

Tuesday, 17 January 2017  
at 6.00 pm



## Planning Committee

Present:-

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

### **89 Minutes of the meeting held on 13 December 2016.**

The minutes of the meeting held on 13 December 2016 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

### **90 Apologies for absence.**

There were none.

### **91 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.

### **92 Site 3, Atlantic Drive, Sovereign Harbour. Application ID: 161092.**

Fishing quay comprising buildings with fisherman's working areas, storage and chiller space, and office accommodation on upper floors, with separate visitor centre and associated development. (Previous Application 130442)

**RESOLVED: (Unanimous)** That permission be granted subject to a S106 agreement covering local labour issues and the following conditions: 1) The development hereby permitted shall begin before the expiration of three years from the date of permission. 2) The development hereby permitted shall be carried out in accordance with the approved drawings submitted on 22<sup>nd</sup> September 2016

B037.06A – General Site and Block Plans

B037.07 – Pedestrian, Public Transport and Cycle Routes

B037.08 – General Site Arrangement and Site Uses

B037.09 – Building One and Visitors Centre Plans

B037.10 – General Elevations Building One and Visitors Centre

B037.11 – Building Two Plans

B037.12 – General Elevations Building Two

B037.14A – Full Elevations North and South Street Scene

B037.16 – Waterfront Access Detail

3) No development shall take place until samples of the materials to be used in the external surfaces of the development hereby permitted have

been submitted to and approved in writing by the Local Planning Authority  
 4) The development shall be carried out in accordance with the approved details++ 5) No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- The proposed methods of demolition, piling, recycling activities and dust suppression and all other construction methods associated with the development;
- Noise and vibration monitoring arrangements - to be self-monitoring by the applicants - for the key demolition and construction phases; and
- Measures, methods of working and the means of screening the site that will be employed to minimise disturbance to neighbouring properties during all demolition and construction work++

6) No development shall take place until a construction environmental management plan has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details ++ 7) Prior to demolition works commencing on site a Construction Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. (Given the restrictions of the access and the approach road the hours of delivery/collection should avoid peak traffic flow times)++ 8) No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details++ 9) No development shall commence until details of a Phase II soil investigation (as recommended in the submitted Preliminary Soil Investigation Report) 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 unsuspected contamination shall be dealt with shall be submitted to and approved by the Local Planning Authority prior to the commencement of excavation work++ 10) No development shall commence until full details of the proposed SUDS system shown in the supporting Drainage Strategy is submitted and approved in writing by the Local Planning Authority in consultation with Southern Water and the Lead Local Flood Authority. The works shall be fully implemented in accordance with the approved details++ 11) No development shall commence until full details of a lighting strategy is submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with the approved details. The submitted scheme shall include details of times of illumination of all lights, road lighting, floodlighting, security lighting, signage and any variations in brightness. Thereafter the lighting shall continue to be operated only in accordance with the approved details, and no additional lighting shall be installed unless first approved in writing by the Local Planning Authority++ 12) No development shall commence until full details of the refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the

commencement of the use++ 13) a) No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

- Proposed finished levels or contours;
- Means of enclosure;
- Car parking layouts;
- Other vehicle and pedestrian access and circulation areas;
- Hard surfacing materials;
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);
- Proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines, etc. indicating lines, manholes, supports etc.);
- Retained historic landscape features and proposals for restoration, where relevant;
- Planting plans;
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- Implementation timetables.

b) All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation++ 14) Prior to occupation of the development, full details of the proposed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details++ 15) That any car parking and loading and unloading area and access thereto shown on the approved plan shall be properly constructed with a surface material to be agreed by the Local Planning Authority and marked out and shall be available for use prior to the use/development hereby approved being first occupied 16) The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times. 17) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained approval for, an addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with 18) That, while the development hereby permitted is being carried out, a suitable hard standing shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud on the highway caused by

