

# Planning Committee

**MEMBERS:** Councillor UNGAR (Chairman) Councillor HARRIS (Deputy Chairman)  
Councillors JENKINS, HEARN LIDDIARD, MIAH, MURDOCH (as  
substitute for Taylor) and MURRAY.

(An apology for absence was reported from Councillor Taylor)

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## 1 Minutes.

The minutes of the meeting held on 16 April 2013 were submitted and approved and the Chairman was authorised to sign them as a correct record.

## 2 Declaration of Interests.

Councillor Liddiard declared a pecuniary interest in items 2 Land at Kings Drive and 4 NHSBSA Dental Services Temple Grove, Compton Place Road having previously stated his views and therefore pre-determined these applications and stated that he would take no part in the debate and not vote thereon.

## 3 Additional application.

The committee were asked to consider an additional late application in respect of the Drive PH, Victoria Drive, proposing a regarding of the car park area. The committee agreed that the application should be deferred to a future meeting to allow the committee to consider the item in good time and in detail.

**RESOLVED:** That consideration of application EB/2013/0118 FP be deferred to future meeting of the Planning committee.

## 4 Report of Head of Planning on Applications.

**1) EB/2012/0816 - 81-83 Seaside Eastbourne** - Change of use from A2 (Financial and Professional) to D1 (non residential institution) - **DEVONSHIRE.** 16 letters/emails of objection and 14 letters/emails of support had been received.

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

The observations of Planning Policy, East Sussex County Council's Highways department, Councillor Wallis and comments from a public meeting were detailed within the report.

Human Rights implications were detailed within the report.

Councillor Wallis addressed the committee in objection stating that the proposal would increase parking issues and may attract anti-social behaviour to the site impacting on residents in the vicinity. Councillor Wallis also queried the opening times stated within the report and highlighted the 18 objections received.

Colin Povey, Applicant, addressed the committee in response stating that the proposal would benefit the whole of Eastbourne, being in a central location which was easily accessible. Eastbourne was an area of high social deprivation and these services were essential for Eastbourne residents. Sessions would be arranged by invitation and appointment only, with the main aim to help resolve existing problems and provide counselling for issues bereavement, loss and trauma and many more. Mr Povey agreed that he would be willing to condition the opening times as the committee may request.

The committee considered the application and proposed the following opening times for the centre:

Monday, Wednesday, Thursday and Friday 8.00am to 6.00pm  
Tuesday 8.00am to 8.00pm  
Saturday 8.00am to 1.00pm  
Closed on Sundays and Bank Holidays

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time limit 2) In accordance with Plans & Supporting Statements 3) Opening Times: Monday, Wednesday, Thursday and Friday 8.00am to 6.00pm - Tuesday 8.00am to 8.00pm - Saturday 8.00am to 1.00pm - Closed on Sundays and Public and Bank Holidays

**2) EB/2012/0823 - Land at Kings Drive** - Variation of Condition 8 (approved layout) of permission EB/2010/0003 for outline application for residential development of the land comprising two options; original scheme (Option A) for 137 dwellings (including 30% affordable), plus associated access and parking, open space, play areas and allotments; alternative scheme (Option B) for 119 dwellings (including 30% affordable), plus associated access and parking, open space, play areas and allotments. Variation proposed: Various alterations to approved layout – **UPPERTON**. 37 letters/emails of objection had been received. Councillor Belsey also submitted a letter of objection which was summarised within the report.

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

The observations of Southern Water, Environment Agency, Natural England, County Archaeologist, Highways – East Sussex County Council, Sussex Police, East Sussex Fire & Rescue Service, Senior Planning Policy, Council's Strategic Housing Manager and Bespoke were detailed within the report.

Human Rights implications were detailed within the report.

NB: Councillor Liddiard withdrew from the room whilst this application was considered.

