

Tuesday, 30 August 2016  
at 6.00 pm



# Planning Committee

Present:-

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

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## 41 Minutes of the meeting held on 19 July 2016.

The minutes of the meeting held on 19 July 2016 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

## 42 Apologies for absence.

Councillors Choudhury and Jenkins.

## 43 1 Marcia Close. Application ID: 160641.

Proposed 1 1/2 storey side extension above existing double width flat roof garage along with rear 2 1/2 part rear storey extension and internal alterations – **RATTON**. One letter of objection and three letters of support had been received.

Members noted that a typographical error in the second to last paragraph on Page 14 of the report, should read Upper Ratton Drive not Upper Kings Drive.

A further statement had been supplied by the agent with the following comments:

- The development was in keeping with the wider character of the area
- No adverse comments had been received from the neighbours to the proposal
- Any overlooking from the roof lights would be mitigated by the floor to cill height and the separation distance proposed
- Any overlooking from the corner and end windows would be mitigated by the separation distance involved and the mature screening in between
- At no time in the life of the application were the applicants asked for an *arboricultural impact assessment and a construction method statement*. If these documents had been requested then they would have been supplied.
- Notwithstanding the lack of supporting documents, the application was fully supported by the occupiers of the neighbouring properties and also there were construction techniques (over hand building to first lift and

then supported over-sailing scaffolding) that could mitigate any concerns.

Mr Farrell, agent for the applicant, addressed the committee stating that all aspects of the proposal had been considered, neighbours had been consulted and a topographical study had been carried out. Separation distances were in accordance with Council policy. The applicant was fully prepared to provide an Arboricultural Impact Assessment (AIA) and Construction Method Statement. There had been no objections from neighbouring properties regarding the scale of the development.

**RESOLVED: (Unanimous)** That the decision be delegated to the Senior Specialist Advisor for Planning, in consultation with the Chairman, to issue the permission subject to agreement on appropriate and necessary conditions.

**44 16 Woodland Avenue. Application ID: 160546.**

Extension to side and rear, conversion of garage to office space, internal alterations and associated works – **RATTON**. Two letters of objection had been received.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time limit 2) External materials 3) Surface water disposal details to include down pipes and no encroachment onto neighbouring properties and to prevent localised flooding over the public highway 4) Dropped kerb reinstatement 5) Approved drawings 6) Notwithstanding the details of the application the waste materials excavated in the construction of the foundations of the rear extension shall be recycled where possible for use in the construction of the raised driveway to the front garden 7) Archaeological works.

**Informative:**

You are advised to apply to East Sussex County Council's Highways department for permission to install a dropped curb.

**45 21 Victoria Drive. Application ID: 160757.**

Proposed single storey extension at rear to replace conservatory, extension at rear of existing detached garage together with replacement of flat roof with a pitched roof – **OLD TOWN**. One objection had been received.

**RESOLVED: (By 5 votes with 1 abstention)** That permission be granted subject to the following conditions: 1) Time limit 2) Approved drawings 3) Matching materials 4) Notwithstanding the plans hereby approved, all water run-off from the new roof shall be dealt with using rainwater goods installed at the host property and no surface water shall be discharged onto any adjoining property, nor shall the rainwater goods or downpipes encroach on the neighbouring property and thereafter shall be retained as such 5) The extended garage hereby approved shall be used for purposes ancillary to the enjoyment of the principal dwelling house and shall be used for no other purpose in perpetuity.

**46 46 Woodland Avenue. Application ID: 160580.**

Proposed part single, part two storey extensions to the side and associated alterations – **RATTON**.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time Limit 2) Approved drawings 3) Matching materials.

**47 65 Moy Avenue. Application ID: 160677.**

To erect raised decking 1.1m above ground level projecting 3m from the rear of the existing ground floor rear extension – **ST ANTHONYS**. One letter of objection and one letter of support had been received.

The committee was advised that the applicant had requested to address the committee and that due to unforeseen circumstances, was unable to attend the meeting. The committee agreed to defer the item to allow the applicant to attend a future meeting.

**RESOLVED: (Unanimous)** That the application be deferred to a future meeting to allow the applicant to attend and address the committee.

**48 Flat 2, 32 Saffrons Road. Application ID: 160483.**

Erect Yurt in rear garden – **UPPERTON**. One letter of objection and five letters of support had been received.

