

Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 28 August 2018 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Janet Coles (Deputy-Chair), Sammy Choudhury, Md. Harun Miah, Colin Murdoch, Margaret Robinson and Barry Taylor

Officers in attendance:

Leigh Palmer, Senior Specialist Advisor for Planning
Anna Clare, Specialist Advisor for Planning
James Smith, Specialist Advisor for Planning
Suki Montague, Lawyer

Also in attendance:

Katie Maxwell, Committee Officer

33 Minutes of the meeting held on 24 July 2018.

The minutes of the meeting held on 24 July 2018 were submitted and approved and the Chair was authorised to sign them as an accurate record.

34 Apologies for absence.

An apology for absence was reported from Councillor Metcalfe MBE.

35 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

Councillor Taylor declared an interest in minute 37, land off Brede close as he had raised concerns at a previous Council meeting regarding Council policy for loss of parking for residents as a result of the redevelopment of Council owned garages. He felt that this had predetermined his decision of future applications of this nature. Councillor Taylor withdrew from the room whilst the application was considered and did not vote thereon.

Councillor Taylor also declared an interest in minutes 39 and 40, Victoria Drive Bowling Club, The Drive, 153 Victoria Drive, as his daughter lived in the vicinity of the application site. He did not consider that this would predetermine his decision on the application.

Councillor Coles declared an interest in minutes 39 and 40, Victoria Drive Bowling Club, The Drive, 153 Victoria Drive, as a patient of the practice in Green Street. She did not consider that this would predetermine her decision on the application.

Councillor Murdoch declared an interest in minute 41, as he had been appointed as a member of the Wish Tower Project Board. He did not consider that this would predetermine his decision on the application.

36 254 Victoria Drive. Application ID: 180582.

Proposed loft conversion to include hip to gable roof extension, dormer to the rear, two roof lights to the front and one window to the side – **OLD TOWN.**

Resolved: (Unanimous) That permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved drawings submitted on 05 June 2018:
 - Drawing No. DWG2 – Pro S/F Plan
 - Drawing No. DWG3 – Section A:A
 - Drawing No. DWG4 – Pro F/F Plan
 - Drawing No. DWG5 – Pro Rear Elev
 - Drawing No. DWG6 – Pro Front Elev
 - Drawing No. DWG7 – Pro Side Elev
 - Drawing No. DWG8 – Pro Side Elev
3. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
4. Notwithstanding the plans hereby approved, all water run-off from the new roof shall be dealt with using rainwater goods installed at the host property and no surface water shall be discharged onto any adjoining property, not shall the rainwater goods or downpipes encroach on the neighbouring property and thereafter shall be retained as such.

37 Land off Brede Close, Brede Close. Application ID: 180438.

Demolition of existing garages, and construction of six new dwellings one 1 bedroomed and five 2 bedroomed houses; including associated parking, access, & landscaping. Amended plans submitted to provide improved access to proposed garages by moving the proposed development 1.4m further into the site – **DEVONSHIRE.**

Mr Stidder, on behalf of the residents of Brede Close, addressed the committee in objection stating that the development would result in a loss of daylight and privacy and would increase congestion and flooding.

Councillor Wallis, Ward Councillor, addressed the committee in objection stating that he was concerned about the loss of parking for local residents, the height of the proposed development, the potential risk of flooding, the loss of light and privacy and the narrow access road to the site.

The committee was advised, by way of addendum report, that two additional objections had been received as follows;

- Damage to wall around garage forecourt shows the access is narrow and results in difficulty with access. Concern that more buildings will generate more traffic, more parking issues and make the close more inaccessible
- Flooding will be aggravated by additional further development
- Loss of parking spaces for existing residents
- Impact of already high houses and flats on site adjacent, danger of Brede Close being surrounded by high rise and high density developments
- During winter when the sun is low the residents will not benefit from it
- Impact from events in Princes Park on traffic and parking
- Impacts on flooding
- Impact on wildlife
- Eastbourne Core Strategy pledges to increase access to open space and resist the loss of amenity space. This proposal rejects this.

The committee was further advised, by way of addendum report that Councillor Wallis had written in objection covering the following:

- The design is not in keeping with the neighbourhood
- The height of the proposed buildings would be intrusive and impact on existing residents privacy
- The area is already heavily developed
- The area suffers from excessive on street parking
- The cul-de-sac is narrow and access is already difficult for emergency or delivery vehicles.