**RESOLVED: (Unanimous)** That permission be granted to vary Condition 8 attached to EB/2010/0003 and that the outline planning permission be re-issued with the Condition amended and new drawing number added, subject to the prior conclusion of a deed of variation to the previously agreed unilateral undertaking to include reference to the new drawing number and subject to the remaining conditions confirmed by the Inspector at appeal as detailed: 1) Details of the appearance and scale of buildings and landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. 2) Plans and particulars of the reserved matters referred to in the condition above, relating to the appearance and scale of any buildings to be erected and the landscaping of the site, shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out as approved 3) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of the permission reference EB/2010/0003 4) The development hereby permitted shall be begun either before the expiration of five years from the date of approval of EB/2010/0003, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later 5) 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. The development shall be carried out in accordance with the approved details 6) No earthmoving, site clearance or building operations shall take place except between the hours of 0800 and 1800 on Mondays to Fridays and 0800 and 1300 on Saturdays or at any time on Sundays or Bank/Public Holidays 7) No development shall take place before details of foul and surface water disposal 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 8) The development shall not be carried out unless in strict accordance with the approved plan: KDEB/001/Sk-B. 9) No 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:-

- proposed finished levels or contours;
- means of enclosure including areas of open space, orchards, allotments, and balancing pond;
- car parking layouts; 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, fire hydrants, 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;

- lighting and means of control of lighting.
- tree protection plan to include details of any root protection and foundation construction.

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 recommendations of British Standards. The works shall be carried out 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 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 written consent to any variation 10) No tree shall be removed unless in accordance with details to be submitted to and approved in writing by the Local Planning Authority. All trees on and immediately adjoining the site shall be protected in accordance with BS5837:1991 for the duration of the works on site. In the event that any tree dies, or is removed without the prior consent of the Local Planning Authority, it shall be replaced not later than the end of the first available planting season with trees of such size, species and in such number and positions as may be agreed with the Authority. 11) All existing trees, shrubs and other natural features not scheduled for removal shall be safeguarded during the course of the site works and building operations in accordance with BS 5837:1991. No work shall commence on site until all trees, shrubs or features to be protected are fenced. No unauthorised access or placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area 12) No works shall commence on site until details of the building foundations and layout, service trenches, ditches, drains and other excavation on site, insofar as they may affect trees and hedgerows on or adjoining the site, have been submitted to and approved by the Local Planning Authority. Soil levels within the root spread of trees/hedgerows to be retained shall not be raised or lowered. The works shall be completed in accordance with the approved scheme 13) Details of all works to or affecting trees on or adjoining the site shall be submitted to and approved by the Local Planning Authority, and shall be carried out in accordance with the relevant recommendations of BS 3998: 1989 (Recommendations for Tree Work). The works shall be completed in accordance with the approved scheme 14) A landscape management plan shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development. The management plan shall include a schedule of landscape maintenance for a minimum of a five year period, arrangements for implementation, long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. No dwelling shall be occupied before the management plan is operative and in effect. Maintenance shall be carried out in accordance with the approved plan 15) No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority of the provision to be made for storing domestic refuse and for access to the stores by the occupiers of the buildings and collection vehicles. The development shall be carried out in accordance with the approved details and the facilities made ready for use prior to the first occupation of each of the units to which they relate 16)

No development shall commence before details of the boundary treatment for the building plots hereby approved are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details 17) No development shall commence until details of the roads, footpaths, cycle routes, street lighting, pedestrian access ramp and associated retaining structures and drainage are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details 18) All car parking areas and access thereto shall be marked out in accordance with the approved plans and shall be made available for use before the dwellings to which they relate are occupied and shall be retained permanently for the accommodation of vehicles of the occupiers and users of and visitors to the premises and shall not be used for any other purpose 19) No site clearance, building works, earth works, importation or exportation of spoil shall take place until a Construction and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The traffic management plan shall include a vehicle haulage route, arrangements for loading and unloading, wheel wash facilities, the siting of the storage compound, routing of all services and parking arrangements for construction traffic and site staff. The development shall be carried out in strict accordance with the approved details. 20) The building envelope of the apartments in the northern part of the site shall be constructed so as to provide sound attenuation in habitable rooms against external noise, to attain a maximum daytime level not more than 35dB Laeq 16 hour; and to provide sound attenuation in bedrooms against external noise, night time level not more than 30dB Laeq 8 hour; 45dB Laeq, MAX in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details 21) Details of noise insulation on all residential properties shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Insulation shall thereafter be installed in accordance with the approved details prior to the first occupation of each dwelling 22) No development shall commence until details of a sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority and the work shall be carried out strictly in accordance with such details 23) No development shall commence until details of the new vehicular access off Kings Drive in the form of a priority junction and right turn lane have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented before the commencement of development. 24) The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated December 2007 and Addendum dated December 2009; and no development shall commence before a plan indicating overland flood flow routes for excessive events has been submitted to and agreed in writing with the Local Planning Authority. The following mitigation measures shall be carried out as detailed within the documents:

