

Tuesday, 6 August 2013  
at 6.00 pm



## Planning

Present:-

**Members:** Councillor Ungar (Chairman) Councillors Harris, Hearn, Jenkins, Miah and Taylor

(Apologies for absence were reported from Councillor Liddiard and Councillor Murray)

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### **22 Minutes of the meeting held on 9 July 2013.**

The minutes of the meeting held on 9 July were submitted and approved subject to the following amendments:

Councillors Jenkins declared a personal interest in item 4, 15-19 Prideaux Road as an acquaintance of the objector and remained in the room whilst the application was considered.

Councillor Taylor declared a personal interest in item 4, 15-19 Prideaux Road as the owner of a care home and also being acquainted with the objector and remained the room whilst the application was considered.

Councillor Hearn considered that having previously reached a view in relation to item 3, 24 Vine Square she had pre-determined this application. She therefore withdrew from the room whilst the application was considered.

And the Chairman was authorised to sign them as a correct record.

### **23 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 (please see note at end of agenda).**

Councillor Taylor declared a personal interest in item 2, 10 Ashburnham Road as the owner of a care home and remained the room whilst the application was considered.

Councillor Ungar decided to declare a prejudicial interest in item 4, 10-12 St Leonards Road due to his being the Council appointed nominee to the Citizens Advice Bureau, which was located next to the premises which were the subject of the application. He withdrew from the room whilst this item was considered.

## **24 Report of Development Manager on Applications - Report 06.**

**1) 130168 - Land between 37 – 39 Friday Street** - Erection of a single dwelling with parking spaces and vehicular access from Friday Street (outline application) – **LANGNEY**. Seven letters of objection had been received.

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

Councillor Shuttleworth, Ward Councillor, addressed the committee in objection stating that the proposal was inappropriate and an overdevelopment of the site. Councillor Shuttleworth felt that the scheme was incongruous to the street scene and out of keeping with the surrounding area.

Mr Moore, applicant, addressed the committee in response stating that the proposal was for illustrative purposes only to establish the principle of development on the site and that all reserved matters would need to come back to the committee for approval. Mr Moore stated that the scheme was sustainable as it was on a bus route, close to shops and other facilities.

**RESOLVED: (By 5 votes with 1 abstention)** That permission be refused on the grounds that the proposed development by virtue of the width, depth and height of the proposed dwelling, given the confined size of the plot would have an adverse impact on the character and appearance of the surrounding area and visual /residential amenity and would be contrary to guidance as contained in Policy B2 of the Core Strategy 2013, Saved Policies H06, H07 and UHT1 of the Eastbourne Borough Plan 2001-2011 and relevant guidance as cited in the National Planning Policy Framework 2012.

**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.**

**2) 130177 - 10 Ashburnham Road** - First floor rear extension – **UPPERTON**. Three letters of objection had been received.

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

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

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

**3) 130182 - 1-3 Hammonds Drive White Knight Laundry** - Alterations to units 1-3 (White Knight Laundry) and erection of 9 new class B1/B8 Units - **ST ANTHONYS**.

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

The observations of the Planning Policy Team and Trees Officer were summarised within the report.

**RESOLVED: (Unanimous)** 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 the drawing No.s 12.49.02A, 12.49.04A, 12.49.05, 12.49.06 and 12.49.07, received on 01/03/13 3) The development hereby permitted shall be constructed entirely of the materials detailed and described in the submitted application form and on the approved drawings No.s 12.49.02A, 12.49.04A, 12.49.05, 12.49.06 and 12.49.07, received on 01/03/13 received on 01.03.13 4) The car parking area shown on the approved plan (Drawing No. 12.49.02A) shall be properly constructed with a permanent hard-wearing impervious surface and marked out to the satisfaction of the Local Planning Authority in accordance with the approved drawing including designated disabled spaces, and shall be available for use before the buildings hereby authorised are brought into use 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 5) 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: i) proposed finished levels or contours; ii) means of enclosure including details of boundary treatments; iii) hard surfacing materials; iv) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); v) proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc); vi) planting plans; vii) written specifications (including cultivation and other operations associated with plant and grass establishment); viii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; ix) implementation timetables 6) 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 7) Before any works commence on site, details of the provision for the storage of waste and refuse, including bin storage areas or buildings, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and to a timetable to be agreed with the Local Planning Authority. 8) That the premises shall be used for Class B1/B8 and for no other purposes without the prior written approval of the Local Planning Authority.

