

Tuesday, 1 September 2015
at 6.00 pm



Planning Committee

Present:-

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

56 Minutes of the meeting held on 4 August 2015.

The minutes of the meeting held on 4 August 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

57 Apologies for absence.

Councillors Jenkins and Taylor.

58 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.

59 8 Wellington Quay. Application ID: 150653.

Addition of new side /rear single storey ground floor extension with

two storey element to incorporate new person lift on West facade from ground to first floor.

Replacement of windows to the rear with new high energy efficient windows with some window opening to be enlarged and removal of the first floor window of the West facade and replacement of existing rear roof dormers with new enlarged bronze cladded dormers and enlargement of front dormers in similar style to existing – **SOVEREIGN**. Two written representations had been received.

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

A further representation had been received from the occupier of the neighbouring property commenting on the following issues:

- The visual appearance of the front (north) elevation was greatly improved.
- We are pleased to raise no objection on the basis of these revised plans.

- Some reservations remain about the external lift. Although its visual impact on us is clear, the extent to which the top of it would be visible from the highway was much more difficult to judge. The latter 'skyline' view was of most importance but we were content that the Council were best placed to consider and decide this particular issue.
- The question of noise and vibration, while not necessarily a planning matter, would be a matter for Building Control.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time 3 Years 2) BAF - Approved drawings 3) Materials.

Informative

The applicant is advised that the development hereby approved is required to obtain building regulation approval; in this regard particular attention is drawn to the potential for noise transference from the operation of the person lift.

60 14 Maple Road. Application ID: 141434.

Application seeking retrospective planning permission for the retention of a biomass boiler, flue, and associated housing within the car park together with a 2.1 metre high boundary fence and lowering of the associated boiler pipework below and behind the top of the fence (amended description) – **ST ANTHONYS**. A petition of 14 signatures had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor for Pollution and Licensing were summarised within the report.

Councillor Mattock, Ward Councillor, addressed the committee in objection stating that whilst she was not against the biomass boiler, its current position was totally inappropriate in its proximity to properties given the smell and dust generated and the lack of information regarding any impact this may have. Councillor Mattock urged the committee to seek an enforcement notice to remove the boiler.

Mrs Geering, addressed the committee in objection stating that the biomass boiler was visually intrusive and unsightly.

A further statement had been submitted by the applicants agent outlining that the evidence requested was in transit and would be delivered in the near future, given they had requested that the matter be deferred for the requested information to be evaluated and reported back to Planning Committee.

Members debated the issues around the case and offered their general support for the principle of renewable energy as a mechanism for reducing CO2 emissions. It was concluded however that without any evidence to the contrary, the siting of the equipment was inappropriate and resulted in an unneighbourly addition. Members commented further that the equipment would be more appropriately sited in a different part of the site further away from the sites boundaries with existing residential properties.

RESOLVED: (Unanimous) That permission be refused and enforcement action be authorised on the grounds that insufficient evidence has been submitted to show that the flue of the boiler is sufficient to disperse pollutants/emissions. Therefore it is likely that the boiler would have detrimental impacts on the amenity through fumes/emissions on the surrounding residential properties of Tollgate Gardens and New Derby House, and thereby materially affecting the residents' quality of life. The scheme would be contrary to the National Planning Policy Framework 2012, policy B2 of the Core Strategy Local Plan 2013 and Saved Policy HO20 of the Borough Plan 2001-2011.

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.

61 Rivendale Lodge, 14 Prideaux Road. Application ID: 150682 (PPP).

Single storey extensions at side and rear to form conservatory, laundry, one additional bedroom and enlarged bedrooms on the ground floor, together with the conversion of the roof, including dormers, to provide three additional bedrooms – **UPPERTON**. Three letters of objection had been received.

The relevant planning history for the site was detailed within the report. The observations of East Sussex County Council's Highway Department and the Specialist Advisors for Arboriculture and Planning Policy were summarised within the report.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time Limit 2) Approved drawings 3) The external finishes 4) Tree protection 5) At no time shall the bin store hereby approved be permitted to have its doors opening out – onto/over the public footpath/highway 6) The development hereby approved shall not be occupied until space has been laid out within the site for 7 cars to be parked and for vehicles to enter and leave the site in a forward gear to and from one enlarged access and egress point.

62 15 Upper Carlisle Road. Application ID: 150080.

