

Tuesday, 4 August 2015
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)
Councillors Jenkins, Miah, Salisbury, Taylor and Di Cara (as
substitute for Murdoch)

41 Minutes of the meeting held on 7 July 2015.

The minutes of the meeting held on 7 July 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

42 Apologies for absence.

Councillors Murdoch and Ungar.

43 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.

44 Urgent items of business.

The Chairman advised that the committee had been asked to re-consider the detail of the minute relating to the Heatherleigh Hotel considered in June 2015. The committee were requested to remove the following sentence from the minute 'the delivery of affordable housing'. Further detail relating to this item was included at minute 55.

45 1 Baldwin Avenue. Application ID: 150502 (HHH).

Two storey extension to front and side, and extension to roof (loft conversion) with gable dormers to side and rear – **OLD TOWN**.

The relevant planning history for the site was detailed within the report. The County Archaeologist made no recommendations as it was considered unlikely to have any impact.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Commencement within 3 years 2) Development in accordance with approved plans 3) roof tiles to match those on the existing property 4) Hours of operation (Construction).

46 3 Churchdale Place. Application ID: 150374.

Erection of a detached 2 storey, 2 bedroom house on land adjacent to 3 Churchdale Place. (Amended description) – **ST ANTHONYS.**

The relevant planning history for the site was detailed within the report. The Specialist Advisor (Planning Policy) raised no objection to the proposal.

Councillor Tutt, Ward Councillor and Leader of the Council addressed the committee in objection stating that the scheme was an overdevelopment of the site, which would result in a cramped effect for the neighbouring properties.

RESOLVED: (Unanimous) That permission be refused on the grounds that the proposed development would constitute an inappropriate and unsympathetic form of development which would result in an overdevelopment of a constrained garden site by reason of its scale and siting and would be out of character with and detrimental to the regular and symmetrical layout of the surrounding properties and the outlook from the adjacent dwelling at no.5 Churchdale Place. The proposal therefore conflicts with policies UHT1, UHT4, HO6, and HO20 of the Eastbourne Borough Plan (Saved Policies) 2007, policies B2, C6 and D10A of the Eastbourne Core Strategy Local Plan 2013 and paragraph 53 of the National Planning Policy Framework.

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.

47 14 Ratton Drive. Application ID: 150213 (HHH).

Two storey extension at side to form annexe and single storey extension at rear – **RATTON.**

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor (Conservation) were summarised within the report.

Councillor Belsey, Ward Councillor addressed the committee stating that he supported the scheme.

RESOLVED: (By 5 votes with 2 abstentions) That permission be granted subject to the following conditions: 1) Commencement within three years 2) Development in accordance with submitted plans 3) Submission of samples of materials 4) Restriction of hours (building works).

48 18 Buckhurst Close. Application ID: 150636 (HHH).

Single storey side extension to form new disabled shower room and bedroom. (resubmission of EB/2010/0279) – **RATTON.**

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

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) The development hereby permitted shall be completed in accordance with the following drawings received on 10 June 2015. 2) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

49 Flat 18 Chatham Court, 28 Chatham Close. Application ID: 150384.

This item was deferred from this agenda.

50 61 Willingdon Park Drive. Application ID: 150551 (HHH).

Two storey extension at rear – **RATTON.**

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

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time Limit 2) The development hereby permitted shall be carried out in accordance with the following drawings:

- Drawing number 243300-01 received on 19 May 2015
- Drawing number 243300-03 Revision b received 29 June 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 without planning permission obtained from the Local Planning Authority. 5) The proposed flank window in the South elevation of the development hereby permitted shall be obscure glazed on the bottom panel, with a horizontal top opener and shall be instated more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such (as detailed on the approved plan - 243300-03 Revision b received 29 June 2015) 6) The proposed bathroom window in the North elevation of the development hereby permitted shall be obscure glazed and be permanently retained as such thereafter.

51 153 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.**

The committee was reminded that following the submission of an acoustics report, which was discussed at the July Planning committee meeting, members were dissatisfied with the provision of double glazed windows and trickle vents suggested to attend to the noise pollution created by the plant machinery installed to the rear at first floor level. Subsequently, the case had been deferred to this meeting to allow the applicant to provide an alternative means of reducing the noise pollution.

The applicant had stated that they were of the opinion that the double glazed windows and trickle vents were sufficient to attend to the noise

levels at the property. They declined from reconfiguring the internal layout of the three residential units to ensure that the habitable rooms are located to the front of the building and would not seek to install an acoustic structure around the plant to reduce noise emissions. The applicant had stated that by providing the "double glazing and ventilation which provides a level of amenity that meets all the guidance" they had made adequate provision to address the noise nuisance and were not prepared to alter the scheme further.