such vehicles shall be removed without delay and in no circumstances left beyond the end of the working day 19) Notwithstanding the approved Noise Impact Assessment, external noise levels from items of new mechanical services and external plant equipment shall not exceed LAeq,T = 35dB at any time at a distance of 1 metre from the nearest residential dwelling 20) That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority 21) There shall be no burning of any waste on site at any time 22) No development shall take place until details of the arrangements for the servicing of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details++ 23) The development hereby permission shall be carried out in strict accordance with the Flood Risk Assessment dated June 2013 22) Prior to the commencement of the approved development the details of all plant and machinery (e.g. air conditioning, refrigeration units, extraction system) including predicted noise level 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++ 24) Prior to the commencement of the development hereby permitted details of the construction access to the site and locations and size of any temporary structures shall be submitted to and approved in writing by the Local Planning Authority, thereafter the works shall be undertaken in accordance with the approved details++ 25) Prior to the operational use of the development hereby permitted details of directional signage shall be submitted to and approved in writing by the Local Planning Authority prior to the display of any such advertisement, and shall be carried out as approved++ 26) Prior to the commencement of the development hereby permitted details of the proposed foundations to all buildings/structures shall be submitted to and approved in writing by the Local Planning Authority, thereafter the works shall be undertaken in accordance with the approved details++ 27) Prior to the commencement of the approved development details of temporary structures or hoardings shall be submitted to and approved in writing by the Local Planning Authority. The works/development shall be carried out in accordance with the approved details++ 28) Prior to the commencement of the approved development details of finished floor levels and details of any changes to the site levels 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++ 29) That, before the development hereby approved is commenced; details of measures for bird deterrent shall be submitted to and approved by the Local Planning Authority. The approved measures shall be implemented before the building is first brought into use and retained as such thereafter++ 30) The visitors Centre hereby approved shall not be open to customers/visitors outside the following times: 07.00am and 10.00pm Monday to Sunday including Bank Holidays

**Informative:**

1. The vegetation between the footway and the secure compound to the east of the vehicle access should be a type that will not grow or be kept at a height under 600mm to ensure adequate visibility.

2. A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
3. Your attention is specifically drawn to the conditions above marked ++. These conditions require the submission of details, information, drawings, etc. to the Local Planning Authority prior to the commencement of any development on the site or, require works to be carried out prior to the commencement of the development or use. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may take appropriate enforcement action to secure compliance. You are advised that sufficient time for the Authority to consider the details needs to be given when submitting an application to discharge conditions. A period of between five and twelve weeks should be allowed. A fee of £97 is payable for each submission to discharge conditions.

### **93 Local Development Scheme 2017- 2020.**

The committee considered the report of the Director of Regeneration and Planning seeking the Planning Committee's views on the Local Development Scheme 2017-2020 due to be considered by Cabinet on 8 February 2017.

Members were advised that the Local Development Scheme (LDS) was the Council's timetable for the production of planning policy documents. It covered a three year period from 2017 to 2020 and outlined the policy documents to be produced with the key dates and milestones.

Local Planning Authorities were required to produce a LDS under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify (among other matters) the documents which, when prepared, would comprise the Local Plan for the area. The LDS must be made publicly available and kept up-to-date. The current LDS was approved in February 2016 and progress against the LDS was monitored on an annual basis through the Authority Monitoring Report (AMR). The AMR had recognised that some documents identified in the LDS were no longer being produced and that there had been some minor slippage in the preparation of the Local Plan. The Government had recently introduced monitoring the progress of local plan preparation. This monitoring would take place against the LDS and it was therefore necessary to amend the current LDS by April 2017.

Eastbourne's current Local Plan, the Core Strategy, was adopted in 2013. The National Planning Policy Framework (NPPF) was clear that housing policies should not be considered up-to-date if the local planning authority could not demonstrate a five-year supply of deliverable housing sites. As at 31 October 2016, Eastbourne was only able to demonstrate a 3.47 year supply of housing land. The lack of a five-year housing land supply in Eastbourne meant that the Council's Local Plan policies could not be considered as up-to-date, as outlined in the NPPF.