- Limiting the surface water run-off generated by the 1 in 100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site: including appropriate allowances for climate change.
- Details of the capacity and rate of discharge of the proposed balancing pond.

- Finished floor levels to be set no lower than either 2.9 m above Ordnance Datum (AOD) or 300mm above existing ground levels, whichever is the higher.

25) No development shall commence until details of the restoration of the Lottbridge Sewer adjacent to the site boundary (Classified Main River) have been submitted to and approved in writing by the Local Planning Authority. No development shall commence until details of the proposed removal of approximately 20 metres of culverted watercourse to be replaced with an open channel (located on the eastern boundary) have been submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the plans and timetable approved by the Local Planning Authority 26) No development shall commence until a scheme for provision and management of a buffer zone around rivers, watercourses and ditches on and directly adjacent to the site is submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The scheme shall include:

- plans showing the extent and layout of the buffer zones
- habitat recommended for retention to be fenced during construction works and then incorporated into the landscaping of the site following construction;
- details of maintenance access routes through the site to the buffer zones, with gates and crossing points provided where necessary;
- details of any planting schemes.
- details demonstrating how the buffer zone will be protected, managed and maintained thereafter.

27) No development shall commence until a bat survey has been carried out in the appropriate survey period, if trees with medium to high potential for bat roosts need to be felled or pruned. The survey shall be carried out by an accredited ecologist. The results, together with details of any works required for mitigation and a timetable for completion, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved timetable 28) Prior to the commencement of any works which may affect slow worms and common lizards or their habitat, a detailed mitigation strategy shall be submitted to, and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the approved strategy 29) No development shall take place until an Ecological Mitigation Strategy [EMS] has been submitted to and approved by the Local Planning Authority in writing. The EMS shall include:

- A strategy for the mitigation of the effects of the development and for the maintenance of the ecological value of the site;
- Tree planting and trees to be retained;
- Method statements for carrying out the mitigation works;
- A phasing plan to show what preliminary measures are required to be carried out in advance of the implementation of this planning permission;
- A monitoring and management plan to secure the long term implementation of the ecological measures contained in the EMS.

Development shall not commence until the measures required by the EMS have been completed in accordance with the approved scheme. Monitoring and maintenance shall continue to be implemented in accordance with the EMS so long as any of the dwellings hereby permitted continue to be occupied 30) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority. The details shall include sampling, full and detailed open area excavation, analysis, reporting, public engagement and outreach 31) Before the commencement of development details of bicycle parking 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 32) No development shall commence until a Stage 1 Safety Audit has been completed, submitted and approved in writing by the Local Planning Authority. The development shall be carried out in compliance with recommendations of the audit 33) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no buildings, structures, walls or fences of any kind shall be erected within the curtilages of the dwellings hereby permitted without the prior approval in writing of the Local Planning Authority 34) The three storey apartment blocks in the northern part of the site shall be no higher than 9m above finished ground floor levels, unless otherwise agreed in writing by the Local Planning Authority 35) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it. The scheme shall include:

- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 35% of housing units/bed spaces;
- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- arrangements for the management of the affordable housing;
- arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

**3) EB/2013/0026 - 92 Seaside** - Change of Use from A2 (Financial and Professional Services) to C3 (Single Private Dwelling) – **DEVONSHIRE.**

NB: Councillor Miah was not in attendance for this application.

**RESOLVED: (By 4 votes to 2 with 1 abstention)** That permission be granted subject to the following conditions: 1) Time Limit 2) Plan References.

