

This applicant seeks permission to demolish the bulk of a well-established town centre worship centre and neighbouring building currently used for community purposes in order to create a significant apartment complex at the heart of the Town Centre. In total, the development site comprises a C19th church, associated halls dating back to the early C20th and a further mid C20th building. Unsurprisingly, the proposition has generated substantial interest, reflecting its high profile location, concern at the loss of (most of) a local landmark and a complex of detail issues related to apartment volume on site, access and parking. This consultation is necessarily limited in its scope, and can only consider issues relating to conservation and the site's heritage status, including attempts to fuse elements of the retained façade with new build in a residential campus context.

For context, it is worth noting that the project site does not form part of any Historic England national listing, though it is locally listed, and it sits outside the boundary of a Conservation area, although it is proximate to one. It also sits immediately behind Cornfield Terrace, which is group listed. An attempt was made to secure national listing, though this was unsuccessful, generating a response from Historic England that acknowledged its "pleasing" status whilst deeming it

"architecturally undistinguished." The main features identified as of note in this assessment were the building's stained glass windows, to include pieces designed by Morris and Co and M C Farrar Bell, and it is heartening to discover that these will be removed and retained for use in the new combined Emmanuel Church that will house worshippers from St Andrews, and other sites across the borough, thereby safeguarding the building's most prized heritage assets for re-installation in a new setting.

In process terms, the item was presented to the borough's Conservation Area Advisory Group on 4 April 2017, where it was commended by members. The Eastbourne Society planning advisor, in his written submission to CAAG, also applauded the application.

I share this positive reading of the development proposal and want to start my consultation by noting the widespread affection for a visible and popular building that has featured in so many local journeys through the town centre for over a century, effectively becoming a landmark local feature that is a treasured part of our collective municipal memory. This is reflected in its local listing. The retention of major elevations is a defining and highly commendable feature of the application, allowing for a new lease of life and continuing physical presence for some of the most visible parts of the existing building on the radically reconfigured site, effectively providing a bridge from an extended past, and a connector to, the unashamedly contemporary housing development at its rear. The remainder of the existing building will be demolished but materials from it, most notably slates, brick and stone work, will also be removed and re-used to support the renovation of the retained facades, further reinforcing the concept of fusion between old and new. Specific areas of heritage upgrade and advantage include the restoration of the fleche, the rebuilding of turrets and renovations to the stone tracery.

By contrast, the new-build element resists the temptation for a redbrick pastiche and instead opts for a strikingly contemporary design, whilst respecting the broad form and height of predecessor buildings. Overall, I think this works well, generating colour, texture and playfulness through the inventive use of colour panels, to derive a vibrant town centre aesthetic that takes inspiration from a vibrant and eclectic immediate location; one that successfully accommodates a diverse mix of retail, hospitality, commercial and residential uses. More specific feedback about enhancing the impact of entrance areas has been provided in face-to-face meetings with the applicants.

In my professional opinion, the application offers a pragmatic solution to changing times for a traditional faith institution, conserving key elements, including its most important facades, as an integral and embedded element of an exciting new complex that is heavily influenced by the site's history, context and surroundings. On this basis, I am happy to support the application.

Specialist Advisor (Waste) It is recommended that space is provided for 8 X 1280ltr bulk bins (4 refuse and 4 recycling). These bins should be located as close to the highway as possible.

External:

Environment Agency -

County Archaeologist – Conditional support of the scheme

Highways ESCC- require further design details to be clarified

SUDS – Required clarification on design issues to manage surface water runoff

Eastbourne Society – No comment directly received however they commented when the case was reported to Conservation Area Advisory Committee; this is reported in the Conservation Officers response (above).

Neighbour Representations:

20 Objections have been received and cover in the main the following points:

Noise and disturbance

The quietness of the area will be disturbed

Surrounded by narrow roads, may lead to highway issues

Need a method statement to ensure the highways network will not be impacted

Insufficient parking

Rain and waste water needs to be adequately dealt with

Existing business in the area, these should not be impacted by the development

New residents may complain about long standing existing businesses

Loss of an important local building is very regrettable

Loss of view would be harmful

Loss of light

Extra traffic generation

There is significant ASB in the area

Would it not be better to knock it down and start again?

No pavements in the area, pedestrian safety

Area overrun by cars

Development should be two beds to fit into the area

Lack of mix of properties through the scheme

Whole building should be converted

Overdeveloped

Lack of street lighting

Party walls around the site need to be retained

Overlooking potentially from the site

Is the stained glass window being retained?

Covered parking areas may increase ASB and litter issues

Flat roof may assist in access/trespass issues

Appraisal:

Principle of development:

The application relates to a brownfield site in a sustainable location within Eastbourne Town Centre which has been identified as being suitable for residential redevelopment within its Strategic Land Availability Assessment.

The scheme supports the retention/relocation of community facilities on an allied site (United Reform Church Upperton Road), it is considered that there is no objection in principle to the loss of community facility nor for it to be replaced by residential apartments.

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

The scheme has been designed to retain the important key facades/elements of the existing building and that the new build elements will fall within the existing silhouette of the existing main church building (as it abuts Blackwater Road, Wish Road and Cornfield Lane).

In addition as the new build element runs along Wish Road and Cornfield Lane it is acknowledged that the size and scale diminishes to a level that is more respectful to the scale of the buildings that form these streets. Given this the development should not give rise to any material increase in dominance nor result in any significant loss of light to the occupiers of the adjacent properties.

It is accepted that the development of apartments on this site will create habitable rooms and living spaces where none formerly existed and in some parts these are in elevated positions, however given this browfield site is located within Eastbourne Town Centre it is considered that the degree of separation between this development the occupiers of nearby residential properties is deemed acceptable and the scheme has been designed (with its window arrangement) to mitigate the overlooking that might ensue.

Design issues:

The building/scheme has been designed to attain BREEAM level 4, Lifestyle Homes standards and also flat sizes in excess of those recommended in the National Guidance.

It is accepted that majority of the apartments are single aspect however all habitable rooms are served via an external window that looks out either onto the street or over/into the internal courtyard amenity space. It is considered that this arrangement provides sufficient daylight/ventilation to the new apartments and as such in this regard it is considered to provide a quality form of living environment for the future occupiers of this block.

