

Tuesday, 30 September  
2014  
at 6.00 pm



## Planning Committee

Present:-

**Members:** Councillor Ungar (Chairman) Councillor Harris (Deputy-Chairman)  
Councillors Hearn, Miah, Taylor, Howlett (as substitute for Jenkins)  
and Stanley (as substitute for Murray)

### **70 Minutes of the meeting held on 2 September 2014.**

The minutes of the meeting held on 2 September 2014 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

### **71 Apologies for absence.**

Apologies for absence were reported from Councillors Jenkins, Murdoch and Murray.

### **72 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 Howlett declared a personal and prejudicial interest in minute 78, Tree Preservation Order 170 (2014), 91 Parkway, as a personal friend of the owner of the property and therefore withdrew from the room whilst the item was considered.

### **73 25a Belmore Road and 164 Longstone Road. Application ID: 140990.**

Development of 8 two bedroom residential units and 10 parking spaces – **DEVONSHIRE**. Nine letters of objection and one letter of support had been received.

The relevant planning history for the site was detailed within the report. The observations of the Council's Specialist Advisors for Planning Policy and Arboriculture, the Environment Agency and East Sussex County Council's Highways, Archaeologist and Ecologist were summarised within the report. The Committee was advised that the site had been surveyed by an accredited ecologist and it had been confirmed that there were no bat roosts in the buildings to be demolished.

Members noted that the scheme proposed to deliver 8 units of which 4 would be affordable and it was agreed that in case there were changes to the content of the submission or the site was placed on the open market it should be accompanied by the Council's standard affordable housing clause.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time Limit 2) Approved Plans 3) No additional windows 4) External Materials 5) Boundary treatments (around the entire plot boundary) 6) Front garden landscaping layout 7) Surface details for access-way, parking spaces 8) parking spaces shall be surfaced and marked out in accordance with the drawings approved under condition 7 prior to the first occupation of the dwellings hereby approved 9) Construction and demolition method statement (to include site compound site mess facilities) 10) Hours of construction 11) No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority 12) The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in Written Scheme of Investigation approved under condition 12 to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority. 13) No works which include the creation of trenches and culverts or the presence of pipes shall commence until measures to protect mammals from being trapped in open excavations and /or pipe and culverts are submitted to and approved in writing by the Local Planning Authority. The measures may include:  
A/ creation of escape ramps from mammals which may be achieved by edge profiling trenches/excavations or by using planks placed into them at the end of each working day; and  
B/ open pipework greater than 150mm outside diameter being blanked off at the end of each working day.

14) No development shall take place until an Ecological Design Strategy (EDS) addressing enhancement of the site for biodiversity has been submitted to and approved in writing by the local planning authority. The EDS shall include:-

- Purpose and conservation objectives for the proposed works
- Review of site potential and constraints
- Detailed designs and or working methods to achieve stated objectives
- Extent and location/area of proposed works on appropriate scale maps and plans
- Type and source of materials to be used eg. Native species of local provenance
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development
- Person responsible for implementing the works
- Details of initial aftercare and long term maintenance
- Details of the monitoring and remedial measures
- Details of disposal of any wastes arising from the works.

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

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

15) Prior to demolition works commencing on site a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority

in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. (Given the restrictions of the access and the approach road the hours of delivery/ collection should avoid peak traffic flow times and the size of vehicles should be restricted to)

16) During any forms of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads

17) The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

18) Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with this Authority

19) Prior to development commencing details of car parking layout including tree pit design shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site and be retained as such thereafter

20) Prior to their planting at the site details of tree planting, indicating positions or density, species, and planting size shall be submitted to and approved by the Local Planning Authority, the details as approved shall be implemented at the site before the end of the current or first available planting season following practical completion of the development hereby permitted and retained as such thereafter

21) The development authorised by this permission shall not commence until a scheme to secure the provision of off-site affordable housing together with an appropriate mechanism for delivery where appropriate, had been submitted to and agreed in writing by the Local Planning Authority in accordance with Policy D5 (Housing) of the Eastbourne Core Strategy Local Plan 2006 – 2027 and Affordable Housing Implementation Technical Note Adopted 1<sup>st</sup> April 2013.

#### INFORMATIVE

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

#### **74 46 Beatty Road. Application ID: 140906, 140907, 140909.**

(Ref 140906) Installation of one cold store, one frozen store, two refrigeration condenser units and one a/c condenser unit. Erection of 1.8m galvanised palisade fence around cold and frozen stores, and plastic-coated corrugated canopy over cold and frozen stores, and replacement of existing east elevation close-boarded timber fence with 2.8m close-boarded timber fence to provide screening. (Ref 140907) Installation of a new external ATM through shop front glazing, and existing recessed entrance removed and brought forward. (Ref 140909) Two (2) externally illuminated fascia signs plus one (1) externally illuminated projecting hanging sign – **SOVEREIGN**. Objections relating to (Ref 140906) had been received and were detailed within the report.

A request by a local resident to expedite and approve the application as a number of elderly local residents have suffered inconvenience since the grocery store had closed was reported at the meeting.

The Committee was advised that in relation to **140906** – Condensing units and refrigerator units - Paragraph 7.05 of the noise survey recognised that if the existing plant was to remain, the new plant items should be designed so as not to exceed a cumulative noise level of 10db less than the proposed noise limit of 43db during the day and 42db during the night.