**4) EB/2013/0038 - Former NHS Dental Practice Board, Compton Place Road** - Change of use of land from office (B1) to mixed use

comprising non-residential education (D1) staff residential units (C2) and office (B1) and demolition of existing single-storey prefabricated building and erection of sports hall, three-storey extension and enclosed entrance court with associated landscaping and play and sports space – **UPPERTON.**

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

A number of statements and assessments were referred to and detailed within the report.

The observations of Southern Water, Sport England, Wealden District Council, Environment Agency, Natural England, Sussex Police, County Archaeologist, East Sussex County Council's Highway Officer Senior Planning Policy Officer, Council's Arboricultural Officer and Economic Development Officer were detailed within the report

Public Consultation - prior to the submission of the planning application, residents living within the vicinity of the site were invited to a Public Exhibition that took place on 4 February 2013, where the plans were available for viewing. At the event, 27 feedback forms were completed and the overall consensus (96%) was one of support (10 'fully supported' the scheme, 16 'generally supported' the development and 1 did 'not support' the proposals).

Post-submission - Letters were sent to occupiers of surrounding residential properties and notices were posted outside the site. At the time of writing this report, the Council had received 33 letters of support for the proposals and 17 letters of objection.

Human Rights implications were detailed within the report.

Prior to the discussion regarding the application the committee were informed that a former member of the Board had submitted a request to withdraw this item from the agenda. The Litigation and Lawyer advised the committee that this matter was outside of the Planning committee's remit and related to person's named on the application, which had now been resolved with the Education Funding Authority. Therefore the discussions regarding this item could continue. The committee were assured that there would be no legal implications for Members when making a decision on this item.

Roger Storey addressed the committee in support stating that the change of use would be an asset to the town and that it would help reduce class sizes in other schools across Eastbourne.

Councillor Ansell, Ward Councillor, addressed the committee in support stating that there was a great need for additional primary school places, with a new school giving additional choices for residents. 'Through' schools were also becoming increasingly popular across the country.

Councillor Rodohan, County Ward Councillor, addressed the committee in support of the scheme. Councillor Rodohan did however raise concerns



about access and egress from the site during 'pick-up' and 'drop-off' times and the use of Borough Lane. Councillor Rodohan suggested that the area be designated a 20mph zone to ease residents concerns and that access to and from the site should direct traffic away from Borough Lane.

Lea Gilbert, Head in Designate, addressed the committee stating that local primary schools were over subscribed and that the school was much needed in the locality. The site suited requirements perfectly which would be sustainable with minimal redevelopment. A travel plan and parking provision had been considered and the traffic to the site in its former use as offices or potential housing would generate much more traffic which would not be controllable. 60% of the works would be internal reconfiguration and would enable the site to become a community facility.

The committee agreed that to add an informative stating that:

Prior to the school opening, the applicant shall enter into discussions with the Highway Authority to look at the opportunities for implementing a one-way traffic system in Borough Lane.

NB: Councillor Liddiard withdrew from the room whilst this application was considered.

**RESOLVED: (Unanimous)** That planning permission be granted subject to the prior conclusion of a S.106 Agreement to secure the proposed off-site highway improvements (zebra crossing), a Travel Plan and associated audit fee, local employment initiatives and associated monitoring fee and subject to the following conditions: 1) Commencement of development within three years 2) Drawing Nos. of approved plans 3) Samples of all materials 4) Lighting Strategy 5) Signage Strategy 6) Programme of archaeological works 7) Drainage Strategy (surface water, use of SuDs and foul) 8) Cycle parking 9) Refuse and recycling details 10) Servicing details 11) Demolition details including minimising dust and Method Statement 12) Wheel washing facilities on site 13) Construction Method Statement and Management Plan 14) Opening hours 15) Site contamination 16) Method statement for handling unspecified contamination 17) In accordance with FRA 18) Investigation into public sewer and ensure protection 19) Details of all plant and machinery (e.g. air conditioning, refrigeration units, extraction system) including predicted noise levels 20) Construction access details, and details of location size of any temporary structures 21) Details of directional signage 22) Construction Traffic Management Scheme to include travel routes and number of vehicle movements 23) Foundation design 24) Details of any temporary structures/hoardings 25) Finished floor levels and Details of any changes to site levels to be provided prior to commencement on site 26) Bird deterrent measures 27) Hours of building operations 28) Parking is provided in accordance with submitted details and retained thereafter 29) Cycle parking 30) Submission of Travel Plan prior to commencement of use 31) No burning of waste on site 32) Use shall not commence until reconstruction of access has taken place 33) Erection of tree protection at the edge of the root protection area of all trees to be retained as recommended in the survey (T3 – Trees Protection: Fencing 2.4m hoarding around all retained trees on site to edge of RPA) 34) Approval of utility service runs prior to commencement of development on site including a written method statement 35) Approval of a site access statement and