Erection of a detached 4 bedroom dwelling with a detached double garage at the front on land within the curtilage of 15 Upper Carlisle Road – **MEADS**. One letter of support had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor for Arboriculture were summarised within the report. East Sussex County Council had stated verbally that they did not wish to comment.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Commencement within three years 2) Compliance with approved plans 3) Hours of operation 4) Protection of street trees 5) Tree protection measures 6) No bonfires 7) Landscaping scheme 8) Details of foundations and services in relation to trees 9) Details of patio 10)

Samples of materials 11) Restriction of PD rights between dwelling and preserved trees 12) Prevention of use of flat roof as a balcony/ increase in height of railings 13) Provision of new vehicular access and closing of former access before commencement 14) Wheel washing facilities.

63 18 Chatham Court. Application ID: 150384.

Retrospective application for the retention of raised decking to patio (Amended description) – **SOVEREIGN**. Two objections had been received in the first consultation.

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

Further objections had been received following re-consultation on the amended scheme on the following issues:

- The installation caused and would continue to cause problems for residents.
- High level decking impinges upon the enjoyment of the residents either side.
- The addition of the trellis required permission which had not been granted.
- Materially affects the use of the building in that the original design was being altered.
- The trellis would be an alteration requiring permission from the freeholder.
- Do not feel the decking was necessary.
- Health and safety and privacy issue
- Unneighbourly development.
- Whilst the reduced size and specified position alleviates some concerns, the screening was not high enough and would request the screening was not fixed to their wall or the railing, or a condition attached that the installation of the trellis was dependent on the written permission of the freeholder.
- The applicant had indicated that the trellis would be free standing/supported by standing in heavy planters/pots and not fixed to the building to alleviate the concerns of neighbours.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) The existing decking shall be removed and/or reduced in size to that shown on the approved drawing within 1 month of the date of this decision 2) Approved drawings 3) The trellis shown on the approved drawing shall be erected as soon as the approved decking is implemented and maintained in perpetuity.

64 37a The Goffs. Application ID: 150514 (PPP).

Change of use from B1 offices to C3 residential to form four one-bedroom flats with introduction of internal courtyard and replacement of existing doors and windows – **UPPERTON**. Five representations had been received.

The relevant planning history for the site was detailed within the report. The observations of the Estates Surveyor and Specialist Advisor for Planning Policy and Conservation were detailed within the report.

RESOLVED: (By 6 votes with 1 abstention) That permission be granted subject to the following conditions: 1) Commencement of development within three years 2) Compliance with approved plans 3) Hours of operation 4) Colour of doors and rendered panels 5) Windows set into reveals with cills; structural glazing bars 6) Obscure fixed glazing to first floor window (permanent) 7) Only inward opening windows on west and north elevations.

65 199 Seaside. Application ID: 1500818 (LDP).

Erection of single storey, ground floor rear extension to side return, formation of window opening at first floor level to rear elevation of side return, and removal of existing side facing window on first floor. Also included is the enlargement of an existing opening to the rear of existing rear projection at ground floor and installation of patio doors –

DEVONSHIRE.

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

No neighbour consultations had been undertaken as the application has to be determined on points of law. However 1 objection had subsequently been received from an adjoining property.

Mrs Madison addressed the committee in objection stating that the development would result in an overbearing and overwhelming dominance to her property, with the risk of flooding due to the placement of the guttering.

RESOLVED: (By 4 votes with 3 abstentions) That a Lawful Development Certificate be issued for this proposal.

Informative:

For the avoidance of doubt the certificate has been issued in accordance with the details shown on the following plans received on 04 August 2015:

Drawing No.: 1a – Proposed Ground Floor Plan
 Drawing No.: 2a – Proposed First Floor Plan
 Drawing No.: 3a – Proposed Side Elevation
 Drawing No.: 4a – Proposed Rear Elevation
 Drawing No.: 5 – Proposed Section A:A

Details of Materials:

Notwithstanding the drawings hereby approved, in order to be compliant under Class A Part 1, all external materials to be used in the development shall be similar to that of the existing dwelling.

Gutter:

The applicant is reminded that for the structure to be compliant, no part of the proposed extension, including proposed guttering, should overhang the property boundary.