The internal courtyard/amenity space provides not only circulation around the development but also a private and secure landscaped area which is considered to be added value to the future residents of the scheme, especially given this town centre location. In addition this central courtyard area provides/enables the potential for an element of sustainable drainage to be implemented at the site.

The precise details of this sustainable drainage will be controlled via planning condition however it is clear that to increase the degree/amount of permeable surfaces at the site and the inclusion of storage tanks would help to stem the run off rates of surface water and thereby make a positive enhancement to mitigating localised flooding.

All floors and thereby all apartments are served by passenger lifts; this does result in this development being accessible to all sectors of the community. In addition door entry system will also help to increase site security for residents.

The internal layout has been designed so that similar uses/activities (bathrooms/bedrooms/kitchens) are stacked over each other and thereby attempting to reduce the noise impacts from apartment to apartment. This is considered to add to the quality of the living environment for the future occupiers of this block.

Impact on character and setting of site and the surrounding area

It is accepted that the existing church building commands a prominent position within the street and the principle elevations command significant heritage value. However Heritage England in 1978 declined to Statutory List the building quoting:

...St Andrews United Reform Church, built in 1878 to the design of FJ Barker and extended in the early 20th Century is a pleasing but architecturally undistinguished late 19th Century red brick gothic revival church. Although it has some fittings of interest, including stained glass by Morris and Co, the interior is not of particular merit. While the church has townscape value and local historic interest, in the national context it lacks the special interest to warrant inclusion in the Statutory List...

Notwithstanding this the building has been placed on the Councils Local List of Heritage Buildings as recognition of its heritage asset value and the importance it visually makes to this street in particular and the wider street scene in general. The applicants have acknowledged this and are proposing the retention of two key façades (façade retention on Blackwater Road and Wish Road). It is considered that the façade retention and that the proposed new-build element is limited to the height of the existing silhouette help to mitigate the visual impacts of the development in the street scene.

In townscape terms and impact upon the character and appearance of this site and the wider area is deemed acceptable.

The new build element is separated from the heritage element by a simple link brick and glass element; these form the main stairway cores but also provide a visual transition between the old and the new. The elevations to the new build element utilize brick and render cladding, projecting windows under a standing seam metal faux pitched roof. It is considered that the design and appearance of the new build element is of sufficient quality to be respectful to but not compete with the main retained heritage element of the scheme.

Impacts on trees:

There are no trees on the site and therefore none impacted by this development. There is the potential to increase the biodiversity of the site with sensitive planting within the central landscape courtyard/amenity area.

Impacts on highway network or access:

A number of third party representations received highlight the lack of parking at the site as an overriding issue for them and that any displaced parking would have a significant impact upon the available on-street parking in the locality and may give rise to indiscriminate on street parking causing highway safety issues as well potentially impacting on local businesses.

In isolation it is clear that the scheme does not deliver the minimum off-street car parking spaces required by the number of apartments proposed. However this position is

balanced by comparing the the lawful use of the site as a community building that operated without off-street spaces (for its congregation) since it opened and added to its town centre location in close proximity to goods/services and public transport links.

Given the awkward layout/footprint of the applicaton site it is considered that the delivery of more spaces could not be accomodated without compromising the quality of the scheme. Further car parking spaces could be provided but this would be at the expense of the number of proposed flats, the loss of the internal amenity space, loss of the key facades as well as increasing signiicantly to the overall building costs which may impact the viability of the scheme.

Sustainable development implications:

The development has been designed to achieve BREAM level 4 and Lifetime homes standards as well as other sustainable initiatives like sustainable drainage and grey water harvesting. This scheme would therefore ensure that the new building would be built to high thermal efficiency standards and thereby reducing/mitigating the energy consumption. In addition by limiting the number of parking spaces at the site it may also encourage the use of other forms of transport that would support wider sustainable principles.

Other matters:

It is recognised that support for this scheme will in part support the wider community initiative of the delivery of the Upperton Road United Reform Church. Members will note that the principle of the Upperton Road United Reform Church has been accepted and its delivey in terms of support the amalgamation of four of Eastbourne congregations into one central hub is considerd to be a material consideration that should be given significant weight in the assessment of this proposal.

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:

This scheme promotes a sustainable form of development in a highly sustainable location and as such is considered to accord with the National advice and also adopted local Plan Policies.

In additon it is acknowledged that the following key themes can be drawn in conclusion from the proposal:

- the scheme in isolation does not comply with the adopted parking standards however it is clear therefore that a judgement needs to made as to where the overriding material consideration falls in the case. Offciers have conculded that the impacts upon the local highway network are at worst neutral in comparison to the site lawful use. Given this bronfield town centre location a refusal based solely

on the lack of car parking could not be substantiated.

- The existing church building is unsustainable by the present congregation in terms of its maintenance and repair regime and has had to be vacated owing to the lack of insurance cover, which is unobtainable in its present condition.
- That support for this scheme would support in part the wider Emanuel Church's ambition to realise a new community church on Upperton Road.
- Much needed town centre accommodation will be released by a sympathetic residential development which will include a contribution to affordable housing
- The profile and the existing key features of the existing church building has been used to limit the scale of the new development and thereby mitigating the impacts into the street scene. In addition existing slates will be salvaged and reused.
- A comprehensive repair and restoration scheme to the retained facades will ensure the important features will not be lost.
- Existing stained glass will be removed and re-used in the Upperton Road United Reform Church.

Recommendation:

Grant Planning Permission subject to S106 to cover local employment initiatives and affordable housing delivery.

Conditions:

1 Time Limit

2 Approved Drawings

3 External Materials

4 Hard and soft landscaping

5 Demolition and construction method statement outlining:

- Building recording prior to demolition
- how salvaged materials key features will be removed/stored and reused
- façade retention safeguarded
- Hours of operation
- Site storage and welfare facilities
- Routes for demolition and delivery vehicles
- Parking regimes for construction workers vehicles

6 SUDS

7 parking to be provided and made available before use commences

8 cycle parking provided and made available before use commences

9 Refuse/recycling before the uses commences

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.