material storage area prior to commencement on site 36) Fencing and enclosure details 37) Further investigation as recommended in the Ecological Appraisal 38) Landscaping details (T10) 39) Phase II investigation to be undertaken as recommended in the Soil Report 40) No building to be occupied until certificate has been issued certifying BREEAM rating of 'Very Good' 41) Submission and approval of Community Use Agreement 42) Recommendations in Noise Report to be adhered to 43) Love Lave not to be used as an access to the site, other than for emergency access purposes 44) The business units to be used only for B1(a) purposes 45) The residential accommodation to be C2 use only.

**RESOLVED (B):** That In the event that the S.106 is not concluded to the satisfaction of the Local Planning Authority by 30 November 2013 that delegated authority be given to the Head of Planning to refuse planning permission for the following reason, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.

**5) EB/2013/0062 - Land at the corner of Firle Road and Beltring Terrace** - Demolition of house and garage at No. 60 Firle Road and garage adjacent to 12 Beltring Terrace. Erection of 7 No. one bedroom flats with one parking space – **DEVONSHIRE**. 16 objections were received, and 25 representations were collected on a petition against the scheme

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

The observations of Cleaning Contracts Team, Environment Agency, Highways and Planning Policy were detailed within the report.

Human Rights implications were detailed within the report.

Jannine Howe addressed the committee in objection stating that there would be insufficient parking for the site, exacerbated by new double yellow lines in Firle Road, previous planning applications had been refused and that Beltring Terrace was an 'unmade road'.

Mike Nolan addressed the committee in objection stating that the design of the building was inappropriate and that he would not have any room to carry out repairs to his property due to the close proximity of the proposed building. Mr Nolan also raised concerns with subsidence following any building works on the site.

Mr Dowding, applicant addressed the committee in response stating that parking problems had been addressed, the design had been considered carefully to compliment the surrounding properties. Mr Dowding stated that the road would be 'made' to the front of the development which would improve the area and finally that there was a great need for 1 bedroom flats within the area.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that 1) by reason of the overbearing impact with no. 64 Firle Road and no. 12 Beltring Terrace and the loss of privacy to no. 64 Firle Road the development is considered to be an overdevelopment of the site. 2) The

design of the scheme is inconsistent with the character and appearance of the surrounding residential area, and the proposal lacks a suitable amount of private amenity space for the number of households on-site. As outlined within the National Planning Policy Framework (2012), in order for development to be supported it must first comply with local plans. The proposal conflicts with policies UHT1, UHT2, UHT4, HO7, HO20 and TR11 of the Eastbourne Borough Plan (Saved policies, 2007).

**Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.**

**6) EB/2013/0082 - Formerly 'The Pabb', 24 Mountfield Road -**

Redevelopment of site comprising demolition of public house and erection of 14 affordable units with associated parking, comprising 7 no.1 bed flats, 2 no.3 bed houses, 4 no.2 bed houses and 1 no.2 bed wheelchair-accessible flat – **HAMPDEN PARK**. 6 letters of objection were received, along with 1 letter of support.

The observations of Cleansing Contracts Team, Economic Development, Highways, Planning Policy, the Environment Agency and the Archaeological Team were detailed within the report.

Human Rights implications were detailed within the report.

The committee discussed this application in particular the access during busy times (which are many throughout the day due to the level crossing and volumes of traffic) and rubbish storage facilities. The Committee asked that 'wash down' facilities for such schemes be added as a standard condition.