Mrs Burt, applicant, addressed the committee stating that the structure proposed was not a permanent fixture and would be removed should they vacate the property. The yurt would be solely for the use of their family.

**RESOLVED: (Unanimous)** That the decision be delegated to the Senior Specialist Advisor for Planning, in consultation with the Chairman, to issue the permission subject to agreement on appropriate and necessary conditions.

**49 Land at Sumach Close. Application ID: 160720.**

Revisions to external appearance and siting of two to four storey building consisting of 13 flats (Variation of condition 2 of planning permission granted 24 March 2016 Ref: 151170) – **HAMPDEN PARK**. Seven letters of objection had been received.

**RESOLVED: (By 5 votes to 1)** That the variation to condition 2 be granted and that conditions proposed be as the original permission and as follows: 1) Time for commencement 2) Approved drawings 3) Samples of proposed materials 4) Refuse/recycling storage (details submitted and to be provided prior to occupation) 5) Landscaping/planting 6) Wheel washing 7) Surface water drainage (Highways) 8) Parking provision (laid and provided before occupation) 9) Cycle parking (details submitted and to be provided prior to occupation) 10) SUDS 11) Surface water management 12) The residential units hereby approved shall be retained in perpetuity as affordable rented accommodation unless previously agreed in writing by the Local Planning

Authority 13) Details of retained trees in relation to existing and proposed services 14) Details of tree planting 15) Development shall not commence until an employment and training plan has been submitted to and agreed by the LPA.

**50 Woods Cottages. Application ID: 160150.**

Outline planning application with all matters reserved for the demolition of two derelict cottages and construction of ten residential dwellings at Woods Cottages, Swanley Close, Langney Rise – **LANGNEY**.

Members were advised that this application was deferred from Planning Committee on 19 July in order to allow time for officers to negotiate access to the development site from the north (Langney Shopping Centre) and once this had been secured a Planning Committee site visit would follow.

The applicant had confirmed that they were unable to secure access from the north and had reiterated that Swanley Close and the internal arrangements of the scheme (albeit in illustrative terms only) met recognised highway/layout standards.

The committee was advised the following additional comments from local residents had been received:

- The proposal for yellow lines and removal of on street parking in the close would cause additional demand for parking
- The road was not wide enough for further traffic
- Parking on street at present made access difficult for vehicles, emergency services and refuse collection vehicles
- Questions regarding the accuracy of the measurements on the plan were raised
- The new properties would impact on privacy and result in overlooking
- Bungalows would be more appropriate to the area
- If both entrances were used then a property would become an island surrounded by entrances to the development
- The width of road was not wide enough for large vehicles
- It would be dangerous to increase traffic flow given children use the road for access to the local school
- The pedestrian access showed no obstruction to prevent car access so it could become another vehicle access
- The area was mostly bungalows so the development was out of keeping, and would be an overdevelopment.
- There were concerns over the impact on the environment, overshadowing, privacy and loss of light to existing residents and the loss of protected trees
- There were still too many dwellings proposed
- The development would impact on traffic and flooding

Mr Woods addressed the committee in objection stating that he did not object to the development and the resulting regeneration of the area. The main issue remained the narrow access to the site and the ensuing problems this would cause the residents of Swanley Close.

Mr Jenden, agent for the applicant, addressed the committee in response stating that the proposals were for outline permission and the applicant was more than willing to work with Officers to secure the protection of the local wildlife through appropriate conditions. The refuse and emergency authorities had not raised concerns regarding the proposed access route. An alternative access via Langney Shopping Centre was not possible. Low impact construction equipment would be used to reduce the impact during the build process.