COMMITTEE:	PLANNING
DATE:	30 May 2017
SUBJECT:	Update on Housing Delivery
REPORT OF:	Director of Strategy, Planning & Regeneration

Ward(s): All

Purpose: To provide Members with an update on housing delivery in the 2016/17 and the current position in relation to the Five Year Housing Land Supply

Contact: Matt Hitchen, Senior Planning Policy Officer
1 Grove Road, Eastbourne, BN21 4TW
Tel no: (01323) 415253
E-mail: matt.hitchen@eastbourne.gov.uk

Recommendations: That Members note the contents of this report.

1.0 Introduction

- 1.1 This report provides an update on housing delivery at the end of the 2016/2017 financial year. It is part of the quarterly feedback to Planning Committee on housing delivery rates.
- 1.2 This report identifies the number of units granted permission in the year, the number of units with permission that have yet to start construction, the total number of units completed, and updates Members on the latest position in relation to the Five Year Housing Land Supply.

2.0 Background

- 2.1 National planning policy places considerable weight on the delivery of new housing. Delivery of housing is assessed in two ways
 - the number of residential units built;
 - the number of residential units due to be built in the next five years (known as the Five Year Housing Land Supply).

The two are linked to the extent that a reduction in the number of units built will increase the number needed to be built in the next five years to make up for the shortfall.

- 2.2 The identification of a Five Year Housing Land Supply is a requirement of the

National Planning Policy Framework (NPPF). A Five Year Housing Land Supply means identifying sufficient housing land in order to meet the cumulative annual housing delivery target for the next five years (i.e. annual target multiplied by five), plus a buffer. This buffer should be 5% unless there is a record of persistent under-delivery of housing, in which case the buffer increases to 20%.

- 2.3 The NPPF states that Local Plan policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. It also states that where relevant policies are out-of-date, permission should be granted *unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (NPPF, para 14)*.
- 2.4 This means that if a five year housing land supply cannot be demonstrated, there is a significant risk that refusals of planning permission for residential development could be overturned on appeal with associated cost implications, even if the application is contrary to Local Plan policy.
- 2.5 National policy and case law has shown that the *'demonstration of a 5 year supply is a key material consideration when determining housing applications and appeals'* (Planning Practice Guidance, Paragraph: 033 Reference ID: 3-033-20150327¹).
- 2.6 The Government's White Paper *'Fixing Our Broken Housing Market'*, published in February 2017, includes a proposal to introduce a new housing delivery test to assess the number of residential units delivered against the local plan target from November 2017. Depending on the percentage of the target delivered, different responses will be required with the intention of boosting the supply of housing.

3.0 Housing Completions

- 3.1 The Core Strategy (adopted 2013) plans for the delivery of 5,022 net additional dwellings between 2006 and 2027. As of the end of 2016/17, a total of 2,576 units had been delivered since the start of the plan period. This leaves 2,446 units to be delivered until the end of the plan period at an annual average of **244.6** units per year.
- 3.2 Falling housing delivery rates over recent years has meant that the total number of units that have been delivered is now less than the cumulative target. At this point in the plan period, **2,640** units should have been delivered, so actual delivery is 64 units short of the number of houses that should have been delivered at this point in the plan.

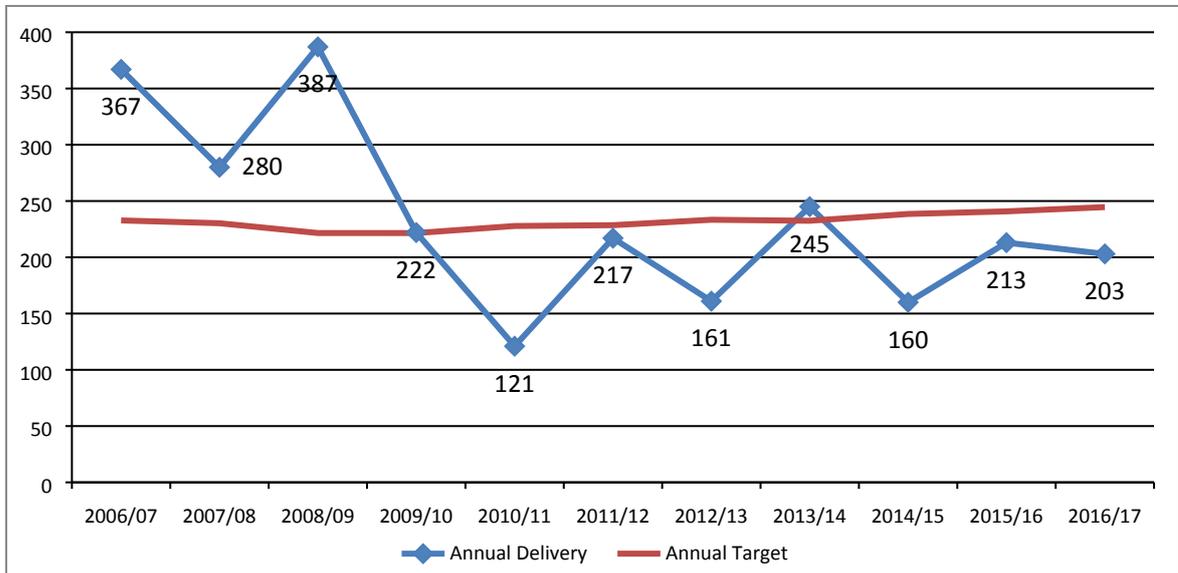
¹ <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>

3.3 In the 2016/17 year, a total of 203 net additional dwellings have been completed, compared to an annual target of 240 new dwellings per year. These 203 net dwellings were provided across 48 sites. The highest number of dwellings was completed in Quarter 4.

Completed	Net Additional Units	Sites
Quarter 1 2016/17	40	6
Quarter 2 2016/17	38	6
Quarter 3 2016/17	50	20
Quarter 4 2016/17	75	16
Total 2016/17	203	48

3.4 Of the 203 units completed within the year, 87 were delivered at the Meadows View development on Kings Drive. In addition, 12 delivered through a change of use from office to residential at 27 St Leonards Road and 9 through the redevelopment of Koala on Kings Edwards Parade. 37 sites (77%) delivered less than 5 units, with 24 sites (50%) only delivering only one unit each.

3.5 Annual housing delivery has only exceeded the target once in the last 8 years and five times in the 11 years of the plan. The last five years has seen a total of 982 units delivered against a target of 1,200.



