

Tuesday, 29 September
2015
at 6.00 pm



Planning Committee

Present:-

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

71 Minutes of the meeting held on 1 September 2015.

The minutes of the meeting held on 1 September 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

72 Apologies for absence.

Councillor Murray.

73 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 Salisbury declared a prejudicial interest in minute 77, 28 Gorringe Road, as the applicant was her employer. Councillor Salisbury withdrew from the room whilst the item was considered.

Councillor Ungar declared a personal interest in minute 77, 28 Gorringe Road as he knew the applicant. Councillor Ungar remained in the room whilst the item was discussed and voted thereon.

Councillor Ungar declared a personal and prejudicial interest in minute 76, 258 Sevenoaks Road, as he knew the family that reside in the property. Councillor Ungar addressed the committee from the floor and withdrew from the room whilst the item was considered.

74 1 Baillie Avenue. Application ID: 150760.

Erection of a two storey building to provide 2no. studio flats on and adjacent to 1 Baillie Avenue – **ST ANTHONYS**. Three objections and a petition signed by 42 residents had been received.

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

The committee was advised that the applicant had written in support of the application and stated;

- The dwelling capacity was the same whether the extension was used to provide two additional bedrooms or two studio flats, with the only

difference being the bedrooms would be inhabited by two separate individuals rather than a large family.

- The house would retain a large front and rear garden.
- The two studios were proposed to have their own separate access.

The decision to apply for two studios was taken following the sale of the land to the rear and the subsequent approval of flats rather than houses on this land. The applicant now considered this was not the right area to construct a 4 bed house.

RESOLVED: (Unanimous) That permission be refused on the grounds that the provision of two additional residential units to this corner plot is considered to constitute over development which would be detrimental to the surrounding residential area and the small size of the proposed units is considered to provide substandard accommodation for future occupiers contrary to Policy B2 of the Core Strategy Local Plan 2013.

75 41 Pevensey Road. Application ID: 150759 (PPP).

Proposed conversion of a previously approved 2-bedroom ground floor flat into 1no. 1-bedroom flat and 1no. 2-bedroom flat including a new single storey ground floor rear extension – **DEVONSHIRE**.

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

The committee was advised that the applicant had written in support of the application and stated;

- The floor areas were within or close to the national space requirements for single occupancy 1-bedroom flats. The applicant had agreed to amend the application to better meet those standards and had reduced Flat 2 from a 2-bedroom flat to a 1-bedroom flat for single occupancy.
- To revert the development back into the originally approved scheme of a single 2 bedroom flat and incorporate the extension into it, would require significant investment which would make the project unaffordable. This would also reduce the type of accommodation available which was in high demand.
- The flats are finished to a high standard.

RESOLVED: (Unanimous) That permission be refused and enforcement action authorised on the grounds that the small size of the proposed units is considered to provide substandard accommodation for future occupiers contrary to Policy B2 of the Core Strategy Local Plan 2013.

The enforcement action should secure the removal of fixtures and fittings sufficient to enable the use as two independent units of residential accommodation.

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.

76 258 Sevenoaks Road. Application ID: 150921.

Retention of existing 2m high closed board timber fence to facilitate extension of rear/side garden boundary – **LANGNEY**. One letter of support and two of observation / concern had been received.

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

The applicant has suggested some alterations to the fencing which could be controlled by condition to improve the appearance such as cutting off the corner of the fence adjacent to the neighbouring property 256 Sevenoaks Road front garden and the planting of shrubs along the fence line to soften the appearance.

The committee was advised that applicants had also written in support of their application and stated;

- We liaised closely with neighbours of 256 Sevenoaks road regarding the intention to erect a fence. At the time we were not aware that the property was rented.
- When we received correspondence from the Council that the development required planning permission works were ceased the intention was always to change the colour and add vegetative screening.
- The fence was no different in design, shape or height to any other perimeter fence in Sevenoaks Road. Once the initial impact of our fence was softened it would not look out of place.
- We were careful and sensitive with our fence so as not to encroach on public greenspace or detract from the open plan covenants pertaining to the front of the property.

One letter of support and three additional objections had been received for the following reasons;

- Impact on visibility/road safety;
- Character of the estate was 'open plan';
- Over shadowing to front garden of 256, which impacted on vegetation;
- Increase in noise pollution.

Councillor Ungar addressed the committee in support of the application stating that fence was the appropriate height and had not been an issue for the East Sussex County Council Highways Department.