**RESOLVED: (By 5 votes with 1 abstention)** 1) That no consent be issued until the agreement of the County Ecologist had been secured. 2) That a S106 agreement be signed to provide an ongoing maintenance regime of the ponds/ecological area and a financial contribution of £5000 for towards the provision of a Traffic Regulation Order. 3) That should the S106 agreement not be signed within a reasonable time period of 8 weeks from the date of the committee resolution (unless an extension of time has been agreed) the application should be refused on the grounds that there is no provision in place to ensure the future management/maintenance of the wooded/pond area which would result in a detrimental impact on the surrounding residential properties. 4) That outline planning permission be granted subject to the following conditions: 1) Submission of reserved matters 2) That the submission of reserved matters for the layout of the scheme shall be accompanied by a tree report (prepared by a qualified Arboriculturalist) demonstrating that the proposed layout has been informed by the retention of the high amenity value trees on the site 3) Time for submission 4) SUDS condition regarding designing the surface water drainage system 5) SUDS prior to commencement ground investigations to establish infiltration rates and depth of groundwater 6) SUDS requirement for surface water management proposals to be supported by detailed hydraulic calculations 7) Submission of a maintenance and management plan for the entire drainage system 8) Submission of traffic management plan for construction 9) Submission of detailed drawings of proposed roads, surface water drainage and street lighting 10) Wheel washing 11) Submission of details of the layout of reconstructed access, visibility spays and swept path analysis 12) Provision of a turning space for vehicles 13) Submission of details in relation to parking areas 14) Submission of details of cycle parking 15) Submission of a transport report 16) Roads to be constructed at or at least close to adoptable standards.

**Informative:**

- The applicant be informed that this development is CIL liable.
- EA Informative
- SW Informative

**51 Customer Satisfaction Survey (April to June) 2016.**

The committee considered the report of the Specialist Advisor for Planning which provided a summary of responses to the Customer Satisfaction Survey for the period April to June 2016. The purpose of the report was to update the committee on the subsequent responses and improvements

which had been implemented to the planning service following survey responses.

The improvements, recommendations and new comments from the last quarter that had been raised in a previous update were summarised in the report

Members noted that some of the tables detailed poor ratings and it was suggested that this was largely due to the fact that the survey had been completed by a number of residents who had been unhappy with their planning decision.

**RESOLVED:** That the report be noted.

## **52 Planning Performance (April to June) 2016.**

The committee considered the report of the Senior Specialist Advisor for Planning which provided a summary of performance in relation to key areas of the Development Management Services for the period April - June 2016.

The majority of applications received were granted planning permission, however for those that were refused and challenged through to an appeal it was considered important to analyse the appeal decisions in order to determine and evaluate whether lessons needed to be learned, or interpretations needed to be given different weight at the decision making stage.

One appeal for costs had been submitted within the survey period; and claimed that the Council acted unreasonably in their handling of the application for the Biomass Boiler at 14 Maple Road. The agent for this appeal had supplied details justifying their costs claim of under £3,000.

The assessment of the performance of planning services showed that the team was performing at or over the National PI threshold and that there were at this time no special measure issues. However, the Government was consulting on additional and possibly revised measures. At the time of writing the report it was suggested that the major applications overturned at appeal should be reduced from 20% - 10% and that the number of major applications determined in time should increase from 40% - 50%.

The Government were also looking to roll out special measures criteria to 'non-major' applications and they were currently consulting on what those thresholds should be. Possible special measure thresholds were suggested as follows:-

- Where authorities fail to determine at least 60-70% of non-major applications in time
- Where authorities had more than 10-20% of their applications for non-major development overturned at appeal.

Members noted therefore that it was important to keep abreast of all decisions with regard to maintaining performance above the 'special measure' thresholds.

**RESOLVED:** That the report be noted.

### **53 Tourist Accommodation Retention Supplementary Planning Document (SPD).**

The committee considered the report of the Director of Regeneration and Planning, providing Members with background and context to the issue of Tourist Accommodation retention and to identify potential areas of change.

The report sought to gather the committee's views on the appended Cabinet report and Tourist Accommodation Retention Supplementary Planning Document (SPD).

Feedback had now been received from Members and the Eastbourne Hospitality Association. The draft SPD was submitted for comment before being presented to Cabinet for authority to publish for consultation. Consultation was anticipated to take place between 23 September and 4 November 2016. Following consultation the comments would be reviewed to allow a final version to be presented to Planning committee and Cabinet, before adoption at the Full Council meeting on 22 February 2017.

Following a briefing session for Members on the Tourist Accommodation Retention Policy the committee felt better prepared to understand the reasons for the proposed amendments, whilst some Members expressed concern at the loss of certain types of accommodation and felt that it was essential to keep bed spaces.

The committee agreed to the proposed consultation timetable.

**RESOLVED:** That Cabinet be advised that Planning Committee endorse the consultation timetable.

### **54 Update on Housing Delivery.**

The committee considered the report of the Director of Regeneration and Planning providing Members with an update on housing delivery and the current position in relation to the Five Year Housing Land Supply.

