

Tuesday, 28 February 2017  
at 6.00 pm



## Planning Committee

Present:-

**Members:** Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)  
Councillors Choudhury, Jenkins, Miah, Murdoch and Metcalfe (as substitute for Taylor)

### 98 Minutes of the meeting held on 17 January 2017.

The minutes of the meeting held on 17 January 2017 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

### 99 Apologies for absence.

Councillor Robinson and Councillor Taylor.

### 100 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 Murdoch declared a non-prejudicial interest in minute 104, Beach adjacent to bowling green in Royal Parade, Royal Parade as a member of the shadow Cabinet. The application had been submitted by Eastbourne Borough Council. Councillor Murdoch remained in the room and voted thereon.

Councillor Jenkins declared a non- prejudicial interest in minute 104, Beach adjacent to bowling green in Royal Parade, Royal Parade as a member of the shadow Cabinet. The application had been submitted by Eastbourne Borough Council. Councillor Jenkins remained in the room and voted thereon.

### 101 1 Somerville Close. Application ID: 161494.

Single storey extension to provide new bedroom and en-suite –  
**SOVEREIGN.**

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be begun 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> December 2016:

- Drawing Number 94222/004/A- proposed elevations
- Drawing Number 94222/003/A – Proposed floor plans
- Drawing Number 94222/005/A- Proposed roof plans

- Drawing Number 94222/LP/A- Proposed Site Location Plan 3)  
 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.

**102 3-5 Carlisle Road: Application ID: 161339.**

Proposed extension to rear of property to create enlarged kitchen and restaurant and repositioning of female WC – **MEADS**.

Members were advised that one additional condition was recommended, stipulating that no further windows could be built to the rear of the property without the approval of the local authority, to avoid windows being inserted to the rear of the extended premises under permitted development rules.

The Specialist Advisor (Environmental Health) had confirmed that whilst noise complaints have previously been received in relation to the plant installed to the rear of Little Italy, those complaints had not been substantiated. If there were further complaints the problem could be dealt with using the Environmental protection Act 1990- Nuisance.

Two further consultation responses had been received and were reported as follows:

- Parking availability was limited in area surrounding the application site. People who use facility would want to access site by car. Parking demand for facility would extend beyond 40 additional covers to include staff.
- Many residential blocks did not have parking and rely on existing street network.
- Dispute that there was a surrounding network of public car parks in close proximity to the site.
- Site was not well located for public transport given that number three bus ceases to operate after 6pm.
- Unless windows were fixed shut noise from them would travel to surrounding residential properties.
- It was not true that there were public car parks nearby that serve the area sufficiently.
- Car park adjacent to Devonshire Park tennis courts was normally full during the summer.
- Request that Zone N be made exclusive for local residents.

Mr Koonjal addressed the committee in objection stating that there were issues with noise from the current restaurant and that the extension would increase with the proposed extension.

Mrs Granger addressed the committee in objection stating that the extension and additional covers would exacerbate the existing parking problems.

Mr Kadhemi requested that the Specialist Advisor for Planning read the following statement:

"It had been brought to our attention that some local people had concerns about the proposal and wish to speak against it. If approval was granted it would increase the size of the Restaurant and allow room for an extra three to four tables.

Please note the existing rear room adjacent to the ladies toilet was currently part of the restaurant. Therefore, the actual additional number of covers proposed amounts to a **maximum of 10 to 16** and **not** 40 as previously suggested. Our attached 'proposed ground floor' drawing had been revised to clarify the position.

Various comments had been made regarding the lack of parking spaces in the area, and the additional parking problems that could arise by encouraging extra people to the Restaurant at any one time. Many visitors to the Restaurant live locally and would walk or hire a taxi. The car owning visitors who were in the town on holiday will have already obtained a parking space close to where they were staying, and, again, would often walk. Others visit Eastbourne specifically for a theatre trip which they combine with a meal. Many would park in a nearby car park so that they were close to the theatres.

Therefore, the number of extra cars as a direct result of the proposed additional restaurant seating would be negligible.

Another concern was the potential increase in noise. However, the clientele were mainly elderly people who visit the restaurant for a nice meal and a chat. They were not 'loud'. Any music was purely in the background and would continue to be so. It was a quiet 'family' restaurant where older people like to sit and talk. It was not a bar or nightclub and closes at around 10pm. No additional extraction fan was proposed.