**4) 130187 - 10-12 St Leonards Road** - Demolition of existing garage/workshop and construction of a new three storey nursery school – **UPPERTON**. A petition of 14 signatures and 5 letters of objection had been

received. County Councillor Rodohan's comments were reported at the meeting.

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

Highways raised no objections to the proposal.

NB: Councillor Ungar withdrew from the room whilst this item was considered.

**RESOLVED: (By 4 votes with 2 abstentions)** 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 this permission 2) The proposed development shall be carried out in strict accordance with the drawing No.s 12.49.02A, 12.49.04A, 12.49.05, 12.49.06 and 12.49.07, received on 01/03/13 3) The development hereby permitted shall be constructed entirely of the materials detailed and described in the submitted application form and on the approved drawings No.s 12.49.02A, 12.49.04A, 12.49.05, 12.49.06 and 12.49.07, received on 01/03/13 received on 01.03.13 4) That the proposed glazing at first and second floor levels overlooking the internal courtyard in the southern and eastern elevations shall only be obscurely glazed and incapable of being opened and shall be permanently maintained as such thereafter 5) 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/occupied 6) That the premises shall be used for a nursery school and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written approval of the Local Planning Authority 7) That, except with the express written consent of the Local Planning Authority, the use on the site shall be carried out only between 0700 and 1900 on Mondays to Fridays (inclusive) and no operations whatsoever shall take place on Saturdays, Sundays or Bank/Public Holidays 8) 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 9) There shall be no amplified music or amplified sound at any time within the external courtyard areas 10) 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.

**5) 130229 - Langney Shopping Centre, 64 Kingfisher Drive -**  
Extension of existing shopping centre to provide additional retail units,

reconfiguration of car park and internal access road, amended service facilities and landscaping – **LANGNEY**.

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

The comments of the Design Review Panel were summarised within the report.

A public exhibition was held on 15 May 2013, and was attended by over 100 members of the public and councillors. Over 70% of consultee responses (of 67 respondees) supported the retail extension and felt it would revitalise the centre.

The observations of the Highways Department, Arboriculturalist, Planning Policy, Retail consultant, Building Control, Environmental Health, Sussex Police, Environment Agency, Wealden District Council and Southern Water were summarised within the report.

The committee discussed the application in particular, the impact on the bus facilities within the site. The committee asked that this be considered by the applicant with a view to improving the current facilities available.

**RESOLVED (A) (Unanimous):** That planning permission be granted for extension of existing shopping centre to provide additional retail units, reconfiguration of car park and internal access road, amended service facilities and landscaping, subject to the prior conclusion of a S.106 Agreement to secure the bus stop improvement works adjacent to Kingfisher Drive, Local Employment Commitment and a Travel Plan and subject to the following conditions: 1) Commencement of development within three years (full planning permission) 2) In accordance with approved plans 3) Samples of materials to be submitted (++) 4) Plant or equipment on roofs or walls subject to LPA approval 5) Restriction of times for building operations 6) Submission of details of methods to reduce noise emissions (//) 7) Submission of details of ventilation system prior to pre-trading (//) 8) Development to be in accordance with Flood Risk Assessment (++) 9) Submission of details of surface water drainage scheme (++) 10) Submission of details of location of public sewers (++) 11) Submission of details of foul and surface water sewerage disposal (++) 12) Provision of on-site wheel washing facilities during earthworks / excavation 13) No trading until vehicle turning space provided (//) 14) No trading until on-site parking provided (//) 15) No trading until cycle parking provided (//) 16) Submission of a Traffic Management Plan (++) 17) Restricted access and egress for delivery vehicles 18) Tree protection: fencing (2.4m hoarding) 19) Tree protection: no burning 20) Tree protection: excavations 21) Tree protection: earthworks 22) Landscape design proposals: car park layout to include details on tree pit construction (++) 23) Landscape design proposals: proposed and existing functional services below ground (e.g. drainage, power communication cables, pipelines) indicating positioning (++) 24) Landscape design proposals: regarding mitigating the loss of the curved Cupressus hedge to the south of the site adjacent to the existing building (++) 25) Landscape design proposals: planting plan (++) 26) Tree planting 27) Landscape maintenance 28) Surface water drainage to pass through oil interceptor 29) Submission of a scheme to deal with contamination risks (++) 30)