NB: Councillor Ungar withdrew from the room.

The committee discussed the application and agreed that the fence was inappropriate due to the open plan nature of the estate.

RESOLVED: (By 5 votes with one abstention) That permission be refused and enforcement action be authorised to secure the removal of the unlawful fence, on the grounds that the development has resulted in a form of development that has an over-dominant and unneighbourly relationship to/with the occupiers of the adjacent property, in addition to compromising the setting/character of this part of this open plan estate. The proposal is considered to conflict with policies UHT1, UHT4 and HO20 of the Saved Policies of the Eastbourne Borough Plan and Policies B1, B2, D10a of the Eastbourne Core Strategy Local Plan.

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.

77 28 Gorrington Road. Application ID: 141403.

Extension of existing bungalow to form new storey and 2 level side extension incorporating one existing three bedroom unit, two new 2 bedroom units and a new 1 bedroom unit – **UPPERTON**. Four objections had been received.

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

Mr Ranger addressed the committee in objection stating that the application was an overdevelopment and that it would compromise their privacy. Mr Ranger also expressed concern regarding the groundwork and potential damage caused by excavation work.

RESOLVED: (By 5 votes with one abstention) That permission be granted subject to the following conditions: 1) Time for commencement 2) Approved drawings 3) Windows proposed to the side (north-west) elevation shall be obscurely glazed and non-opening unless over 1.7m in height from the internal floor level 4) Details to be submitted of stopping up of existing access, and kerb and footway reinstated in accordance with details 5) New access shall be in position shown on the submitted plan 6) Submission of details in relation to provision of parking spaces, areas shall be retained for that use and shall not be used other than for the parking of motor vehicles 7) Submission of details in relation to cycle parking 8) Submission of details in relation to covered bin storage 10) Notwithstanding the details shown on the approved drawing, the provision for bin storage shall be increased/amended to the front path area, with cycle parking moved to the site of bin storage 2 of the approved drawing.

Informative:

1. Highways dropped curb informative.
2. Informative in relation to bin/cycle parking as required by condition 9.

78 1 Samoa Way. Application ID: 150804 (HHH).

Retention of new boundary fence – **SOVEREIGN**.

The relevant planning history for the site was detailed within the report. The observations of the Sovereign Harbour Residents Association were also summarised.

Members were advised that in addition to the comments included in the Officer's report, Sovereign Harbour Residential Association raised the following issues:-

- The boundary of the properties in Hobart Quay on the opposite side of Pacific Drive were brick pillars with half brick wall between and wooden panels above.
- The new fence obstructed the view of vehicles leaving the estate
- The fence displayed a negative frontage and loses open aspect of Pacific Drive
- It would be out of keeping with the proposed development of Site 8
- If permission was approved it would set a precedent.

Members debated the issues and concluded that the boundary treatment was visually intrusive into the street scene and conflicted with the open plan nature of the site in particular and the wider area in general.

RESOLVED: (Unanimous) That permission be refused and enforcement action be authorised to secure the removal of the unlawful fence, on the grounds that the size design and location of the new boundary fence is such that it has resulted in a form of development that is over-dominant and visually intrusive, compromising the setting and character of this part of this open plan estate. The proposal is considered to conflict with policies UHT1, UHT4 and HO20 of the saved policies if the Eastbourne Borough Plan and Policies B1, B2, D10a of the Eastbourne Core Strategy Local Plan.

79 South Downs National Park Authority Planning Applications.

There were none.

80 Exclusion of the Public.

Resolved: That the public be excluded from the remainder of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in schedule 12A of the Local Government Act 1972. The relevant paragraphs of schedule 12A and descriptions of the exempt information are shown beneath the item below.

81 4 Nuthatch Road.

Unauthorised operational development connected with a use that is at a level that would exceed that considered to be incidental to the enjoyment of the dwelling house. Seven letters of objection and one letter of support had been received.

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

RESOLVED: That formal enforcement action be taken given the reported impact on residential amenity to the adjoining occupiers and nearby residents as a result of the intensification of the use to limit the number of pigeons kept at the premises.

The steps required to comply with the notice would require a 50% reduction in the available 'pigeon holes' within the outbuildings.

Exemption - By Virtue of Paragraph 6

Information which reveals that the authority proposes -

- to give under any enactment a notice under or by virtue of which requirements are imposed on a person, or
- to make an order or direction under any enactment.

The meeting closed at 7.10 pm

Councillor Sabri
(Deputy Chairman in the Chair)