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

Resolved: (By 4 votes to 2) That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begin before the expiration of three years from the date of permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings;
17-076 0007 P04
17-076 0008 P03
17-076 0009 P04
17-076 0010 P03
17-076 0011 P03
3. The external finishes of the development hereby permitted shall be as stated on the approved drawings, unless agreed otherwise by the Local Planning Authority.

4. Prior to the completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a scaled plan showing vegetation to be retained and trees and plants to be planted
- proposed hardstanding and boundary treatment
- a schedule detailing sizes and numbers of all proposed trees/plants
- sufficient specification to ensure successful establishment and survival of new planting
- Any new tree(s) that die(s) are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which die, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details unless agreed otherwise with the Local Planning Authority.

5. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (April 2018) and the following mitigation measures detailed within the FRA: The measures as stated in paragraph 7.1.2 shall be implemented:

- Ground floor is to be used for garages, storage and access only, with living accommodation restricted to the first floor and above
- Ground floor levels are set as high as is practicable, and no lower than 3.5mAOD
- First floor levels are set no lower than 6.2mAOD
- All Flood Resistant and Resilient construction measures proposed within paragraph 7.1.4 of the FRA are implemented
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement or extension, window, dormer window, roof light or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority to the dwellings hereby approved.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no outbuildings, raised platforms or hard surfacing shall be erected within the curtilage of dwelling houses hereby approved other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

8. Notwithstanding the approved drawing, prior to the first occupation of the development hereby approved details of the enclosure to the proposed bin storage shall be provided and approved in writing by the Local Planning Authority, the development shall thereafter be carried out in accordance with the approved drawings prior to the first occupation of the development.

9. That no demolition, site clearance or building operations shall take place except between the hours of 8:00 a.m. and 6:00 p.m. on Mondays to Fridays and 8:00 a.m. and 1:00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority.

10. No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved drawing 17-076 0007 P04 Proposed Site Plan S03 Brede Close.

11. The access shall have maximum gradients of 4% (1 in 25) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.

12. No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

13. No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

14. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction
- the method of access and egress and routing of vehicles during construction
- the parking of vehicles by site operatives and visitors
- the loading and unloading of plant, materials and waste
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding
- the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders)
- details of public engagement both prior to and during construction works.

15. No development shall commence until details of the relocation or removal of the telegraph pole(s) on the site, with the necessary agreement from the provider/owner has been submitted to and approved in writing by the Local Planning Authority, the telegraph pole(s) shall thereafter be removed or relocated prior to the commencement of development in accordance with the details approved.

Informative

Advice to applicant: As the development is within Flood Zone 3, we strongly advise that the occupants of the properties sign up to our Flood Warning Service. More details can be found here: <https://www.gov.uk/sign-up-for-flood-warnings>.

38 Greencoat House, 32 St Leonards Road. Application ID: 180556.

Provision of five new residential flats through construction of new fourth floor level to accommodate two flats and change of use of ground floor from clinic (use class D1) to residential (C3) to accommodate 3 flats – **UPPERTON**.

Resolved: (Unanimous) That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begin before the expiration of three years from the date of permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-
14019/TP/001;
14019/TP/010;
14019/TP/011;
14019/TP/012;
14019/TP/013;
14019/TP/014;
14019/TP/015;
14019/TP/016;
14019/TP/017;
3. Prior to commencement of development, details of all materials to be used on the external surfaces of the development hereby permitted (including balcony screening) shall be submitted to and approved by the Local Planning Authority.
4. The parking facilities shown on approved plans 14019/TP/010 and 14019/TP/011 shall be surfaced and marked out prior to the occupation of the development hereby approved. Thereafter, the parking facilities shall be maintained in place and be used for no other purpose for the lifetime of the development.
5. No ground excavations or changes in ground level shall take place within the outermost limit of the branches of the Acer sp. tree within the car parking area to the rear of the site and shown on plan 1419/TP/010. No materials or plant shall be stored, rubbish dumped, fires lit or buildings erected within this area.