Environmental Health Officers had provided comments on the submitted noise survey and considered a post installation noise survey was necessary to ensure that the noise levels did not cause a nuisance to neighbouring properties. If mitigation measures were required then a scheme of mitigation should be submitted and approved by the Local Planning Authority.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: **140906** – 1) Time limit 2) Subject to approved drawing numbers 3) Within 1 month of the installation of the chiller and freezer units hereby approved, a post installation noise survey shall be carried out to ensure that the cumulative noise levels from the plant and machinery are as set out in the noise survey report. If it is found that the cumulative noise levels are more than that set out in the submitted noise survey report, then a scheme of mitigation shall be submitted to and approved in writing by the LPA together with a timescale for implementing the mitigation measures 4) Notwithstanding the details shown on the plans hereby approved, prior to the commencement of the retail operation, the 2.8 metre side fence to the flank boundary of the site shall be provided and permanently retained as such for the duration of the use  
**140907** – 1) Time limit 2) Subject to approved drawings  
**140909** – 1) Approve advert consent with standard conditions

## **75 Princes Park. Application ID: 141125.**

Creation of new entrance to the park and the provision of a new pedestrian link with ramped access between the park and the Promenade. The removal of redundant bowling greens to create an area of new public space within the park. Remodelling and refurbishment of existing cafe, demolition of existing toilet block hard and soft landscaping within the park –

### **DEVONSHIRE.**

The relevant planning history for the site was detailed within the report. The observations of the Spray Water Sports Centre, Europartner, East Sussex Outdoor Activity Centre, East Sussex County Council's Archaeologist and Highways, Eastbourne District Model Yacht Club and Friends of Princes Park were summarised within the report. The Senior Specialist Advisor (Planning) advised the Committee that objections relating to proposed development of the pond contained within the report did not form part of the application.

Members were informed that revised details and drawings had been supplied which proposed minor changes to the external fabric of the café building and to the hard and soft landscaping at the new entrance to the

park. These changes were considered to be minor and did not affect the acceptability of the scheme.

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

## **76 Local Validation List.**

The Committee considered the report of the Specialist Advisor (Planning) outlining the Council's Local Validation List (LVL) which provided clarity to applicants on what information was usually required for planning applications of a particular type, scale or location. It was noted that the LVL would be available to members of the public through the Council's website.

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

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

The legislation required that the LVL be updated at least every two years to take into account any changes in legislation or policy. Members were advised that the legislation required a consultation period of 8 weeks with the local community including applicants and agents. Members requested that the results of the consultation be reported to a future meeting.

**RESOLVED: (Unanimous)** That this Committee authorises officers to commence the public consultation and report back to a future meeting of the Committee with an appropriate recommendation in the light of the results of the consultation.

## **77 Utilising the Planning Register.**

The Committee considered the report of the Specialist Advisor (Planning) providing details of the information in relation to planning applications available on the Council's website, the functions available through the Planning Register and how this information could be accessed.

Members were reminded that in line with the principles of Customer First the Council's website would automatically provide all the information needed for the Council to fulfil its statutory obligations. The motivating factor is to enable greater customer satisfaction and to make information available and easy to obtain for all members of the public, not just those registered to receive the weekly list.

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

Only valid applications were displayed on the website, an application was only made valid when the Council had received all the information required to determine the application. Regardless of when an application was received it would appear in the weekly list of applications when it was validated and therefore the public consultation had begun.

A weekly list of decisions was also provided through the website which was a static list populated when the application was determined. The list would include all decisions made in any given week, whether they were decided through delegated powers or by the Planning Committee.

The view appeals function displayed all appeals, both currently under consideration by the Planning Inspectorate and those already decided. Once an appeal had been determined the Inspector's decision would be available to view with the application.

**NOTED.**

**78 Tree Preservation Order (TPO) - Land at 91 Parkway, Eastbourne, East Sussex No. 170 (2014).**

The Committee considered the report of the Senior Head of Development and Lawyer to the Council which sought confirmation of a Tree Preservation Order. On 4th June, 2014, the Council's Senior Specialist Adviser (Arboriculture) exercised his delegated powers by authorising the making of a provisional tree preservation order in respect of trees on the above land. The individual trees marked T1 to T7 are 1 Lime (T1) and 6 Yew (T2 to T7). The group of trees within G1 consist of 7 Yew, 9 Ash and 1 Sycamore. The group of trees within G2 consist of 4 Ash (appendix 1 of the report).

Letters of objection to the confirmation of a Tree Preservation Order had been received from one of the owners of the property and from residents of one property in Parkway, which were attached as appendices to the report. The officer's response to those objections was included at appendix 4 of the report. Seven pro forma letters of support for the order had been received and attached as appendix 5 to the report.

The points on which the objectors and the Council differ included the following:

- 1) How scoring was applied using the TEMPO system. The objector considered that separate scoring was not used for each single tree and group while the Council stated that although an initial assessment was based on the trees' group value; individual scoring was done on a further visit.
- 2) Whether the visual amenity requirement was made out, and
- 3) Whether the impact of a restrictive covenant on the facts obviated the need for a Tree Preservation Order to be made.

Mr Hennock addressed the Committee objecting to the Tree Preservation Order and reiterated his concerns regarding the scoring.

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

**79 South Downs National Park Authority Planning Applications.**

None were reported.

The meeting closed at 7.10 pm

**Councillor Ungar (Chairman)**