The committee agreed that to add an informative stating that:

Prior to the completion of the development, the applicant shall enter into discussions with the Highway Authority to look at the opportunities for implementing a suitable traffic management scheme to assist with access to the development site.

NB: Councillor Miah was not in attendance for this application.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time limit 2) Facing materials to be submitted 3) Hard and soft landscaping in accordance with approved scheme 4) Reconstruction of access prior to occupation 5) Creation of turning circle 6) Stopping up of existing access onto Mountfield Roundabout 7) Installation of high level kerbing at bus stop 8) Submission of a construction traffic management scheme 9) Car parking 10) Cycle parking 11) Storage and refuse facilities prior to occupation in accordance with approved layout 12) Boundary treatment (taking into account wildlife on-site) 13) Demolition method and waste removal statement 14) Construction times 15) Construction method statement 16) Vehicle washing equipment during construction 17) Foul and surface water details to be submitted 18) Discharging of surface water statement 19) Implementation of a programme of archaeological work 20) Completion of archaeological site

investigation and post investigation assessment 21) In accordance with approved plans

**7) EB/2013/0090 - 1-6 The Courtyard, Wharf Road** - Variation of condition 4 of permission EB/1999/0124 to permit the installation of gates across the entrance to the courtyard – **UPPERTON**. Two letters of objections had been received.

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

The observations of the Highway Authority were detailed within the report.

NB: Councillors Hearn and Miah were not in attendance for this application.

**RESOLVED: ( By 3 votes to 2 with 1 abstention)** That permission be refused on the grounds that The proposed gates, by reason of their position and method of opening, would be a hindrance to residents or visiting pedestrians with disabilities or similar difficulties.

**Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.**

**8) EB/2013/0099 - 28 Grange Road** - Demolition of existing building and erection of nine two-bedroom flats with five parking spaces, as approved under EB/2009/0705/(FP) with amended building design and vehicular access. (Renewal Of Planning Application EB/2009/0705(FP) – **MEADS**. 162 letters of objections had been received.

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

The observations of the Conservation Officer, Borough Arboriculturalist and Highways Manager were detailed within the report.

Human Rights implications were detailed within the report.

NB: Councillor Miah was not in attendance for this application.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions:1) Time Limit 2) Materials 3) Car Parking Hardstanding 4) Scheme for Surface Water Drainage Works 5) No Uncontaminated Material deposited at the site 6) Hours of Restriction For Building Operations 7) Covered Cycle 8) Protection Of Trees 9) Safeguarding Of Natural Features During Building Works 10) Design 11) Materials for Private Drive 12) In Accordance with Drawings 13) Transport Report 14) New Bus Stop 15) Tree Protection (No 26 Grange Road)

**9 & 10) EB/2013/0108 & EB/2013/0109(LB) (CONS AREA) - Elm Park Hotel, 20-14 Cavendish Place** - Removal and replacement of the roof to provide additional residential accommodation in the roofspace (1 one bedroom flat and 4 studio flats), reconfiguration of previously approved residential accommodation under EB/2012/0398 to provide 7 additional

residential units and a three storey extension above 97-99 Seaside Road to provide 6 studio flats (18 additional units in total) – **DEVONSHIRE**. One letter of objection and two letters of support had been received. One further letter of support and a petition of 111 signatures was reported at the meeting.

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

The observations of the Council's Strategic Housing Officer and Conservation Officer were detailed within the report.

At its meeting on 9 April 2013, the Conservation Area Advisory Group considered at length the impact of the mass of the extension on the streetscene and longer views along Seaside Road; it was considered that the proposal would enhance both the corner and views from both directions.

