

Tuesday, 11 June 2013
at 6.00 pm

Planning Committee

Present:-

Members: Councillor Ungar (Chairman) Councillors Hearn, Jenkins, Liddiard, Miah, Murray and Taylor.

1 Minutes.

The Committee was advised that the minutes of the meeting held on 21 May 2013 would be submitted to the next meeting of the Committee for approval.

2 Apologies for absence.

An apology for absence was reported from Councillor Harris.

3 Declarations of Disclosable Pecuniary Interests (DPIs).

Councillor Liddiard declared a prejudicial interest in Item 4, 15 Ravenscroft on the grounds of his employer's interest in a neighbouring property and withdrew from the room whilst this item was considered.

4 Report of Development Manager on Applications.

(1 & 2) EB/2013/0103(FP) & EB/2013/0104(CA) 51 Upperton Lane, Demolition of existing building and erection of a two-storey dwellinghouse – **UPPERTON.**

Twelve letters of objection were reported from local residents. The Highway Authority raised objections to the proposal on the grounds that it does not adequately ensure that there is satisfactory parking on site and would add to demand for on street parking in the area.

The Conservation Officer and the Conservation Area Advisory Group at its meeting on 9 April 2013 raised objections to the scale, height and design of the proposal which is out of keeping with the character and appearance of the Conservation area. The observations of the Council's Arboricultural Officer and the County Archaeologist were set out in the report.

Some Members of the Committee considered that although the existing building is not considered to make a positive contribution to the appearance of the Conservation Area, the loss of the building without an acceptable replacement scheme should be not permitted and conservation area consent for its demolition should be refused.

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

RESOLVED: (1) (Unanimous) Permission 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 and would be detrimental to the amenities of adjoining residential occupiers through loss of privacy and outlook. As such, it would conflict with policies UHT1, UHT4, UHT15 and HO20 of the Eastbourne Borough Plan 2001-2011, policies B2, C2, D1, D10 and D10A of the Eastbourne Core Strategy Local Plan, and the National Planning Policy Framework.

INFORMATIVE:

For the avoidance of doubt, the plans hereby refused are:

p.20 Proposed (Block Plan), p.30 Proposed (Elevations), p.31 Proposed (Elevations), p.31 Proposed (Elevations), p.32 Proposed (Elevations), p.33 Aerial View (proposed) and p.34 Proposed (floor plans) received on 1 March 2013.

(2) (By 5 votes to 1) Conservation area consent refused on the grounds that: The demolition of the existing building would, in the absence of an approved replacement scheme, be detrimental to the character and appearance of this part of the Upperton Conservation Area, and would therefore conflict with policies UHT4 and UHT15 of the Eastbourne Borough Plan 2001-2011, policies D10 and D10A of the Eastbourne Core Strategy Local Plan, and the National Planning Policy Framework.

(A named vote was taken as follows)

In favour: Councillors Jenkins, Liddiard, Miah, Taylor and Ungar
Against: Councillor Hearn.

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.

3) EB/2013/0118(FP) - The Drive Pub, 153 Victoria Drive - Re-grading of existing car park and redesign of layout, remodelling of existing ramp to front entrance, and remodelling of access steps and wall to rear - OLD TOWN.

Amended plans had been submitted to address concerns in respect of vehicular turning points and drainage. The Local Highway Manager raised no objections to the proposal subject to a condition in respect of surface water drainage. The Highways Agency raised no objections to the proposal.

Forty-nine letters of objection were reported from local residents. A further letter of objection was reported from Stephen Lloyd MP. Councillor C Heaps addressed the Committee against the proposal and raised concerns regarding the impact on street parking and the potential to increase traffic in an already busy and congested area. The change of use would result in cars parked for shorter times resulting in an increase in vehicular activity to and from the site. The proposed exit from the car park is immediately adjacent to the pedestrian crossing posing a hazard for

pedestrians and vehicles. She stated that East Sussex County Council should undertake a proper traffic risk assessment for the area.

Councillor J Coles addressed the Committee and raised concerns regarding the safety implications of increased traffic volumes on an already busy junction at Victoria Drive particularly given the number of schools in close proximity to the site. Concerns were also raised regarding the noise and pollution which would be caused by delivery lorries accessing the site.

Mr D Onions addressed the Committee on behalf of the applicant and responded to the concerns raised. The use of the building as a retail outlet is permitted development and the current application related to the redesign of the parking layout to create 11 parking spaces with 2 disabled spaces and to allow for safe turning and manoeuvring of vehicles. With reference to the change of use, the Committee was advised that a small convenience store was proposed with the creation of a community café. It was not anticipated that additional traffic would be generated as trade would consist of passing vehicular trade already on the highway and walk up trade. The applicant had worked closely with the Council and East Sussex County Council to submit an acceptable design and layout to provide the optimum number of spaces and the effective operation of unloading at the site. He advised that the site could operate with the current parking arrangements.