The main reason for the alterations was to provide a disabled toilet as a service for the elderly and disabled people who visit the premises.

Finally we would like to mention that the Carlisle Road/Devonshire Park area was regarded as the 'jewel' in Eastbourne's tourism 'crown'. Approving this application, and thereby encouraging an already long established business to thrive and expand, would help maintain the Town's tourist industry for many years to come."

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Development within three years 2) Development in accordance with approved plans 3) Obscure glazing and limited window openings to be implemented as per the approved plans 4) No further windows to be built to the rear of the premises without planning permission.

Informative:

The decision does not authorise installation of new plant at premises.

**103 18-22 Lottbridge Drove. Application ID: 161366.**

Remove any existing signage and install the new Mazda signage scheme including illuminated signs (revised drawings received) – **ST ANTHONYS.**

Ms Bowen addressed the committee in objection stating that the proposed lighting would be intrusive to the neighbouring properties.

Members requested that the hours of illumination be reduced to 8am to 7pm.

**RESOLVED: (By 6 votes with 1 abstention)** That permission be granted subject to the following conditions: 1-5) Standard advert conditions 6) Approved drawings 7) Illumination not permitted between 7:00pm - 8:00am on any day

**Informative:**

Changes to the building associated with this permission as alluded to in the enclosures submitted with this application may require planning permission. Further to this, the details hereby approved refer only to the display of advertisements and not any other changes or development.

**104 Beach Adjacent To Bowling Green in Royal Parade, Royal Parade, Application ID: 161155.**

Construction of 3 no. beach volley ball courts – **DEVONSHIRE.**

Members were advised that under the section of the report entitled 'Heritage and Conservation Issues' it was stated that Historic England agreed with the assessment that the proposal would result in less than substantial harm to the historic monument. The Historic England response did not explicitly endorse this assessment of the proposal; it stated that the applicant had failed to provide a clear and convincing justification for the proposal to meet the requirement to avoid harm. It was considered that the grant of temporary planning permission would enable the public benefits of the proposal to be fully assessed through a trial period. Historic England had subsequently been notified of the amended report and the officer's recommendation. This communication was acknowledged by the Inspector of Ancient monuments on 22<sup>nd</sup> February and no further correspondence had been received from Historic England in respect of this application.

Ms Brachtvogel addressed the committee in objection stating that the proposed volleyball courts would result in an increase in noise and parking issues. In addition she felt that the fence would not be high enough and that the courts were too close to the Redoubt.

Mr Simpson addressed the committee in objection stating that the location was a tranquil area which would be spoiled by users and spectators of the volleyball courts. He also felt that the views to the Redoubt would be spoiled. Mr Simpson also raised concerns on the grounds of noise, security and public safety.

Mr Holland addressed the committee stating that the location was not appropriate and suggested moving the courts to the Sovereign Centre. He felt that the volleyball courts would spoil the area.

Ms Brown addressed the committee in objection stating that the area was tranquil and quiet which would be spoiled with the introduction of the volleyball courts. She also expressed concerns about the toilet facilities and drainage in the immediate area.

Ms Wills, Head of Tourism and Enterprise, addressed the committee in response stating that the location was the most appropriate with regard to tidal impact and beach management. The Redoubt was being transformed into an interactive museum attracting younger visitors to the area. There would be no more than about eight to ten players at any time managed by the contractor. It was anticipated that two tournaments may be held per year on one of the courts with spectators accommodated on the remaining courts. Spinnakers café would be refurbished including the toilet facilities and would manage the bookings for the courts.

**RESOLVED: (By 4 votes to 2 with 1 abstention)** That permission be granted subject to the following conditions: 1) Commencement within three years 2) Temporary planning permission (5 years from date of planning permission), after which the beach must be restored to its present condition 3) Development in accordance with approved plans 4) archaeology 5) Notwithstanding approved plans the area surrounding groynes to be protected to 2m in distance 6) to provide an operational management plan to be submitted and approved by the Council prior to commencement demonstrating how any spectators to the site will be managed to avoid the obstruction of the surrounding seafront promenade 7) The cover for the sand during periods where the proposal is not in use must match the natural colour of the sand 8) no illumination (permanent or temporary) shall be installed at the site unless previously agreed in writing by the local planning authority.