4.0 New Commitments

4.1 During the 2016/17 financial year, a total of 305 net additional units were granted permission across 79 sites. By comparison, a total of 246 units were committed in 2015/16.

4.2 Of the 305 units granted permission, 91 units were committed through changes of use of office to residential at 20 Upperton Road (56) and 2 St

Anne's Road (35). 64 sites (81%) were granted permission of less than 5 unit, with 33 sites (42%) being granted permission for just one additional unit.

Newly Committed	Net Additional Units	Sites
Quarter 1 2016/17	107	24
Quarter 2 2016/17	49	17
Quarter 3 2016/17	104	20
Quarter 4 2016/17	45	18
Total 2016/17	305	79

4.3 It has been identified that a total of **173** net additional units across 25 development sites were refused planning permission in 2016/17. A list of these refusals is attached to this report within Appendix 2.

4.4 It is important to recognise that not all of the units granted permission will be built. Evidence over the Core Strategy plan period (since 2006) suggests that 76% of units granted permission are completed. At a 76% delivery rate, meeting the Core Strategy target of 240 units per year would require 316 units to be granted permission each year.

5.0 Total Commitments

5.1 As at the end of the 2016/17 year, there were **580** net additional dwellings with permission that have yet to commence across 87 sites. This includes:

- 102 units at Bedfordwell Road Depot
- 61 units at the former Caffyns site on Upperton Road
- 56 units at 20 Upperton Road
- 36 units at 2-4 Moy Avenue
- 35 units at St Anne's House, St Anne's Road

5.2 As at the end of the 2016/17 year, there were **259** units under construction across 36 development sites. This includes:

- 72 units at Site 1, Sovereign Harbour
- 70 units at Site 7c, Sovereign Harbour
- 13 units at land at Sumach Close

6.0 Housing Delivery Test

6.1 There is a proposal in the Housing White Paper to introduce a new Housing Delivery Test on local authorities from November. The test will identify the number of houses built against the housing target over a rolling three year period. The first assessment period for the Housing Delivery Test will be for financial years April 2014 – March 2015 to April 2016 – March 2017.

- 6.2 If during the first assessment period the delivery of housing falls below 95% of the target, local authorities will be required to publish an action plan setting out an understanding of the key reasons for the situation and the actions that could be taken to get home-building back on track. Where local authorities are delivering less than 85% of their housing target will also be required to add a 20% buffer to their Five Year Housing Land Supply calculation.
- 6.3 An analysis of housing delivery over the first assessment period shows that 576 units were delivered against a target of 720, which equates to 80% delivery. This means that from November 2017, the Five Year Housing Land Supply buffer will be increased to 20% and an action plan on housing delivery will need to be produced.

7.0 Five Year Housing Land Supply Assessment

- 7.1 The annual requirement over the remaining plan period is 244.6 units per year, and therefore the five year requirement is 1,223 units. However, the delivery of only 80% of the housing target over the last five years, including just one year of exceeding the target, indicates a persistent under-delivery of housing in Eastbourne, and along with the results of the housing delivery test that will apply from November, this suggests that the 20% buffer should now be used.
- 7.2 The additional 20% buffer equates to an additional years' worth of the target, making the Five Year Housing Land Supply requirement for Eastbourne **1,468** units. Eastbourne Borough Council is required to identify sufficient land to meet this requirement.
- 7.3 The current assessment of the Five Year Housing Land Supply identifies that as of the end of the 2016/17 financial year, Eastbourne has a supply of housing land equivalent to **839** units. This currently consists of sites with permission, including those where construction has started and those where construction has not started. This is because it is currently not possible to identify any housing development sites that have the potential to come forward within the next five years.
- 7.4 The Assessment shows that Eastbourne currently has a **2.8 year** supply of housing land (or **57%** of the Five Year Housing Land Supply requirement including 20% buffer). Eastbourne Borough Council is 629 units short of having a Five Year Housing Land Supply (including 20% buffer).
- 7.5 As a five year housing land supply cannot be demonstrated, current policies cannot be relied upon to justify a refusal of permission and therefore there is a significant risk of future planning refusals for residential development being overturned at appeal.
- 7.6 The under-delivery of housing continues to increase the Five Year Housing

Land Supply requirement, as under delivery increases the annual target used to calculate the requirement. In addition, a low rate of sites being granted permission means that the number of units in the Five Year Housing Land Supply is falling. Both factors combined mean that it will be very difficult for a Five Year Housing Land Supply to be identified in the near future, unless additional housing development sites can be identified.

8.0 Conclusion

- 8.1 National planning policy places considerable weight on the delivery of new housing, and the five year housing land supply is a material consideration in the determination of planning application.
- 8.2 Eastbourne currently has a housing land supply equivalent to 839 units, which represents 2.8 years supply of land, including the 20% buffer required as a result of persistent under-delivery of housing and the housing delivery test. Therefore a five year housing land supply cannot be demonstrated, which means local plan policies relevant to the supply of housing are out of date and cannot necessarily be relied upon to refuse development.
- 8.3 The process for identifying additional sites is currently underway through the Strategic Housing & Employment Land Availability Assessment. This study is due to be completed over the summer 2017, and will inform the production of a new Local Plan. The more sites identified as developable through this process, the closer to the Five Year Housing Land Supply requirement will be. This will give Members better control over approvals and greater comfort that refusals won't be overturned on appeal.