The implications of not having an up to date Local Plan was that the Council may lose control over what development takes place in the Borough. The Five Year Housing Land Supply was a material planning consideration in the determination of planning applications, and if the Council was unable to demonstrate a five year supply of housing land there was a significant risk that refusals of planning permission for residential development could be overturned on appeal.

The report further detailed the progress against the 2016 LDS including the current progress on the new plan. The new LDS covering the period from 2017 to 2020 was provided at appendix 1 to the report.

The timetable for the preparation of the new Local Plan in the updated LDS was as follows:

- Evidence gathering and on-going engagement: July 2016 – July 2017
- Issues and Options Consultation: October – November 2017
- Publication: September 2018
- Submission: January 2019
- Examination: May 2019
- Adoption: November 2019

**RESOLVED:** That Cabinet be advised that the Local Development Scheme 2017 to 2020 is supported and endorsed by the Planning Committee.

#### **94 Tourist Accommodation Retention Supplementary Planning Document.**

The committee considered the report of the Director of Regeneration and Planning seeking Members views on the Tourist Accommodation Retention Supplementary Planning Document (SPD) due to be considered by Cabinet on 8 February 2017.

The draft Tourist Accommodation Retention SPD had been presented to Planning committee previously on 21 June and 30 August 2016 and had been published for consultation between 23 September and 4 November 2016. A total of 17 representations were submitted from 10 respondents. It was not considered that any of the representations raised any major issues, although some minor amendments were proposed to the SPD.

The committee was advised that there was a need for a change of planning policy approach to tourist accommodation as a result of changes in the tourism market and visitor behaviour since the policy was adopted.

The committee was advised that a Tourist Accommodation Consultative Group, had been established, consisting of representatives from the Eastbourne Hospitality Association, Council officers and a local property agent, which would help provide a trade perspective on future proposals and ensure the quality and standard of applications for the loss of tourist accommodation so that they could be determined more swiftly.

The SPD would need to be adopted by Full Council before it could be used in the determination of planning applications. The Assessment of Financial Viability of Tourist Accommodation SPG, which the new SPD would replace, would also need to be revoked.

It was reported to committee that appendix 1 of the report 'Representation TAR\_SPD/02' recommended that the threshold for 'lifestyle' businesses be eight letting bedrooms. This had been contested by the Eastbourne Hospitality Association (EHA) suggested that the threshold should be set at 15 letting rooms. Officers were happy to accept the views of the EHA and amend the final document to include the threshold for 'lifestyle' businesses as being 15 letting rooms.

Members agreed that good quality accommodation was an essential part of the tourism offer in Eastbourne. Some Members raised concerns regarding the loss of bed spaces particularly in light of the enhanced conference facilities currently being developed at the Devonshire Park site.

**RESOLVED:** That Cabinet be advised the Tourist Accommodation Retention SPD is supported and endorsed by the planning committee.

## **95 Summary of Performance for the Planning Service for 2016.**

The committee considered the report of the Director of Regeneration and Planning seeking Members views on the Tourist Accommodation Retention Supplementary Planning Document (SPD) due to be considered by Cabinet on 8 February 2017.

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The committee was advised of proposals to change the planning policy approach to tourist accommodation as a result of changes in the tourism market and visitor behaviour since the policy was adopted.

The committee was advised that a Tourist Accommodation Consultative Group had been established, consisting of representatives from the Eastbourne Hospitality Association, Council officers and a local property agent, which would help provide a trade perspective on future proposals and ensure the quality and standard of applications for the loss of tourist accommodation so that they could be determined more swiftly. (This sentence is a bit long)

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Members agreed that good quality accommodation was an essential part of the tourism offer in Eastbourne. Some Members raised concerns regarding the loss of bed spaces, particularly in light of the enhanced conference facilities currently being developed at the Devonshire Park site.

**RESOLVED:** That Cabinet be advised the Tourist Accommodation Retention SPD is supported and endorsed by the planning committee.

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

There were none.

**97 Appeal Decisions.**

- 1) East Beach Hotel. The Inspector dismissed the appeal.

The meeting closed at 6.38 pm

**Councillor Murray (Chairman)**