Demolition to be carried out in accordance with Method Statement (++) 31)  
 Construction to be carried out in accordance with Method Statement (++)  
 32) Development to cease if contamination found 33) Submission of  
 Verification Report 34) No goods for sale on open areas of site 35) No  
 deliveries between 19:00 and 07:00 hours 36) No burning of waste on site  
 37) When market not in use shared surface shall be available for parking  
 38) Submission of details of refuse storage (//)  
 (++) Pre-commencement conditions)  
 (// Prior to commencement of trading)

**RESOLVED: (B) (Unanimous):** That in the event the S106 Agreement is not concluded to the satisfaction of the Local Planning Authority by 3 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.

The proposed development would fail to secure the provision of bus stop improvement works adjacent to Kingfisher Drive, local employment commitment and a Travel Plan.

**6) 130353 - Roborough House, 1 Upper Avenue** - Conversion and extension of Roborough House to create an International Study Centre, together with a new lecture theatre, student accommodation, landscaping and demolition of The Bourne Unit and other redundant buildings - **UPPERTON**. Nine objections had been received. One further letter of objection was reported at the meeting. County Councillor Rodohan's comments were reported at the meeting.

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

The observations of the Design Review Panel were summarised within the report.

At their meeting on 16 July 2013 the Conservation Area Advisory Group raised no objections, and were pleased to see the building being brought back into use.

The observations of Highways, Planning Policy, Conservation Officer, Economic Development, Arboriculturalist and Cleaning Contracts were summarised within the report.

Consultation was carried out by letter to 470 neighbouring residents and businesses, and site notices were displayed close to the site. In addition, the proposal was posted in the local paper. A public exhibition was held over 3 sessions in February and March, and the consultation responses were incorporated into the proposal between sessions.

Mrs Lee addressed the committee in objection stating concern about the potential noise levels and overlooking.

Mr Waddy, Agent, addressed the committee in response highlighting detailed surveys including noise levels, daylight surveys. The plans had been developed with a view to limit the impact on neighbouring properties. The site would be protected by five live in wardens, Security guard and CCTV within the grounds. Mr Waddy also stated that the applicants were willing to attend residents meetings to resolve any issues promptly.

**RESOLVED: (Unanimous) (A):** That permission be granted for the conversion and extension of Roborough House to create an International Study Centre, together with a new lecture theatre, student accommodation, landscaping and demolition of The Bourne Unit and other redundant buildings, subject to the prior conclusion of a S.106 Agreement to a Travel Plan, Highways Contribution and Local Employment commitment and subject to conditions; Phase 1 – Remodelling of existing building: Roborough House: 1) Time limit (3 years) 2) In accordance with approved plans 3) Closing off of main driveway and access (junction of Carew Road / Upper Avenue) 4) Pedestrian access restricted to Upper Avenue only 5) Parking areas prior to occupation – phase 1 6) Cycle parking prior to occupation – phase 1 7) Samples of materials and detailing to be submitted (++) 8) Samples of gate materials and detailing to be submitted (//) 9) Submission of details of surface water drainage scheme (++) 10) Development to cease if contamination found 11) Tree and natural feature protection fencing (++) 12) Landscape design proposals (//) 13) Tree Protection – Excavations (++) 14) Tree Protection – Earthworks (++) 15) Tree planting (//) 16) Landscape maintenance programme (//) 17) Retention of boundary screening – protection of retained trees 18) Restriction of times for demolition / building operations 19) Provision of on-site wheel washing facilities during earthworks / excavation 20) Phase 1: Demolition method statement, incorporating Root Protection Areas (++) 21) Phase 1: Construction method statement, incorporating the location of site offices, access routes and material storage areas (++) 22) No burning of waste on site (++) Pre-commencement conditions for phase 1) (// Prior to occupation for phase 1)