Background Papers:

The Background Papers used in compiling this report were:

- Eastbourne Core Strategy Local Plan 2006-2027
- National Planning Policy Framework (2012)
- Fixing Our Broken Housing Market – Government White Paper (2017)

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

Appendix 1 – Housing Delivery Statistics 2016/17 by Ward

Ward	Net Completions in Year	Net Newly Committed in Year	Total Commitments (not commenced)	Total Under Construction
Devonshire	33	83	103	24
Hampden Park	0	2	1	14
Langney	0	5	3	2
Meads	48	46	53	23
Old Town	1	3	8	4
Ratton	1	5	5	1
Sovereign	6	3	0	156
St Anthonys	0	16	47	25
Upperton	114	142	360	10
TOTAL	203	305	580	259

A full list of sites in each category is available on request

Appendix 2 – Applications involving net gain in residential units that were refused

Ref	Location	Description	Net Gain in Units	Date	Decision
151314	Ridgelands, 2 Upland Road	Erection of a two and a half storey building containing 10 two bedroom flats and 12 parking spaces with a new vehicular access from Upland Road.	9	21/04/2016	Planning Committee
160234	Aligra House, 55 Friday Street	Demolition of garage at rear of site (accessed from Sorrel Drive) and erection of new dwelling house in its place.	1	25/04/2016	Delegated
160259	15 Hartfield Road	Erection of detached 5 no. bed dwelling on land to the rear of 15 Hartfield Road facing Eversfield Road.	1	28/04/2016	Delegated
160374	Henley House, 4 Enys Road	Proposed change of use from garage to single private dwelling together with side extension to existing ground floor studio flat.	1	11/05/2016	Delegated
160332	182-184 Seaside	Proposed change of use from retail to residential.	1	16/05/2016	Delegated
160316	33 Meadowlands Avenue	Proposed two storey dwelling with parking space.	1	18/05/2016	Planning Committee
160307	2 Snowdon Close	Erection of an attached dwelling at side.	1	25/05/2016	Delegated
160377	56a Grove Road	Converting lower ground floor area into a self-contained flat at 56A Grove Road.	1	25/05/2016	Delegated
160376	21 Susans Road	Four storey extension to North-west elevation and conversion of retail unit to residential accommodation. Use of extended building as 9	3	27/05/2016	Delegated

Ref	Location	Description	Net Gain in Units	Date	Decision
		residential units. Reinstatement of light wells with decorative railings. Associated internal and external works.			
160666	15 Beamsley Road	Sub-division of a single family dwelling into smaller units comprising 1 Studio Apartment, 1no 1 Bed Apartment and 1No. 2 Bed Apartment.	2	09/08/2016	Delegated
160690	18-22 Terminus Road	Proposed conversion of top floor to provide a self-contained residential unit including the addition of 2no. pitched roof dormers on the front elevation and 1no. flat roof dormer to the rear.	1	09/08/2016	Delegated
160717	Meridale Guest House, 91 Royal Parade	Retrospective change of use from C1 (Guest house) to C3 (Single Residential Dwelling)	1	02/09/2016	Delegated
160908	Land to the West of Larkspur Drive	Outline planning permission (Access, Appearance, Layout and Scale) for erection of up to 9 no. dwellings including potential for hard and soft landscaping and car parking.	9	21/09/2016	Delegated
160924	12 The Broadway	Create a two bedroom flat (C3) from an A1 use shop under Prior Approval Class M of GPDO as amended 2015	1	06/10/2016	Delegated
160892	Suite 2, 22 Church Street	An extension and alteration to property to create 1no. 1 Bedroom flat.	1	12/10/2016	Delegated
160842	259 Seaside	Proposed two bedroom single storey dwelling with disabled access to the rear of 259 Seaside,	1	03/11/2016	Delegated

Ref	Location	Description	Net Gain in Units	Date	Decision
		accessed from Seabeach Lane.			
161115	Veritek House, Edgeland Terrace	Prior approval for change of use from offices to form 11 residential units	11	04/11/2016	Delegated
160538	Land to rear of 48 St Leonards Road	New build 3 storey residential accommodation consisting of 11; dwellings and 11 car parking spaces	11	16/11/2016	Planning Committee
160974	47 Enys Road	Conversion of flat into 2 studio flats	1	16/11/2016	Delegated
160929	2-4 Moy Avenue	Proposed refurbishment and extension to existing telephone exchange building and the construction of two number; part three, part four storey buildings to the rear to provide a total of 95 one and two bedroom flats, with 91 on site car parking spaces.	95	17/11/2016	Planning Committee
161318	24 Hyde Road	Demolition of existing community centre with change of use for a new build residential development comprising of six 2-bed apartments.	6	22/12/2016	Delegated
161364	8 Chiswick Place	To demolish existing single garage, move rear garden boundary within site and erect 2 storey two bedroom detached dwelling	1	26/01/2017	Delegated
170002	4 Walnut Tree Walk	Erection of a detached dwelling with integral garage	1	21/02/2017	Delegated
170115	Veritek House, Edgeland Terrace	Notification for prior approval for a Proposed Change of Use of a building from Office Use	11	14/03/2017	Delegated

Ref	Location	Description	Net Gain in Units	Date	Decision
		(Class B1(a)) to a Dwelling House (Class C3);under Town and Country Planning (General Permitted Development) Order;2015 Schedule 2, Part 3, Class O. Proposal of Veritek House to be converted from Offices (B1) to 11no. Dwelling Units (C3).			
170132	Flat 2, 29 Rosebery Avenue	Retrospective application for change of use from ancillary building to separate residential dwelling.	1	27/03/2017	Delegated

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COMMITTEE	PLANNING
DATE	30 May 2017
SUBJECT	SUMMARY OF PERFORMANCE OF THE PLANNING FIRST QUARTER 2017 (JAN – MAR)
REPORT OF	Leigh Palmer Senior Specialist Advisor (Planning)
Ward(s)	ALL
Purpose	This report provides a summary of performance in relation to key areas of the Development Management Services for the relevant period.
Contact	Leigh Palmer Leigh.palmer@eastbourne.gov.uk 01323 415 215
Recommendations	That Members note the content of this report.

1.0 Introduction

- 1.1 Members will be aware that together we deal with a whole host of planning applications covering a range of differing forms of development.
- 1.2 Given the many & varied types of planning application received Central Government require that all Councils report the performance in a consistent and coherent manner. To this end the many & varied applications are clumped together into three broad categories Major, Minor and Other and the government have recently amended the criteria for the assessment of the Council's performance (see section on special measures below)
- 1.3 This report looks at the performance of the DM team across a number of elements of work in the following sections:
 - **Section 2 Special Measure Thresholds** – looking at new government targets
 - **Section 3 Planning Applications** – comparing volumes/delegated and approval rates
 - **Section 4 Pre Application Volumes** – comparison by type and volume over time
 - **Section 5 Refusals of Applications** – comparison of ward and decision level
 - **Section 6 Appeals** – An assessment our appeal record over time
 - **Section 7 Planning Enforcement** – An assessment of volumes of

enforcement related activity.