39 Victoria Drive Bowling Club, The Drive, 153 Victoria Drive. Application ID: 180450.

Application for approval of reserved matters (Access, Appearance, Landscaping, Layout and Scale) and discharge of conditions 19 (Travel Plan) and 20 (Arboriculture Assessment) following outline approval (with Vehicular Access Agreed) development of a medical centre (Ref: 160788) – **OLD TOWN**.

Dr Gaffney addressed the committee in support stating that the existing practice needed to expand to cater for patient's needs. The proposal had now received full approval from NHS England. Dr Gaffney also stated that the expected demand for the site had been considered for the next 30 years.

Councillor Ungar, Ward Councillor, addressed the committee in support stating that the site had been well designed to include the retention of the tree screening. It was also anticipated that Albert Parade would benefit from increased footfall.

Resolved: (Unanimous) That permission be granted subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings;
8494 P002 Rev A – Proposed Site Plan
8494 P003 Rev A – Ground Floor with Context
8494 P004 Rev A – First and Second Floor
8494 P005 Rev A – Proposed Elevations Sheet 1 of 2
8494 P006 Rev A – Proposed Elevations Sheet 2 of 2
8494 P007 Rev A – Elevation Detail
8494 P009 Rev A – Streetscene
8494 P011 – Site Section
2. Notwithstanding the approved drawings prior to their installation details of the Solar PV units to the roof of the building shall be submitted to and approved in writing by the Local Planning Authority, to include details of the manner of fixing to the building, thereafter the panels shall be installed in accordance with the approved details and retained as such unless agreed otherwise in writing by the Local Planning Authority.
3. Prior to the commencement of the above ground build details shall be submitted to and approved in writing by the Local Planning Authority of measures to obscure or otherwise mitigate overlooking from all windows at first and second floor level of the building in the western elevation including the waiting area windows facing south and west. The approved measures shall thereafter be installed prior to the first occupation of the building.
4. The Arboricultural Method Statement (section 8 of the Arboricultural Report 12.01.18) and associated tree protection plan (appendix 3 of the Arb Report) submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision by a suitably qualified tree specialist. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during demolition and subsequent construction operations.

5. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development process and up until completion and full occupation of the buildings for their permitted use within 2 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.
6. The approved tree pruning works shall be carried out in accordance with BS3998:2010. The development thereafter shall be implemented in strict accordance with the approved details.
7. Prior to installation gates or other means of restricting access to either the vehicular or pedestrian access to the site shall be submitted to and approved in writing by the Local Planning Authority, works shall thereafter be carried out in accordance with the approved details.
8. Prior to the occupation of the development hereby approved details of the location and installation of two electric vehicle charging points to parking spaces shall be submitted to and approved in writing by the Local Planning Authority, thereafter the charging points shall be installed in accordance with the approved details prior to the occupation of the building and retained as such thereafter unless agreed otherwise by the Local Planning Authority.
9. That no demolition, site clearance or building operations shall take place except between the hours of 8:00 a.m. and 6:00 p.m. on Mondays to Fridays and 8:00 a.m. and 1:00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority.
10. The building hereby approved shall not be occupied until such time as the approved the car parking within the red line has been constructed and provided in accordance with the approved drawing 8494 P002 Rev A – Proposed Site Plan. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles; car parking shall only be allocated as set out on the approved drawing unless agreed otherwise in writing by the Local Planning Authority.
11. The building hereby approved shall not be occupied until such time as the approved the car parking, motorcycle and cycle parking and associated landscaping shown within the blue line on approved drawing 8494 P002 Rev A – Proposed Site Plan is fully implemented and available for use; thereafter the car parking, motorcycle and cycle parking shall be retained for that use and shall not be used for any other purpose; car parking shall only be allocated as set out on the approved drawing unless agreed otherwise in writing by the Local Planning Authority.

Informative

In relation to condition 4 of the original outline planning permission details shall include the material of the hard standings, pedestrian walkways and parking areas, and full details at an appropriate scale of the pergola to the entrance way, and the steps including details of walls and railings between the site and Victoria Drive this should also be supported by a statement setting out how the level access from Victoria Gardens will be accessible for

all users, including gradients of paths and locations of curbs/buffers to walkways.