**Phase 2 – Construction of the student accommodation:** 23) In accordance with approved plans 24) In accordance with approved landscape maintenance programme 25) Pedestrian access restricted to Upper Avenue only 26) The residential accommodation to be C2 use only 27) Parking areas prior to occupation – phase 2 28) Cycle parking prior to occupation – phase 2 29) Samples of materials and detailing to be submitted (++) 30) Development to cease if contamination found 31) Tree and natural feature protection fencing (++) 32) In accordance with approved landscape design proposals 33) Tree Protection – Excavations (++) 34) Tree Protection – Earthworks (++) 35) Tree planting (//) 36) In accordance with landscape maintenance programme 37) Retention of boundary screening – protection of retained trees 38) Restriction of times for demolition / building operations 39) Provision of on-site wheel washing facilities during earthworks / excavation 40) Phase 2: Demolition method statement, incorporating Root Protection Areas (++) 41) Phase 2: Construction method statement, incorporating the location of site offices, access routes and material storage areas (++) 42) No burning of waste on site (++) Pre-commencement conditions for phase 2) (// Prior to occupation for phase 1)

**Phase 3 – Construction of the new dining room and lecture theatre:**

43) In accordance with approved plans 44) In accordance with approved landscape maintenance programme 45) Pedestrian access restricted to Upper Avenue only 46) Parking areas prior to occupation – phase 3 47) Cycle parking prior to occupation – phase 3 48) Samples of materials and detailing to be submitted (++) 49) Development to cease if contamination found 50) Tree and natural feature protection fencing (++) 51) In accordance with approved landscape design proposals 52) Tree Protection – Excavations (++) 53) Tree Protection – Earthworks (++) 54) Tree planting (//) 55) In accordance with landscape maintenance programme 56) Retention of boundary screening – protection of retained trees 57) Restriction of times for demolition / building operations 58) Provision of on-site wheel washing facilities during earthworks / excavation 59) Phase 3: Demolition method statement, incorporating Root Protection Areas (++) 60) Phase 3: Construction method statement, incorporating the location of site offices, access routes and material storage areas (++) 61) No burning of waste on site  
 (++) Pre-commencement conditions for phase 3)  
 (// Prior to occupation for phase 1)

**RESOLVED B:** That in the event that the S.106 is not signed by 3 November 2013 that delegated authority be given to the Head of Planning to refuse planning permission, or if discussions are ongoing, to agree a reasonable extension of time for the S.106 to be signed.

**7) 130359 - 27 – 29 Elms Avenue (Camberley Hotel) - Change of Use from Hotel to HMO – DEVONSHIRE. Five letters of objection had been received.**

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

The observations of the Historic Buildings Advisor and Planning Policy Manager were summarised within the report.

Mr Pattenden addressed the committee in objection stating that the bin storage was in issue in the area and that there were enough HMO's in the vicinity.

Mr Lear addressed the committee in objection stating that there was a sufficient number of HMO's in the area and that the site would be unguarded as the owner / occupier would not be based on site. Mr Lear felt that this type of development would result in short stay residents who would not be interested in preserving the area, which would have a knock-on effect for neighbouring residents.

Mr Baig, applicant, addressed the committee in response stating that the current use of the building operated as a hotel for 8 months of the year which was not viable for potential buyers. An extensive refurbishment would take place to attract professionals, improving the area. A communal area would be provided within the development to discourage loitering outside of the property. Mr Baig also stated that a management company



would be appointed to maintain the site, which would ensure quick resolution to any issues arising.

**RESOLVED: (By 4 votes to 1 with 1 abstention)** That permission be granted subject to the following conditions: 1) Time Limit 2) Any external flue / vents / ducting or any other pipework to be sited on the rear elevation of the property 3) No kitchen worktops or similar fixtures to be sited within 1m of the windows to the principal elevation of Elms Avenue 4) Bin Storage and Cycle storage shown on submitted plans to be approved by council prior to usage and maintained thereafter following occupation of the premises as an HMO 5) Approved Plans.

**25 South Downs National Park Authority Planning Applications - verbal report.**

None reported.

**NOTED.**

The meeting closed at 8.40 pm

**Councillor Ungar (Chairman)**