**Informative:**

- 1) You are reminded to consult with the Specialist Advisor (Engineering) to ensure that, following completion of the project sufficient distance is left for heavy machinery to pass along the front of the seafront.
- 2) No floodlighting or illumination has been approved by this permission and condition 8 restricts the installation of any temporary illumination at the site. Should you wish to install external lighting around the courts planning permission must be sought.
- 3) Temporary permission has been granted in light of the need to demonstrate that the public benefits of the proposal outweigh the less than substantial harm to the setting of the nearby scheduled monument and to ensure that the impact of the proposal on the scheduled monument is kept under review.

Proposed High-bay extension to the rear along with a two storey rear extension with a roof terrace on the first floor and a loading bay canopy – **HAMPDEN PARK.**

Members were advised that further archaeological investigative works had been carried out due to the potential sensitivity of the site. These works had been confirmed to the satisfaction of the ESCC Archaeology department that the works would be unlikely to affect any significant remains. However, the department still required the imposition of conditions as per their original recommendation to ensure that closing works and reports were provided in-line with those conditions.

**RESOLVED (A): (Unanimous)** That permission be granted subject to a legal agreement covering highway and local employment related issues and the following conditions: 1) Time 2) Drawings 3) Matching materials 4) Hours of demolition and construction 5) Construction/demolition method statement to be submitted 6) Traffic Management Scheme to be submitted 7) Construction access details and details of any temporary structures to be submitted 8) Flood risk assessment to be implemented prior to occupation 9) Surface water drainage strategy (detailed design to include hydraulic calculations and implementation timetable) 10) Ground water monitoring 11) Maintenance and management plan (drainage scheme) 12) Evidence - drainage scheme functional 13) Applicant to secure implementation of Archaeological works in line with an approved WSI (prior to commencement) 14) Development not to be used until WSI implemented 15) Details of foundations and piling (prior to commencement) 16) Soil levels within root spread shall not be changed (trees) 17) Revised landscaping plan, works to be carried out in accordance with approved plan and trees to be replaced if death occurs within 5 year 18) Existing trees to be retained unless shown on plan as removed 19) Travel plan to be updated 20) Cycle parking prior to occupation 21) Details of waste and refuse provision to be submitted 22) Amenity grassland to be a rich herb mix 23) Details of exterior lighting to be submitted

**RESOLVED (B): (Unanimous)** Should the S106 agreement not be signed within a reasonable time period (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 that the local labour initiatives and highway implications falling from the proposal can be delivered. This lack of key elements of infrastructure would be contrary to established development plan policies/procedures.

**Informative:**

- 1) The development hereby approved is subject to a Section 106 Agreement between the applicant and Eastbourne Borough Council for local labour contributions
- 2) The development hereby approved is subject to a Section 106 Agreement between the applicant and the Local Highway Authority due to requirements for a financial contribution towards the costs of implementing Real Time Passenger Information

- 3) The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)
- 4) The site is capable of supporting breeding birds. The applicant should therefore refer to legislation pertaining to the protection of breeding birds before commencing any works.
- 5) Any works affecting the existing ditch system will require an application for land drainage consent, if not already sought, under Section 23 of the Land Drainage Act 1991 to ESCC in their capacity as LLFA.
- 6) Future maintenance of the watercourses should be fully addressed by the applicant.

**106 Mill Gap House, 2 Mill Gap Road. Application ID: 161448.**

Demolition of part of former Hospice building. Conversion and change of use of remaining former Hospice into 3 dwelling houses. In addition, construction of 6 further dwelling houses on the site. Minor alterations to include reconfiguration and insertion of new windows at Coach House (Cottage) – **UPPERTON**.

An additional response had been received from the Specialist Advisor for Waste and reported as follows:

- The applicant had widened and reconfigured access since pre-application advice, as requested
- As long as double yellow lines were painted on the road opposite the access, refuse lorries should have no trouble entering the site in reverse gear
- The road into the site needed to be able to accommodate a 26t RCV
- Each property would need space to store 2x240ltr wheeled bins plus 1 x 55ltr glass box