Members noted that the Core Strategy planned for the delivery of 5,022 net additional dwellings between 2006 and 2027. As of the end of the 2015/2016 financial year (31 March 2016), a total of 2,373 units had been delivered since the start of the plan period. This left 2,649 units to deliver until the end of the plan period at an annual average of 240.8 units per year.

In the first quarter of 2016/17, a total of **40** new dwellings were completed. Of these 40 completed units, 30 units were at the Meadows View development on Kings Drive. There were four other development sites that had completed units in the first quarter of the year.

The 40 completed units in the first quarter was just below the average number of units completed per quarter over the last five years, which was 49.8 units per quarter. However, delivery in the Q1 2016/17 had been across significantly fewer sites than usual. A list of sites with completed units was provided at Appendix 1 to the report.

Members noted that housing delivery over the last five years had been relatively low against the housing targets. Over this period, the annual target was met only once, with an average annual delivery of 199.2 units.

A total of **107** units were granted permission during the first quarter of 2016/17. The number of units committed in the first quarter was higher than average, although this was mainly due to the prior approval for St Anne's House for the conversion from offices to 35 residential units under Permitted Development rights. The completion of the Section 106 agreement for the Heatherleigh Hotel allowed the permission to be confirmed within the first quarter, committing an additional 16 units. The 107 newly committed units were spread across 24 sites and a list of newly committed sites was provided at Appendix 2 of the report.

As at the end of the first quarter of 2016/17, there were **648** net additional dwellings with permission that had yet to commence across **79** sites. A list of sites with permission for housing development but had yet to start, was provided at Appendix 3 to the report and included:

- 142 units at Sovereign Harbour
- 102 units at Bedfordwell Road Depot
- 61 units at the former Caffyns site on Upperton Road
- 36 units at 2-4 Moy Avenue
- 35 units at St Anne's House, St Anne's Road

As at the end of the first quarter of 2016/17, there were **201** units under construction across **38** development sites. A list of sites that were currently under construction was provided at Appendix 4 to the report and included:

- 57 remaining units at Kings Drive
- 16 units at 27 St Leonards Road
- 11 units at Twin English Centre, 25 St Anne's Road
- 9 units at Koala on King Edwards Parade

The committee was advised that the annual requirement over the remaining plan period was 243 units per year, and therefore the five year requirement was 1,213 units. The additional 5% buffer equated to an additional 61 units, making the Five Year Housing Land Supply requirement for Eastbourne **1,274** units. Eastbourne Borough Council was required to identify sufficient land to meet this requirement.

The current assessment of the Five Year Housing Land Supply identified that as of 30 June 2016, Eastbourne had a supply of housing land equivalent to 912 units. This meant that Eastbourne currently had a **3.76 year** supply of housing land (or 75% of the Five Year Housing Land Supply requirement).



Therefore the Council were 362 units short of having a Five Year Housing Land Supply (including 5% buffer). Currently the Council did not have a five year housing land supply and therefore were at risk of future planning refusals for residential development being overturned at appeal.

**RESOLVED:** That the report be noted.

**55 Tree Preservation Order (TPO) 177, 55 Blackwater Road.**

The Committee considered the report of the Director of Service Delivery which sought confirmation of a Tree Preservation Order (TPO). On 31 March 2016, the Senior Specialist Adviser for Planning exercised his delegated authority and authorised the making of a TPO in respect of a tree at Land at Boyne House, 55 Blackwater Road, Eastbourne, East Sussex (No. 177 (2016)). The tree was a *Fagus sylvatica* 'Purpurea' (Purple Beech). The Order was made on 29th April 2016.

The Order would continue in force until the expiration of a period of six months from the making of the Order or the date on which the Order was confirmed, whichever occurred first.

Objections from a resident of Boyne House and the Council's response to the issues raised were summarised within the report. It was recommended that the Order be confirmed, without modification, on the grounds that the trees made a significant contribution to the visual amenity of the area.

**RESOLVED:** That the Eastbourne Borough Council Tree Preservation Order (Land at Boyne House, 55 Blackwater Road, Eastbourne, East Sussex) No.177 (2016) be confirmed without modification.

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

There were none.

**57 Appeal Decisions.**

There were none.

The meeting closed at 8.10 pm

**Councillor Murray (Chairman)**