2.0 Special Measures

2.1 Members may be aware that the Government have recently introduced new National performance criteria (Nov 2016 on speed and quality) against which all Council's will be judged. Failure to perform against these targets runs the risk of the Council being designated as 'Non- Performing' and special measures will be initiated by Central Government.

2.2 The assessment of the new 'special measure' threshold has two limbs to it and will be reviewing our performance on a backward rolling two year basis, see tables below:

1. Looking at the **speed** of decision

The speed with which applications are dealt with measured by the proportion of applications that are dealt with the statutory time or an agreed extended period.

Application type	2018 threshold
Major Speed	60% of all applications (October 2015 – September 2017)
Non Major Speed	70% of all applications (October 2015 – September 2017)

2. Looking at the **quality** of the decision made (with reference to overturned appeal decisions).

Application type	2018 threshold
Major Quality	10% of all appeal overturns (April 2015 – September 2017)
Non Major Quality	10% of all appeal overturns (April 2015 – September 2017)

The quality of decisions made by the Council measured by the proportion of decisions on applications that are subsequently overturned at appeal.

2.3 If the Council are identified as not complying with these standards/criteria they would be declared as 'non performing' and formal designation would follow.

2.4 In terms of formal designation there are two potential outcomes:-

- Major applications the applicant would have the ability to bypass the Council and go straight to the Planning Inspectorate for determination.

This would mean that the Council would lose deamination control until such time as the designation is lifted.

- Non-Major applications the Council would have to submit the Central Government an action plan addressing the areas of weakness that it has identified as having contributed to the underperformance.

2.5 In analysing this data it is important to note that the development type categories have changed with regard to type of applications falling under the non-major category. The data included in this section of the report has been reproduced in this new format.

2.6 SPEED OF DECISION

It is evident from the table below that the decisions taken for the survey period are currently above the special measures threshold.

Table 1

		Majors						Non-majors					
		All Major Decisions	Major Decisions within 13 week PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in t	Out of time	Result		M&O Decisions	M&O Decisions within 8 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in t	Out of time	Result
Quarter 01	Oct - Dec 2015	1	0	1	0	1	0.00%	124	96	4	2	26	79.03%
Quarter 02	Jan - Mar 2016	2	0	2	2	0	100.00%	119	101	5	5	13	89.08%
Quarter 03	Apr - Jun 2016	4	1	2	2	1	75.00%	151	136	6	6	9	94.04%
Quarter 04	Jul - Sep 2016	2	0	2	2	0	100.00%	117	96	3	3	18	84.62%
Quarter 05	Oct - Dec 2016	2	0	1	1	1	50.00%	121	90	2	2	29	76.03%
Quarter 06	Jan - Mar 2017	1	1	0	0	0	100.00%	105	88	2	1	16	84.76%
Quarter 07	Apr - Jun 2017												
Quarter 08	Jul - Sep 2017												
	total	12	2	8	7	3	75.00%	737	607	22	19	111	84.94%
							Minimum level require 60.00%						70.00%
	Assessment is made late 31st March 2017, for designation announcement early 2018												

2.7 Risk Area

It is considered that there is significant headroom against these targets and as such the risk of Special Measures for Non-Performance is low.

2.8 QUALITY OF DECISION

This section looks at appeal decisions and specifically the number/volume that have been allowed/overturned at appeal. The Government view that this performance indicator as a measure/reflection on the relevance of an up to date local plan and that the decision makers (officers at delegated and

Members at planning committee) make the correct and informed decisions.

Table 2

Criteria: Quality		District matter Majors						Non-majors							
		All Major Decisions	Refusals	Appeals	Dismissed	Upheld	Pending	Result	Non-Major Decisions	Refusals	Appeals	Dismissed	Upheld	Pending	Result
Quarter 01	Apr - Jun 2015	0	0	0	0	0			117	14	2	1	1	0	0.85%
Quarter 02	Jul - Sep 2015	0	0	0	0	0			134	11	6	5	1	0	0.75%
Quarter 03	Oct - Dec 2015	1	0	0	0	0		0.00%	124	19	3	1	2	0	1.61%
Quarter 04	Jan - Mar 2016	2	0	0	0	0		0.00%	119	14	5	3	2	0	1.68%
Quarter 05	Apr - Jun 2016	4	1	1	1	0	0	0.00%	151	17	12	8	4	0	2.65%
Quarter 06	Jul - Sep 2016	2	0	0	0	0		0.00%	117	12	2	1	1	0	0.85%
Quarter 07	Oct - Dec 2016	2	2	1	1	0	0	0.00%	121	9	4	2	2	0	1.65%
Quarter 08	Jan - Mar 2017	1	0	0	0	0		0.00%	105	5	4	3	1	0	0.95%
	total	12	3	2	2	0	0	0.00%	988	101	38	24	14	0	1.42%
								Minimum level required							10.00%

2.9 Risk Area

One area for Members to note from this criteria is that given the very low volumes of major applications progressed/determined within the survey period the implications of this are that a small number of appeal decisions can have a significant impact upon performance.

By way of an example Members will note that we still have the BT Site Moy Avenue appeal to be determined and depending on the outcome of the appeal this may have a significant impact upon performance.

2.10 Given the huge potential swing in performance given the very low volumes involved that there is a very high risk of the Council falling under special measures in this category.

2.11 Officers will advise on the this issue when major applications are discussed/debated at future planning committees and Members are requested to mindful of the impacts and consequences of refusing major applications.

3.0 Planning Applications

3.1 Given the new 'Non-Performing' special measure thresholds referred to above it is clear therefore that with the regular (quarterly) reporting of performance to Planning Committee so that issues, trends and pressures can readily be identified and where necessary may give sufficient time to address the issues.

3.2 The figures in Tables 3 – 4 below include the data from the Government return (currently excludes 'Notifications Prior Approvals and Certificates of Lawful development, trees and pre application submission). It is accepted that the Government have changed the content of the data that analyse, however this data is reported here to give the year of year comparison.