The Committee supported the objections raised by local residents and ward councillors. The potential for a rise in the volume of traffic and the noise and pollution generated by heavy lorries servicing the site raised concerns. The surrounding roads are narrow and any increase in traffic flow would exacerbate the existing congestion problems. The proximity of the pedestrian crossing to the proposed exit from the car park and the additional build up of traffic and congestion in Victoria Drive, a main route to and from schools in the area was also of concern.

In response to a question regarding the number of existing car parking spaces, the Committee was advised that 9 marked spaces were available with the potential for use of the fenced area to accommodate a further 2.

Members were advised of the material considerations which could be taken into account in relation to the application. Traffic congestion already exists at peak times, and if the Committee was minded to refuse the application, this would not prevent the change of use operating with a less safe car park with potential conflict for vehicles turning in and out of the site and unloading operating from the highway. Members were advised of the requirement to provide reasonable planning grounds for refusal.

The Committee, with reference to the advice given discussed their concerns regarding the future use of this site and the determination of the current application. In the opinion of the Committee the concerns raised by residents and ward councillors in respect of public safety and parking concerns were sufficient and justified refusing the application on these grounds contrary to the advice of the Officers.

RESOLVED: (Unanimous) Permission refused on the grounds that particularly by reason of its design and layout, the scheme for parking and manoeuvring indicated on the submitted plans are likely to have a seriously

detrimental impact upon highway and pedestrian safety. The development would therefore not comply with Policy UHT1 (b), (d) on New Development and Policy TR11 on Car Parking from the Eastbourne Core Strategy Local Plan 2007-2027.

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.

4) EB/2013/0177(HH) - 15 Ravens Croft - First floor front/side extension - MEADS.

The Conservation Advisory Group at its meeting on 14 May 2013 raised objections in respect of the initial drawings on the grounds of the impact on the character of the area by the proposed scale and mass of the extension. The Historic Buildings Advisor raised no objections to the initial application and the revised drawings submitted.

Sixteen letters of objection and two of support were reported from local residents.

In response to concerns raised amended drawings had been submitted removing the sun-tubes from the roof and introducing a balcony inset on the end elevation improving the aesthetic quality of this façade.

In respect of the amended drawings, five letters of objection and five in support of the application were reported from local residents.

Mr S Welham addressed the Committee in objection to the proposal which he stated was contrary to Council Policy UHT1 in terms of its bulk and mass which would upset the balance and conformity of the current setting and the staggered effect of the properties in the area. The unattractiveness of the extension would be detrimental to the street scene of the wider community.

Mr R Henry addressed the Committee and raised concerns in respect of the impact of the proposed development on visual amenity contrary to Council Policy's UHT4 and H020. The extension was considered overbearing, in close proximity to two roads and near to the garden space of no.14 Ravens Court. The design was considered poor and the development would have an impact on the visual amenity for a considerable number of residents and visitors to the Hydro Hotel. The current vista which forms part of the residents' enjoyment of their homes would be obscured.

Mr C Darracott addressed the Committee and considered the development to be contrary to Council Policy's UHT10 and UHT15. He stated that areas should be protected from inappropriate change and displayed a number of photographs showing the current outlook from the Hydro Hotel and various properties in the area. He supported the concerns raised by the Conservation Areas Advisory Group that the proposal would have a detrimental effect on the conservation area and in such a prominent position the scale and mass of the extension compromised the character of the area. The extension was also considered to be out of alignment with the neighbouring property.

Mr G Stanbridge responded on behalf of the applicant to the concerns raised. He advised that the extension had been sensitively designed in terms of the layout and materials to match the host dwelling. It was subservient to the host dwelling, with no enlargement of the existing footprint. The nearest property being 16 meters away from the development, it was considered that the extension would have a minimal impact on the surrounding dwellings. He referred to the previously approved planning application in the area for 22 Ravens Croft which forms an end terrace on the opposite side of the application site larger in scale, bulk and mass than the current application and on the same row of houses.

The Committee raised a number of concerns relating to the design, height, scale, massing and siting of the development which was considered out of character with the surrounding area.

(NB: Councillor Liddiard withdrew from the room whilst this item was considered).

RESOLVED: (Unanimous) Permission refused on the grounds that the proposed development, by reason of its design, height, scale, massing and siting would result in the creation of an incompatible form of development, which would fail to respect the character and appearance of the subject site and its surroundings, would fail to fall in keeping with the existing pattern of development throughout Ravens Croft. As such the proposed development is contrary to Policy UHT1 (a), (b) Policy UHT2; Policy UHT4; Policy H06 from the Eastbourne Borough Plan 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.

5 South Downs National Park Authority Planning Applications - verbal report.

None were reported.

The meeting closed at 8.19 pm

Councillor Ungar (Chairman)