

Tuesday, 7 July 2015  
at 6.00 pm



# Planning Committee

Present:-

**Members:** Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)  
Councillors Jenkins, Miah, Murdoch, Salisbury, Taylor and Ungar

## 24 Minutes of the meeting held on 2 June 2015.

The minutes of the meeting held on 2 June 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

## 25 Apologies for absence.

There were none.

## 26 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 a personal interest in minute 32 Langney CP School as a member of East Sussex County Council Planning Committee. Councillor Taylor remained in the room whilst the application was considered but did not take part in the discussion or vote thereon.

## 27 34 Marlow Avenue. Application ID: 150496 (HHH).

Erection of garden store at rear – **ST ANTHONYS**. Two general observations and one letter of support had been received. One additional comment had been received stating that the neighbouring resident had no objection to structure, but had concerns regarding the possible installation of sink and services for a washing machine, whether the inclusion of services would change the intended use from 'Shed / Store' to extension of dwelling and whether the mains water and waste water would be subject to Building Control.

Mr Callf also provided additional comments and a cross section drawing relating to drainage that had been installed but subsequently removed as confirmed by Mr Keohane.

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

Mr Callf addressed the committee in objection stating that he had no objections to the structure, however he did raise concerns regarding the potential addition of foul waste disposal to the site and the possibility that the site may be used as a place of residence. Mr Callf also raised concerns regarding the potential for localised flooding, as no surface water drainage

was proposed. Mr Callf advised that there had been a breach to the existing manhole cover.

Mr Keohane, on behalf of the applicant, addressed the committee in response stating that no waste removal treatment was proposed and that the structure would be used for the storage of food items only. Mr Keohane confirmed the drainage system had been removed from the site.

The Senior Specialist Advisor (Planning) confirmed that any breach of man hole covers and underlying pipework would be investigated by Building Control and that any damage would be required to be replaced and repaired.

**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 following approved drawings:

DWG. NO.: 1 - Proposed Ground Floor Plan (Rec'd 01/05/2015)

DWG. NO.: 2 Rev. A - Proposed Front & Side Elevations (Rec'd 14/05/2015)

DWG. NO.: 3 Rev. A - Proposed Rear Elevation (Rec'd 14/05/2015)

3) The development hereby permitted shall not be occupied at any time other than for purposes ancillary and incidental to the residential use of the dwelling known as 34 Marlow Avenue, and shall not be let or sold separately.

**28 48 St Leonards Road. Application ID: 150141 (PPP).**

New build 3 Storey residential accommodation consisting of 12 dwellings and 7 car parking spaces. Reduction of proposed building to 2 storeys consisting of 7 dwellings and 7 car parking spaces. (Amended description) – **UPPERTON**. 21 objections had been received in response to the initial consultation and a further eight objections had been received in response to the consultation on the amended proposal.

The relevant planning history for the site was detailed within the report. The Specialist Advisors for Arboriculture, Economic Development and Planning Policy raised no objection to the proposal. East Sussex County Council Highways Department raised no objection subject to conditions and a S106 legal agreement.

The committee discussed the application and raised concerns regarding the design of the proposed development and its subsequent effect on the character of the surrounding street scene.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that the proposed development by reason of its poor design and external appearance would be intrusive and harmful to the predominant character of the area, contrary to Policies Policies UHT1, UHT4 and UHT15 of the Eastbourne Local Plan and Policy D10A of the Eastbourne Core Strategy.  
 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.

**29 153 Victoria Drive. Application ID: 150092.**

Conversion of first floor residential accommodation to form 1 one-bedroom flat and 2 two-bedroom flats with access from the rear – **OLD TOWN**. Two general comments and one of support had been received.