40 Victoria Drive Bowling Club, The Drive, 153 Victoria Drive (Parking). Application ID: 180454.

Demolition of existing outbuildings and creation of 10 parking spaces, one disabled parking space, motorcycle parking with ground anchors, cycle storage and associated hard and soft landscaping works in relation to Reserved Matters application for the development of a medical centre (Ref: 180450) – **UPPERTON**.

Resolved: (Unanimous) That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begin before the expiration of three years from the date of permission.
3. The development hereby permitted shall be carried out in accordance with the approved drawings and completed prior to the first occupation of the main medical centre approved under reference; 180450
8494 P053 - Proposed Site Plan.
3. Once constructed the car, motorcycle and cycle parking facilities shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles or bicycles.

41 Wish Tower Cafe, King Edwards Parade. Application ID: 180642.

Demolition of existing temporary cafe building and replacement with permanent single-storey building to be used as a restaurant – **MEADS**.

A motion to refuse the application, proposed by Councillor Taylor and seconded by Councillor Murdoch was lost by 4 votes to 2 with 1 abstention. Councillor Taylor requested a named vote as follows: (For: Murdoch and Taylor. Against: Coles, Choudhury, Miah and Murray. Abstained: Robinson).

The committee discussed the application and suggested that the wall to the rear of the development, which formed part of the ancient monument, would require some protection from delivery vehicles.

Resolved: (By 4 votes to 2 with 1 abstention. For: Coles, Choudhury, Miah and Murray. Against: Murdoch and Taylor. Abstained: Robinson).

That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begin before the expiration of three years from the date of permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-
3321-D100 rev P4 Ground Plan

3321-D201 rev P4 Proposed South-West Elevation

3321-D202 rev P3 Proposed North-West Elevation

3321-D203 rev P4 Proposed North-East Elevation

3321-D204 rev P4 Proposed South-East Elevation

3321-D254 rev P2 Section AA

3. Prior to the completion of building works, a full schedule of external materials and finishes to be used for the walls, roof and decked area as well as for any balustrading, shall be submitted to and approved by the Local Planning Authority. The approved materials shall thereafter be maintained in place throughout the lifetime of the development.

4. Prior to the occupation of the development hereby approved, a Delivery & Service Management Plan, which includes details of types of vehicles used for deliveries and servicing, method and frequency of deliveries, turning facilities and timetabling of deliveries to minimise conflict with surrounding road and parking users shall be submitted to and approved by the Local Planning Authority. All deliveries and servicing of the development shall therefore be carried out in accordance with the approved plan.

5. Prior to the occupation of the building, details of all measures to enhance building accessibility including accessible toilet facilities and wayfinding signage, shall be submitted to and approved by the Local Planning Authority and such measures shall thereafter be provided and maintained in place throughout the lifetime of the development.

6. Prior to the occupation of the building, the bin storage facility shall be erected in the position shown on approved plan 3321-D100 rev P4 in accordance with details to be submitted to and approved by the Local Planning Authority. The bin store shall thereafter be maintained in place throughout the lifetime of the development.

7. Any digging, trenching, ground levelling or other excavation works carried out on land outside of the existing concrete plinth area shall be supervised by a qualified member of the Chartered Institute for Archaeologists.

8. Prior to the occupation of the development hereby approved, details of secure cycle parking facilities for staff and customers shall be submitted to and approved by the Local Planning Authority. The approved facilities shall be made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

9. Prior to the occupation of the development hereby approved, a scheme for landscaping shall be submitted to and approved by the Local Planning Authority. The scheme shall include:-

a) details of all hard surfacing;

b) details of all boundary treatments;

c) details of all proposed planting, including quantity, species and size

All soft landscaping shall be carried out in the first planting season following the first occupation of the building. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

10. Prior to the occupation of the development hereby approved, details of all external lighting shall have been submitted to and approved by the Local

Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such.

11. All plant and machinery shall be housed within the roof top plant deck.

This shall include odour control equipment which is to be installed prior to the occupation of the approved development and maintained in place thereafter.

12. No customers/patrons to be on site outside of the hours 08:00 – 00:00 on any day. No staff to be on site outside of the hours of 07:30 – 00:30 on any day.

13. Consumption of alcohol on the premises shall be for diners only and served direct to the table by waited service. There shall be no vertical drinking anywhere with the application site.

42 South Downs National Park Authority Planning Applications.

There were none.

The meeting ended at 7.45 pm

Councillor Jim Murray (Chair)