3.3 Table 3

3.4 Table 4

Decisions	2013	2014	2015	20-16	2017
All determined	574	596	545	569	122
Delegated	510 (89%)	521 (87%)	472 (87%)	505 (89%)	115 (94%)
Granted	521 (91%)	546 (92%)	488 (90%)	515 (91%)	116 (95%)
Refused	49 (9%)	50 (8%)	57 (10%)	54 (10%)	6 (5%)

3.5

	TYPE	NUMBER
2013	All determined	574
2014	All determined	596
2015	All determined	545
2016	All determined	569
2017	All determined	122
2017 Q1 (Jan - Mar)	All determined	122
	Delegated	115 (94%)
	Granted	116 (95%)
	Refused	6 (5%)
2017 Q2 (Apr - Jun)	All determined	0
	Delegated	0
	Granted	0
	Refused	0
2017 Q3 (Jul - Sep)	All determined	0
	Delegated	0
	Granted	0
	Refused	0
2017 Q4 (Oct - Dec)	All determined	0
	Delegated	0
	Granted	0
	Refused	0

3.6 It is clear from the tables above that the volume of the cases determined during the survey period has percentage levels consistent with previous

years.

- 3.7 It is considered that in granting planning permission for 95% of all applications received that the planning services of Eastbourne Borough Council have supported/stimulated the local economy and also helped to meet the aspirations of the applicants and only where there are substantive material planning considerations is an application refused. (see appeal section below)
- 3.8 It is acknowledged that for the last quarter of 2016 and the first quarter of 2017 that the % of applications determined at delegated level has significantly increased; this is reflective of the changes recently made to the scheme of delegation.
- 3.9 A future report will highlight the benefits of this change in terms of the costings to the Council and the speed of decision for the applicant.

4.0 PRE-APPLICATION ADVICE

- 4.1 In addition to the formal applications received the Council for this survey quarter offers a free pre application advice service. The table below indicates the numbers of pre-application enquiries received by the Council for the years 2014-16 and a rolling number for the current year.

Table 5

PROCESS NAME	NUMBER 2017	NUMBER 2016	NUMBER 2015	NUMBER 2014
PRE APP (Old Process)	0	0	0	53
PRE APP HOUSEHOLDER	41	220	163	126
PRE APP MEDIUM	46	147	159	108
PRE APP MAJOR	3	18	10	16
TOTAL	90	385	332	303

- 4.3 This information is considered to be relevant given that it is a barometer of the additional workload of the team. Members should note a significant spike being reported during 2016 and if this level continues there may well be a staffing/resource issue. Going forward Member should be aware that Cabinet have agreed that EBC should explore the potential for pre-application charging. The full impact of this charging regime upon the volumes of cases coming through the system can only be assessed once the charging regime has been embedded. The pre application charging regime commenced on the 1st April 2017.
- 4.4 In addition Members should note that our returns to central government are

based a prescribed application categories and they do not necessary highlight the volume of work going through the Planning section of the Council.

4.5 Members should note that the Table 6&7 includes further application data by ward.

4.6 Table 6&7
Number for the Calendar Year 2017 and the calendar year 2016.

Applications Received (Including All Planning Applications - Pre application Schemes - Tree application & Invalid submissions). This table gives the full account of the workload coming through the section.

Table 6

YEAR	TOTAL AMOUNT
2015	1319
2016	1433
2017	400

4.7 Table 7

Year 2016

4	DV Devonshire	216
5	HP Hampden Park	71
6	LG Langney	58
7	MD Meads	375
8	OT Old Town	155
9	RN Ratton	145
10	SA St Anthony's	127
11	SV Sovereign	107
12	UP Upperton	179
13	(blank)	
14	Grand Total	1433

4.8 2017

	DV Devonshire	45
	HP Hampden Park	22
	LG Langney	20
	MD Meads	103
	OT Old Town	48
	RN Ratton	38
	SA St Anthony's	39
	SV Sovereign	26
	UP Upperton	43
	(blank)	
	Grand Total	384

4.9 Risk Area

Members will acknowledge that there has been an increase in the 114 cases in 2016 compared to the 2015, this represents a 9% increase in workload. It is considered that this increase in workload needs to be monitored as it may have a resource impact going forward.

5.0 REFUSALS

5.1 Members requested further information on the number and break down of the refusal issued for the calendar year 2017 (to date). This information is highlighted within tables 8 & 9 below.

5.2 Member should be aware that in common with other years we refuse fewer than 10% of the applications received, with the overwhelming majority being refused at delegated level. For 2017:- 9 cases were refused at Delegated and 0 were refused at Planning Committee level.

5.3 TABLE8
REFUSALS BY WARD

REF Refused	9	9
HP Hampden Park	2	2
MD Meads	4	4
RN Ratton	1	1
UP Upperton	2	2

5.5 TABLE9
REFUSAL BY DECISION LEVEL (COMMITTEE REFUSAL)

5.6 For the survey period there have been no Committee refusals issued.

6.0 APPEALS

6.1 As commented above all applications that are refused have to the potential to be appealed by the applicant. The Council for the year 2017 have received 5 appeal decisions and the decision letters have been reported to committees through the year.

6.2 Appeals decided by development type/application
TABLE 7

Row Labels	Count of pacode
HHH Householder	1
OSR Outline (some reserved)	1
PCI Prior Notification Class IA	1
PPP Planning Permission	2
Grand Total	5

6.4 APPEAL ANALYSIS

The appeal decisions letters received during 2017 have been analysed with the various decision permutations reported below.

Table 11

6.5

	Officer Approve Cttee Refuse Appeal decision- Allowed	Officer Approve Cttee Refuse Appeal decision - Refused	Officer Refuse Cttee Support Refusal Appeal decision Allowed	Officer Refuse Cttee Support Refusal Appeal decision Refused
2013	7 (28%)	4 (16%)	2 (8%)	12 (48%)
2014	0	4 (40%)	2 (20%)	4 (40%)
2015	0 (0%)	3 (21%)	2 (14%)	9 (65%)
2016	5 (18%)	1 (4%)	5 (18%)	17 (61%)
2017	0 (0%)	0(0%)	1(20%)	4 (80%)

6.6

The above table 11 identifies the relevant decisions permutations and it is acknowledged that the appeal volume is comparable to the levels of previous years. It is acknowledged that the highest volume appeal category continues to be the 'planning permission' type (2 cases for 2017); this is a wide and divers category covering all things from changes of use to replacement windows. The appeal rate/volume will continue to be monitored going forward with any trends that can be identified being reported via this report.