The committee was reminded that they had sought further details regarding the noise impact of the plant and machinery associated with the Sainsbury's retail store at ground floor level which would need to be assessed before a decision could be reached. The applicants had commissioned an acoustic report to identify the extent of the noise impacts that the ground floor use would create. This report concluded that subject to double glazed windows incorporating trickle vents then the new residential apartments to the rear would not suffer any material impact from the ground floor use. This view was supported by the Specialist Advisors (Environmental Health). A condition was recommended to control the installation of double glazed units.

The relevant planning history was detailed within the report. The observations of East Sussex County Council Highways Department were summarised within the report.

The committee discussed the application and raised concerns regarding the soundproofing measures, requesting that officers further negotiate sound mitigating solutions for the dwellings proposed.

**RESOLVED: (Unanimous)** That the application be deferred to allow the Planning Department to propose and negotiate further improvements to the screening and soundproofing measures for the proposed dwellings.

**30 280 Kings Drive. Application ID: 150369.**

Two storey extension at side and single storey extension at rear – **RATTON**. Two objections had been received.

The relevant planning history for the site was detailed within the report. The observations of the County Archaeologist were also summarised.

**RESOLVED:** 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 no. 1514/03 Rev. A submitted on 5th June 2015 and drawings no. 1514/04 and 1514/05 submitted on 2nd April 2015 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 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 window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed on the east elevation (facing 278 Kings

Drive) without planning permission obtained from the Local Planning Authority 5) The living accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary and incidental to the residential use of the dwelling known as 280 Kings Drive and shall not be let or sold separately.

**31 BMX Track, The Old Rifle Range, Hampden Park. Application ID: 150484 (PPP).**

Formation of a BMX pump track adjacent to the skate park – **HAMPDEN PARK**. One letter of objection and three representations of support had been received. One further letter was reported at the meeting broadly welcoming the facility but offered some caution over noise disturbance at the site and surrounding area if formal events were held at the facility.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisors for Arboriculture and Open Spaces were also summarised.

**RESOLVED: (By 6 votes to 1 with 1 abstention)** That permission be granted subject to the following conditions; 1) Commencement within three years 2) Development in accordance with approved plans 3) Tree protection 4) No changes in soil levels within the root spread of the trees 5) Submission of details of access route, site office and materials storage

**32 Langney CP School. Application ID: 150471.**

Proposed temporary single classroom, ramp and steps –**ST ANTHONYS**.

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

The committee discussed the application and agreed that the use of temporary classrooms was not the best environment for education and that such developments should continue to be monitored by the committee. Members also requested that East Sussex County Council consider including a covered walkway to the main school building.

NB: Councillor Taylor took no part in the discussion on this item.

**RESOLVED:** That East Sussex County Council be advised that Eastbourne Borough Council raised no objections to the current proposal.

**33 Seaside Garage, 10-16 Fairlight Road. Application ID: 150457 (PPP).**

Demolition of existing garage and construction of 4 x 3 bedroom, 2 storey terraced houses. (Amended description) – **DEVONSHIRE**. One letter of objection and two letters of observation/comment had been received.

The relevant planning history for this site was detailed within the report. The observations of the Specialist Advisor (Planning Policy) and East Sussex County Council Highways Department were also summarised.

The committee discussed the application and agreed that the boundary treatment should reflect that of the surrounding properties and should therefore include a low boundary wall to match the existing properties.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be begun before the expiration of three years from the date of permission 2) The proposed development shall be carried out in strict accordance with the approved plans and documents 3) No development shall commence until details of a Phase II Soil Investigation is submitted to and approved in writing by the Local Planning Authority. If contamination is found to be present, then details of a remediation strategy detailing how this contamination shall be dealt with shall be submitted to and approved by the Local Planning Authority prior to the commencement of excavation work 4) Prior to reaching damp course level, samples or precise manufacturers details of all the materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter 5) Notwithstanding the approved details, the development shall not be occupied until full details of boundary treatment and hard and soft landscape works have been submitted to and approved by the Local Planning Authority. These shall include details and locations of trees and planting plans, species specification and samples of hard landscaping materials 6) The development shall not be occupied until the existing access shown on the approved plan has been stopped up and the kerb & footway reinstated in accordance with details submitted to and approved in writing by the Director of Communities, Economy and Transport 7) During any form 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 prevent contamination and damage to the adjacent roads 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), gate, fence, walls or any other means of enclosure than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority 11) No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete rubble 12) No bonfires or burning of waste materials shall take place anywhere on the site at any time.