**RESOLVED (A): (Unanimous)** That permission be granted subject to a legal agreement covering highway and local employment related issues and subject to the following conditions: 1) Time 2) Drawings 3) Samples 4) Construction method statement 5) Hours of demolition and construction 6) Remove PD – Extensions and Outbuildings 7) Archaeology – Written Scheme of Investigation 8) Details of new access 9) Visibility splays to be cleared of all obstructions 10) Gradients of access 11) Details of surface water drainage 12) Construction Management Plan 13) Turning space 14) Parking areas 15) Cycle parking areas 16) Evidence of drainage (hydraulic calculations) to be submitted 17) Detailed drainage design to be submitted 18) Drainage layout and Southern Water agreement required 19) Detailed design to be informed by winter monitoring 20) Maintenance and management plan to be submitted 21) Prior to occupation evidence of correct construction to be submitted 21) No surface water infiltration 22) No piling or penetrative foundation design 23) Trees - Plan of services 24) Landscaping/planting scheme 25) Trees – excavations 26) Trees – Protection of existing trees 27) Trees - No bonfires 28) Refuse and recycling collection and storage 29) Details of external lighting 30) Protection of retaining wall to south east boundary 31) Details of boundary treatments 32) Protection of greensand walls 33) No contaminated materials on site

**Informative:**

- 1) S106 for Highways
- 2) S106 for Local Labour Agreement
- 3) Southern Water
- 4) Highways – Licence
- 5) Highways – Construction of wall and AIP
- 6) Highways – Advisory note
- 7) Wildlife survey prior to development

**RESOLVED (B): (Unanimous)** Should the S106 agreement not be signed within a reasonable time period (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 that the local labour initiatives and highway implications falling from the proposal can be delivered. This lack of key elements of infrastructure would be contrary to established development plan policies/procedures.

**107 Unit 2, Pacific House. Application ID: 161322.**

Change of use to mixed use Sui Generis and B1 - Ambulance Community Response Post (to include welfare facilities and ambulance parking etc) – **SOVEREIGN HARBOUR.**

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time 2) Drawings 3) The use shall be operated in accordance with the applicants supporting statement submitted on the 25<sup>th</sup> January 2017 4) The application hereby approved shall be restricted to that applied for namely (Ambulance Community Response Post to include welfare facilities and ambulance parking) as operated by SECamb. No other use/activity shall occur at the site unless previously approved in writing by the Local Planning Authority 5) On the cessation of the use as approved by this consent and limited by Condition No 4 above the use/parking shall revert to its former use a Class B1 Office Floorspace.

**108 Update on Housing Delivery.**

The committee considered the report of the Director of Regeneration and Planning providing Members with an update on recent housing delivery for the third quarter of the 2016/2017 financial year and the current position in relation to the Five Year Housing Land Supply.

Members noted that the report identified the number of units granted permission in the previous quarter and the financial year as a whole, the number of units with permission that had yet to start construction and the total number of units completed as follows:

Housing Completions:

- Total units delivered in Plan Period (up to 31 December 2016) = 2,501
- Target for units delivered at 31 December 2016 = 2,580



- Updated annual average target = 245.9
- Net residential completions in Third Quarter 2016/17 = 50
- Net residential completions in 2016/17 year to date (Q1 to Q3) = 128

**New Commitments:**

- Net residential units granted permission in Q3 2016/17 = 100
- Net residential units refused permission in Q3 2016/17 = 127

**Total Commitments:**

- Total number of residential units with permission where development is yet to commence = 610
- Total number of residential units currently under construction = 271

**Five Year Housing Land Supply:**

- Five Year Housing Requirement (inc. 5% buffer) = 1,291
- Current Five Year Housing Land Supply (units) = 881
- Current Five Year Housing Land Supply (%) = 68.2%
- Current Five Year Housing Land Supply (years) = 3.41 years

The report also updated Members on the latest position in relation to the Five Year Housing Land Supply. Eastbourne current had a housing land supply equivalent to 881 units, which represented 3.41 years supply of land. Therefore a five year housing land supply could not be demonstrated. The process for identifying additional sites was currently underway through the Strategic Housing & Employment Land Availability Assessment and due to complete in spring 2017. The more sites identified as developable through this process, the closer to the Five Year Housing Land Supply requirement would be. This would give Members better control over approvals and greater comfort that refuses would not be overturned on appeal.

However, the introduction of a 'housing delivery test' in the Housing White Paper also meant that under-delivery of housing in previous years would make it more difficult to achieve a Five Year Housing Land Supply in the future.

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

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

There were none.

**110 Appeal Decisions.**

There were none.

The meeting closed at 8.46 pm

**Councillor Murray (Chairman)**