**RESOLVED: (By 5 votes to 2 with 1 abstention)** That permission be granted subject to the following conditions and the completion of a S106 agreement 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission 2) The proposed development shall be carried out in strict accordance with drawings ELM-PL(20)01B, ELM-PL(20)02, ELM-PL(20)03, ELM-PL(20)04, ELM-PL(20)05B, ELM-PL(20)06 AND ELM-PL(20)07 received on 11 May 2012. 3) 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 on Sundays or Bank/Public Holidays 4) No development shall be commenced until detailed drawings at a scale of 1:10 of all external joinery, doors [to the shop and the residential flats] and the railings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance approved details. ++ 5) No development shall be commenced until detailed drawings at a scale of 1:20 of the proposed canopies for the front elevation 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. ++ 6) No development shall be commenced until details of any replacement guttering or downpipes 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. ++ 7) No development shall be commenced until a methodology statement setting out the means of opening up new doors/openings in the historic fabric of the building, blocking up existing openings, and details of sound proofing and fire proofing methods has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. ++ 8) No development shall be commenced until detailed joinery drawings at a scale of 1:20 for the internal parts of the building showing staircases, doors, architraves and skirtings 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. ++ 9) There shall be no vents or flues or drainage pipes located on the elevations facing Cavendish Place and Seaside Road whatsoever. No development shall be commenced until details of vents/flues/pipes 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. ++ 10) No development shall be commenced 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. The development shall be carried out in accordance with the approved details. ++ 11) No development shall be commenced until details of the rooflights have been submitted to and approved in writing by the Local Planning Authority. The roof lights shall be either timber or metal, and appropriate in design for a listed building (with vertical glazing bars). The development shall be carried out in accordance with the approved details. ++ 12) Notwithstanding the elevations shown on drawing ELM-PL(20)05B, details of the proposed shopfronts on the Seaside Road and Cavendish Place frontages shall be submitted to and approved by the Local Planning Authority. The shopfronts shall have a unified appearance to identify the separate nature and use of the single storey element of the building. The development shall be carried out in accordance with the approved details. ++

**INFORMATIVE:** 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 £85 is payable for each submission to discharge conditions (details for one or more conditions may be submitted in any one submission).

**11) EB/2013/0119 - The Drive Pub, 153 Victoria Drive - Demolition of conservatory and infilling side elevation – OLD TOWN.**

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

NB: Councillors Hearn and Miah were not in attendance for this application.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Details – Development timescale 2) Details – Materials 3) Details – Compliance with all plans 4) Details – Construction hours

**12) EB/2013/0120 - 1 Chatham Green (Sovereign Harbour) - Two Storey Extension to the side of property and re-positioning of entrance on front elevation – SOVEREIGN. Five letters of objection had been received.**

The observations of Highways regarding were detailed within the report.

NB: Councillor Miah was not in attendance for this application.

**RESOLVED: (By 6 votes to 1)** That permission be granted subject to the following conditions 1) Time limit - Development to commence within 3 years 2) Materials to match existing 3) In accordance with approved plans

**13) EB/2013/0139 - The Drive Pub, 153 Victoria Drive - Exterior alterations and modifications – OLD TOWN.**

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

NB: Councillors Hearn and Miah were not in attendance for this application.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Development timescale 2) Materials 3) In accordance with all plans 4) Construction hours

**14) EB/2013/0140 - The Drive Pub, 153 Victoria Drive - Installation of ventilation and extraction units – OLD TOWN.**

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

Environmental Health raised no objections.

NB: Councillors Hearn and Miah were not in attendance for this application.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Details – Development timescale 2) Details – Materials 3) Details – Compliance with all plans 4) Prior to the installation of the ventilation and extraction equipment hereby approved details of screening to be erected around the equipment shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site within 1 month of the equipment becoming operational and be retained in situ for the life of the equipment.

**15) EB/2013/0158 (CONS AREA) - 39 Upperton Lane - Change of use from vehicle repair workshop to a single private dwelling, together with external alterations, including the provision of a pitched roof with dormer to the rear – UPPERTON. Eight letters of objections had been received.**

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

The observations of Planning Policy and Council's Arboriculturist were detailed within the report.

The Conservation Area Advisory Group objected to scheme (verbal update)

Mr Sommerville addressed the committee in objection stating that the proposal would be detrimental to the surrounding properties.