6.7

It is considered important to review and analyse all appeal decisions across all application types as an indicator that we have applied a sound planning judgement at both delegated and planning committee level. It is considered that reporting the appeal decisions in full to planning committee under a separate cover will assist in understanding trends and common issues.

6.8

Appeal Analysis Table 11 Column 1

Officer recommendation for approval – Member overturned – Appeal Allowed (Officers right Members were wrong) It is important to keep a watching brief on this column as this is often the scenario where costs are awarded against the Council.

It is accepted that at times there are differences of opinion between officers and Members however for the appeal decisions received to date there no instances this year where this scenario has occurred.

6.9

Appeal Analysis Table 11 Column 2

Officer recommendation for approval – member overturned – appeal dismissed (Officers were wrong and Members were right) This shows that officers are not always right, there are no

cases falling into this bracket in this survey period.

- 6.10 Appeal Analysis Table 11 Column 3
Officer recommendation for refusal – Member support for refusal (committee or delegated) – Appeal allowed – Officers and Member were wrong. This shows that officers and Members are in tune but the officers have been overzealous with their recommendation and it has not been supported by the Planning Inspectorate.
- 6.11 This is also often a category where appeal costs can be awarded
- 6.12 It is acknowledged that there is 1 appeal falling into this category within the survey period however it is important to continue to monitor as it is an indication that Officers may not be following planning policy/advice and skewing recommendations following neighbour concerns or trying to second guess the outcome of planning committee.
- 6.13 In essence it is important that officers do not shy away from making difficult recommendations especially where recommendations are in accordance with national and local advice/policies.
- 6.14 Appeal Analysis Table 11 Column 4
Officer recommendation for refusal – Member support for recommendation (committee or delegated decisions) – appeal refused (officers and Members were right). This column shows when Officers and Members are in tune and supported by the Planning Inspectorate. The higher the % the better, Members will note that this category is usually by far the largest, this is a reflection that the decisions that were taken were consistent with National and Local Policy advice.
- 6.15 Appeal Costs
As members will be aware the appeal process can award costs to any party involved in the appeal process where it can be demonstrated that any party has acted unreasonably. During the survey period the Council received one award of costs
- 6.16 There are no appeal costs for the survey period.
- 6.17 Members should note that collectively we should strive to avoid costs claims.. Legal and Planning Officers will advise members at Planning Committee (prior to making a decision where there is the likelihood of a cost claim being successful.
- 6.18 Risk Area
Given the changes to the to the way the Government assess what

constitutes a good/well performing Council means that there is a very high risk of special measures on major applications being overturned at appeal.

If/when an award of costs is made there is the potential for a financial risk and also a reputational risk and as such these have to be closely monitored and where possible lessons should be drawn from these cases. In this regard the regular reporting on appeal decisions to planning committee should help to inform this issue.

7.0 PLANNING ENFORCEMENT

7.1 As outlined in the Planning Enforcement Policy Statement regular reporting of the enforcement function to Planning Committee is considered important as it keeps members aware of the cases and issues that are live in their area and it assists in:-

- Tackling breaches in planning control which would otherwise have an unacceptable impact on the amenity of the area;
- Maintaining the integrity of the decision-making process;
- Helping to ensure that the public acceptance of the decision making process is maintained.

Going forward these statistics are reported to Planning Committee on a quarterly basis with an annual review.

7.2 Members will note some of the data places high volumes in the Devonshire ward, this reflects the focus given with/by the Difficult Property Group through S215 (Untidy Sites) legislation and also emphasises the support for the 'Driving Devonshire Forward' policy document. Below in Table 12 highlights the number of enforcement cases opened in 2017.

TABLE 12

7.3

Row Labels	Count of d2
	3
Devonshire	14
Hampden Park	5
Langney	10
Meads	18
Old Town	11
Ratton	11
Sovereign	5
St Anthony's	13
Upperton	9
Grand Total	99

7.4 Cases Closed/Received

TABLE 13 Closed/Received Annual

YEAR	CLOSED	RECEIVED
2014	253	363
2015	347	332
2016	354	361
2017	84	99

7.6 It is important to note that the closure rate is generally consistent with the volume of the new cases received and as such there should not be an expanding backlog of live cases. Notwithstanding this Members should note that the volume of cases on the over 6months old list hovers around the 30 cases around 26% of all live cases.

TABLE 14 Cases over 6 months old

Year	Q1	Q2	Q3	Q4
2015	Not recorded	Not recorded	Not recorded	31
2016	29	19	25	32
2017	39	0	0	0

7.8 **Enforcement Related Notices served in 2016**

7.9 As members may know there are many differing types of enforcement notices the main ones being:-

- Enforcement Notice
- Stop Notice
- Temporary Stop Notice
- Planning Contravention Notices
- Breach of Condition Notices
- Injunctions

For the Calendar year 2017 3 notices (8% of all cases received) have been served.

7.10 It is clear that therefore that in excess of 90% of all enforcement cases are resolved/closed without the need to resort to a formal notice.

7.11 As Members will acknowledge from the adopted Planning Enforcement Policy that the serving of a notice is the last resort and that wherever possible a negotiated solution is preferable.

7.12 In terms of proactive monitoring of planning cases the following has been adopted:-

- o **Monthly Site Meetings.** In relation to the Major development sites at Sovereign Harbour and Eastbourne College this will ensure early warning of potential breaches of planning control or where the developer wishes to alter their scheme for whatever reason and given this early warning officers can advise on the best ways forward.

- **Planning Condition Monitoring.** Using our back office system we are now regularly monitoring conditions of key decisions/cases, these are primarily planning committee cases.

7.13 Risk Area

Members should note that for this survey period the rate of cases created does exceed the rate of closure; if this were to continue then there is the potential for an increase in live enforcement cases to form a significant backlog. The general increase in live cases is also reflected in the increase in the number of cases on hand that are over 6 months old. At this time there does not appear to be any substantive risk but the issue will be monitored.

8.0 LEGAL AND HUMAN RESOURCES

- 8.1 Save for the potential costs claim that could follow an appeal there are no other legal issues arising from this report.

It is considered that the current workload/capacity and the current level of performance can be sustained with/by the current establishment. However some scrutiny over the volume of work across the whole service area including pre-application submissions is required in order to ensure that the resource levels match the extent of work being submitted.

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