Members were clear in the debate and resolution from the July committee that for them residential amenity was an overriding material consideration that should be given significant weight in the assessment of the proposal. In this regard without further mitigation the application was unlikely to be acceptable.

A further statement had been supplied by the agent for the application and this outlined the following issues:-

- An acoustic barrier to the existing equipment could not be delivered given third party ownership.
- The most significant noise polluter in the locality was that of traffic noise. Victoria Drive runs to the front of the site had carries significant levels of traffic throughout the day and night
- The noise emissions from the plant and equipment were negligible when assessed against the existing background level of noise from traffic and in no way did they add to or create an inhospitable living environment. There had been a number of recent planning approvals for new residential accommodation along Victoria Drive and none had been resisted on noise impacts resulting in loss of residential amenity.
- Ventilation to the rooms was to be provided through trickle vents and this was industry standard.

RESOLVED: (Unanimous) That permission be refused on the grounds that the proposed residential flats by reason of their proximity to noise emitting plant and machinery without satisfactory mitigation is considered to give rise to poor quality living environment for the occupiers of this accommodation. The scheme is not considered therefore to deliver environmental well-being (as specified in Policy D1 of the Core Strategy Local Plan 2013 Policies) and will not fully respect residential amenity (as specified in Policy HO20 of the Eastbourne Borough Plan Saved Policies 2007).

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.

52 199 Seaside. Application ID: 150646.

Erect single storey extension and first floor addition at rear –
DEVONSHIRE.

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

Ms Maddison addressed the committee in objection stating that there would be a loss of light and overlooking to her property.

RESOLVED: (Unanimous) That permission be refused on the grounds that 1) Policy HO20 of the Eastbourne Borough Plan saved policies 2007 requires proposals to demonstrate that they do not cause unacceptable overshadowing and/or loss of light or they will be refused. By virtue of its position, the proposed first floor addition to the existing rear projection of the property would detrimentally impact the amenity of the adjoining property, 201 Seaside due to loss of light and overshadowing. In addition, the rear amenity spaces of both adjoining properties are not currently overlooked. The proposed first floor window would introduce a level of overlooking which would also threaten residential amenity.

2) The first floor element of the proposal does not negate loss of light and overshadowing sufficiently, nor does it remove potential for significant overlooking to the rear. As such the scheme is not considered to respect residential amenity and is found discordant with Policy HO20.

Informatives:

Statement of positive and proactive action

The Council has published its saved policies of the Borough Plan 2007 and the Core Strategy Local Plan 2013 on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. The Council also offers a pre application advisory service which applicants are encouraged to engage with prior to the submission of any application.

Applicants were advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

53 St Philips Church Hall, 1 St Philips Place. Application ID: 150495 (PPP).

Formation of a playground enclosed by a 1.4 metre high fence and replacement of a window with a door for access. (Amended description) – **ST ANTHONYS.**

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

RESOLVED: (Unanimous) That permission be refused on the grounds that the introduction of a 1.4 metre high closed board fence would be intrusive and alien in its appearance and out of character with the prevailing open plan nature of the area and would not accord with policies UHT1 and UHT4 of the Eastbourne Borough Plan 2007 saved policies and policy D10a of the Eastbourne Core Local Strategy.

Informative

For the avoidance of doubt, the plans (submitted on 01.05.15) hereby refused are:

DWG. NO.: 10056/02 – Proposed Layout Plan
DWG. NO.: 10056/03 – Existing Elevation – Proposed Elevations

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.

54 South Downs National Park Authority Planning Applications.

There were none.

55 Heatherleigh Hotel. Application ID: 141521.

Members were advised that this case was reported to Planning Committee in June 2015 where the resolution was to grant Planning permission subject to a S106 agreement.

The heads of terms for the S106 as referred to in the June Committee papers made reference to a requirement for an affordable housing obligation. In this case there was no requirement for any affordable housing requirement. The applicants had forwarded a statement outlining why there was no requirement and this had been analysed and ratified by Eastbourne Borough Council.

RESOLVED: That all reference to an affordable housing requirement of terms for the S106 agreement for 4 June 2015 Planning minutes - minute 17, Heatherleigh Hotel, Application ID: 141521 be deleted.

The meeting closed at 7.36 pm

Councillor Murray (Chairman)