The committee discussed the application and agreed that the road was a busy service road and that access to a property would be dangerous because of this. The buildings were originally intended for use as garden buildings by the main dwellings and not for redevelopment.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that the proposed development would result in an undesirable form of backland development, which would by reason of its scale, siting and design, result in a cramped, visually dominant and intrusive form of development that would fail to preserve or enhance the character and appearance of the conservation area. In addition given the access to/from the property is direct onto the carriage it is likely to result in highway and pedestrian safety issues. As such, it would conflict with the policies UHT1, UHT4 and UHT15 of the Eastbourne Borough Plan 2001-2011, the Core Strategy and the National Planning Policy Framework.

**Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.**

## **5 South Downs National Park Authority Planning Applications.**

None reported.

## **6 Edgmond Evangelical Church Site – Appeal Decision.**

The committee were advised of the appeal decision in respect of the above application.

The applications for planning and conservation area consent (EB/2012/0472 /3) for the development of the Edgmond Church site at 39-41 Church Street were refused at the meeting of the Planning Committee on 2<sup>nd</sup> October 2012 contrary to the officer's recommendation.

The scheme comprised the change of use of the site from a church to accommodation for 24 people with learning disabilities, with community/activity centre, tearoom and retail shop, involving the demolition of the rear hall extension and the construction of a part two and part three storey extension.

The appeals against the refusal of both applications were dealt with at a Hearing on 13<sup>th</sup> March 2013. The decision was issued on 26<sup>th</sup> April. The Inspector allowed both appeals, granted planning permission and conservation area consent and also granted the appellant's application for a full award of costs against the Council.

**NOTED.**

## **7 Tree Preservation Order - Land at 23 The Goffs, Eastbourne, East Sussex No. 158 (2013).**

The Committee considered the report of the Senior Head of Development and Environment and Lawyer to the Council seeking confirmation of a tree preservation order on the above land. One objection had been received and the officer's response was detailed within the report.

**RESOLVED:** That the Eastbourne Borough Council Tree Preservation Order - Land at 23 The Goffs, Eastbourne, East Sussex No. 158 (2013) be confirmed without modification.



## **8 The Park Close Conservation Area Appraisal and Management Plan.**

The committee considered the report of the Specialist Advisor – Conservation and Design regarding the Park Close Conservation Area Appraisal and Management Plan.

The Council has a duty to review, formulate and publish appraisals and management plans for the preservation and enhancement of the Borough's 12 Conservation Areas.

The Specialist Advisor – Conservation and Design highlighted the Management Plan in Section 6 of the Appraisal, appended to the report that contained proposals that seek to preserve and enhance the character and appearance of the Park Close Conservation Area. This included the proposed introduction of Article 4 directions that would bring under planning control, specified works that would normally be allowed without planning permission.

The appraisal and Management Plan would be made available to the public for a period of not less than 6 weeks following the presentation on 21 May 2013.

After this date, any representation will be reviewed and considered, following guidelines set out in the adopted Guidance Manual for Designation and Review of Conservation Areas and in line with guidance from English Heritage.

**RESOLVED:** That Planning committee endorse the appraisal and management plan and support its submission for public consultation for the period stated above.

## **9 Amendment to the Town and Country General Permitted Development Order – Residential Extensions / Change of Use.**

The committee were advised that on 9<sup>th</sup> May 2013 the Government announced that extensive amendments to the General Permitted Development Order were being laid before Parliament. The amendments will come into force on 30<sup>th</sup> May.

The provisions cover several significant areas of Permitted Development such as house extensions and changes of use. The main changes in each category were set out below and further detailed within the report.

- Changes of use- office to residential
- Flexibility within use classes
- Change of use- industrial to storage/distribution
- Building extensions
- Schools

The potential staffing financial and resource implications for the Council were likely to be:

- A reduction in applications and associated fee income
- An increase in enquiries for information on the new provisions
- An increase in administrative work from implementing the new prior notification procedures

The overall effect would become clearer later in the year once the provisions had been in place for 3-4 months. The significant relaxation of the limits on House Extensions could give rise to the additional engagement of Article 1 of Protocol 1 (Peaceful Enjoyment of Possessions) and Article 8 (Right of Privacy) of the Human Rights Convention.

The meeting closed at 10.25 pm.

**Councillor UNGAR  
(Chairman)**