**Informatives:**

- All external materials to be used in the development shall conform to the guidelines set out in the Eastbourne Townscape Guide.

- The applicant's attention is drawn to the need for a S184 licence for the reinstatement of the kerb and footway. The applicant should contact ESCC on 01273 482254 prior to commencement of development to apply for the licence and pay the necessary fee.

-The applicants be advised that given the age of the building and the commercial nature of former use there may be materials in the building and or on the site that require the disposal by a dedicated specialist contractor.

**34 Shortdean Place. Application ID: 150322 (PPP).**

Provision of additional garage (to double garage approved under permission EB/1983/0388), lowering of dwarf boundary wall and re-landscaping of adjacent open area – **OLD TOWN**. Nine objections had been received.

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

**RESOLVED: (By 7 votes with 1 abstention)** That permission be granted subject to the following conditions; 1) Commencement within 3 years 2) Development in accordance with the approved plans 3) Submission of brick samples 4) Painting of garage doors 5) Completion of landscaping before occupation of garages 6) The garage hereby approved shall not at any time be used for the commercial (Business) purposes including commercial storage and the parking of a non-domestic vehicles.

**35 Site 5, Sovereign Harbour. Application ID: 150352 (RMT).**

Application for approval or reserved matters following outline approval (130002) – **SOVEREIGN**. Three comments had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor (Planning Policy) and Bespoke were also summarised.

Southern Water Services Ltd, the Environment Agency, Sovereign Harbour Residents Association and East Sussex County Council Highways Department made no comment. The Environment Agency made no objections to the application.

Mrs Weeks, Sovereign Harbour Community Association, addressed the committee in support stating that the application had the full support of the residents and that the development would strengthen the existing relationships within the community.

**RESOLVED: (Unanimous)** That the reserved matters be approved.

**36 Water Treatment Works, Waterworks Road. Application ID 150589.**

Provision of a microfiltration building and ancillary equipment –  
**DEVONSHIRE.** Two responses had been received.

The observations of the Specialist Advisors for Policy and Environmental Health and East Sussex County Council Highways Department were summarised within the report.

East Sussex County Highways Department raised no objections subject to a condition requiring highway signage for construction traffic as follows:

- The controls requested by the East Sussex County Council Highways Department would be worked into the full text of Condition No4 within the tabled report.

An additional letter of support had been received from local resident.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions; 1) Commencement within three years 2) Carried out in accordance with the approved plans 3) Hours of operation 4) Deliveries and working practices in accordance with planning statement and traffic management plan

### **37 Conservation Guidance documents.**

The committee considered the report of the Senior Specialist Advisor (Planning and Conservation) advising members that the Council documents *Guidance for Designation and Review of Conservation Areas* and *Conservation Areas in Eastbourne Companion Document*, had been updated to include the National Planning Policy Framework [NPPF] which superseded Planning Policy Statement 5 (PPS 5) in 2012.

The report also sought authority to go out to public consultation on proposals for the draft Good Practice for the Selection of Local Heritage Assets (Buildings of Local Interest and Areas of High Townscape Value).

The purpose of the draft Guidance Manual was to provide explanatory information and guidance on the purpose of a local heritage list and identified the criteria local communities could use to select; assets such as buildings, areas, spaces and places that matter to them. The document set a common framework of criteria that would be used to objectively determine the level of protection afforded to local heritage assets.