66 Koala, King Edwards Parade. Application ID: 150744 (VCO).

Variation condition 6 of permission EB/2011/0023(FP) for the re-development of site with five storey building (with basement) comprising ten apartments (6no. 2 bed apartments, 4no. 3 bed apartments), with car parking together with terrace of four three-storey houses (with basement) and widening of vehicular access, to permit the side windows to have restricted opening (retaining obscure glazing) – **MEADS**. 13 objections had been received.

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

RESOLVED: (Unanimous) That condition 6 be varied as follows: The proposed windows in the side elevations of the houses and the flats at ground, first, second and third floor levels shall only be glazed in Pilkinton grade 5 obscure glass or similar, and only capable of being opened where they are 1.35m above internal floor level. All opening windows shall be bottom hung and inward opening, and shall not be changed to side opening, sliding sash or pivot units.

Informative

All other conditions attached to permission EB/2001/0023 remain valid and must be fully complied with.

67 Shinewater Sports Ground. Application ID: 150600 (PPP).

Erection of 80 seat stand to football ground – **LANGNEY**. A petition of 32 signatures objecting to the proposal had been received.

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

Councillor Shuttleworth, Ward Councillor, addressed the committee in objection to the current proposed siting of the seating. He stated that the site had been well looked after and thanked the volunteers for maintaining the site to a high standards, however he felt that there were more appropriate places to install seating.

Mr McCreadie, on behalf of the applicant, addressed the committee in response stating that they were happy to reconsider the placement of the seating and that other senior football clubs in Eastbourne had a seating area for spectators.

The applicant had submitted a further statement outlining their willingness to look into alternative locations for the stand, although no alternative plans had been received.

An additional objection had been received commenting on the following issues:

- Noise from spectators arriving, during and leaving the matches,
- Lack of parking facilities,
- Obstruction to the bus route by vehicle parking
- Blocking of emergency services

The applicant (Chairman of the football club) had written in support of the application stating that:

'We maintain the playing field throughout the year from the club's fund. The club had been promoted and was therefore required to improve the ground facilities. The stand was caged to prevent people sitting in it at night and CCTV would be installed'.

The applicant had suggested re-siting the stand to the opposite side of the existing pitch. Without a plan it had not been determined how feasible this was in terms of the existing dug outs, trees and fencing.

It was not considered that the re-location of the stand would overcome the concerns set out in the main report.

RESOLVED: (Unanimous) That the application be deferred pending a Planning Committee site visit and further consideration and consultation as to the location of the proposed seating.

68 St Bedes. Application ID: 150548.

Provision of an artificial grass surface to school playing field – **MEADS**. One representation had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisors for Conservation and Arboriculture, the Highway Authority and the Corporate Property Manager were summarised within the report.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Commencement within three years 2) Development in accordance with plans and details 3) Hours of operation 4) No floodlighting 5) Wheel washing facilities 6) Traffic management scheme 7) Tree report/protection 8) Surveys of the condition of the lane before and after the development.

69 St Philips Church. Application ID: 150729.

Application to vary condition 6 of planning permission reference EB/2002/0465 for the demolition of the existing church and hall and the erection of new church hall and community facilities, together with 16 flats and six houses, dated 3 March 2004 to allow the use of the garden by up to 12 children between the hours of 10am-12pm and 2pm- 4pm – **ST ANTHONYS**. Six letters of objection and a petition of 12 signatures had been received.

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

Councillor Mattock, Ward Councillor, addressed the committee in objection stating that the neighbour had purchased their property on the assurance that the existing condition would remain in force and that the applicant was aware of the restrictions when they acquired the lease for the playgroup.

Margaret Barr, Church Warden, addressed the committee in support stating that there were lots of nurseries in the area and referred to properties near schools that experienced noise from 300 plus children during break times. Mrs Barr also stated that they were prepared to alter the times to suit neighbours requirements.

RESOLVED: (By 3 votes to 2 with 1 abstention) That permission be refused on the grounds that the increase in the number of children from 6 to 12 would significantly increase the noise/activity generated in close proximity to noise sensitive residential boundaries detrimental to the amenity and enjoyment of the adjacent residential properties contrary to saved policy HO20 Residential Amenity of the Borough Plan 2001-2011 and Policy B2 Creating Sustainable Neighbourhoods of the Core Strategy Local Plan 2013.

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.

70 South Downs National Park Authority Planning Applications.

There were none.

The meeting closed at 8.10 pm

Councillor Murray (Chairman)