Subject to approval of the recommendations within the report, it was proposed to carry out public consultation on the draft Guidance Manual in compliance with the Council's adopted Statement of Community Involvement. Consultation would be carried out with Historic England, Victorian Society, Twentieth Century Society, Historic Parks and Gardens, local amenity groups and historic societies, residents and occupiers of the Borough would be notified via a notice published in the local newspaper. The consultation period would last for 12 weeks.

The draft Guidance Manual established the framework through which identification of local heritage assets could be assessed objectively in order

to ensure that their inclusion on the local heritage asset list could be justified and were defensible.

**RESOLVED:** 1) That the committee authorise public consultation on the draft Good Practice for the Selection of Local Heritage Assets (Buildings of Local Interest and Areas of High Townscape Value) 2) That on completion of the public consultation exercise the results shall be reported to Planning Committee prior to the referring the document onto Cabinet for adoption. 3) That the update of the *Guidance for Designation and Review of Conservation Areas* and *Conservation Areas in Eastbourne Companion Document*, to include The National Planning Policy Framework [NPPF] which superseded Planning Policy Statement 5 (PPS 5) in 2012 be noted.

### **38 Enforcement Policy Statement 2015.**

The committee considered the report of the Senior Specialist Advisor (Planning) requesting that members endorse the revised Enforcement Policy Statement 2015.

The proposed changes to the previously adopted enforcement policy were modest with the significant changes from the October 2014 version being:-

- Revised title
- Section 6 ii) page 11, outlines how the Council would work proactively to mitigate the potential breaches of planning control
- Section 9 Direct Action page 20, outlined the parameters and criteria against which the Council would pursue Direct Action.
- Section 9 Monitoring of Conditions page 22, outlined the informative that would be attached to all approval notices.

Members noted that the Policy statement continued to:-

- Promote the joined up enforcement approach, recognising that working closely with others from outside the planning service was essential to maximise outcomes
- Reflect and reinforce the more proactive work already undertaken by the planning enforcement processes and also by the Difficult Properties Group in taking positive action to improve the environment of the Borough and the amenities of its residents.
- Planning Committee would receive a quarterly report detailing the actions and outcomes relating to enforcement matters.

Members were advised that since the Enforcement Policy Statement was adopted in April 2010 it had been successfully implemented to bring about significant changes in the Council's approach to enforcement issues in general.

Planning enforcement now enjoyed a significantly higher profile than in the past. Public expectation is also higher and therefore a more robust policy document which more clearly identifies when and how action could be undertaken was required to ensure that these expectations could be met.



It was considered that given the profile now afforded by the National Planning Policy Framework it was recommended that this updated document be referred to Cabinet for formal adoption.

**RESOLVED:** 1) That the Enforcement Policy Statement 2015 be endorsed  
2) That the Enforcement Policy Statement 2015 (as the local approach for conducting/undertaking the planning enforcement function within the Borough of Eastbourne) be referred to Cabinet for formal adoption.

### **39 Seafront Local Plan - Issues and Options.**

The committee considered the report of the Senior Head of Regeneration, Planning and Assets seeking member's views on the Seafront Local Plan Issues and Options report which would be published for consultation with the community and key stakeholders for a 12 week period between 17 July and 9 October 2015.

The Local Development Scheme (LDS) outlined the work programme for the production of planning policy documents and identified the preparation of a Seafront Local Plan to maximise the seafront's contribution to the town as a defining asset and significant contributor to the local economy. The LDS scheduled consultation on an Issues and Options report would take place over the summer of 2015.

The Seafront Local Plan would be a Development Plan Document that would form part of the Local Plan for Eastbourne. It would set a framework for future development on the seafront with the aim of enhancing the positive contribution that the Seafront makes to the town and the local economy. The Seafront Local Plan would have to be in conformity with the Core Strategy and the Town Centre Local Plan, as well as national policy.

**RESOLVED:** 1) That Cabinet be advised that the Planning committee support the development of a Seafront Local Plan.

### **40 South Downs National Park Authority Planning Applications.**

There were none.

The meeting closed at 8.51 pm

**Councillor Murray (Chairman)**