





**Brighton & Hove
City Council**

Planning Committee

Title:	Planning Committee
Date:	30 July 2008
Time:	2.00pm
Venue	Council Chamber, Hove Town Hall
Members:	<p>Councillors:Hyde (Chairman), Wells (Deputy Chairman), Barnett, Carden, Davey, Hamilton, Kennedy, McCaffery, K Norman, Smart, Steedman and C Theobald</p> <p>Co-opted Members: Mr J Small (CAG Representative) and Mr R Pennington (Brighton & Hove Federation of Disabled People)</p>
Contact:	<p>Penny Jennings Senior Democratic Services Officer 01273 291065 penny.jennings@brighton-hove.gov.uk</p>

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AGENDA

45. PROCEDURAL BUSINESS

- (a) Declaration of Substitutes - Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

46. MINUTES OF THE PREVIOUS MEETING

1 - 18

Minutes of the meeting held on 9 July 2008 (copy attached).

47. CHAIRMAN'S COMMUNICATIONS

48. PETITIONS

To consider any petitions received.

49. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 23 July 2008).

50. DEPUTATIONS

To consider any deputations received.

51. WRITTEN QUESTIONS FROM COUNCILLORS

To consider any written questions received.

PLANNING COMMITTEE

52. LETTERS FROM COUNCILLORS

To consider any letters received from Councillors in addition to those appended to the Plans List.

53. NOTICES OF MOTION REFERRED FROM COUNCIL

To consider any Notices of Motion referred from Council.

Ward Affected: All Wards

54. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

55. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST DATED 30 JULY 2008

(copy circulated separately).

56. APPEAL DECISIONS

19 - 42

(copy attached).

57. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

43 - 46

(copy attached).

58. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

47 - 50

(copy attached).

To consider whether or not any of the above items and decisions thereon should remain exempt from disclosure to the press and public.

Members are asked to note that officers will be available in the Council Chamber 30 minutes prior to the meeting if Members wish to consult the plans for any applications included in the Plans List.

PLANNING COMMITTEE

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Penny Jennings, (01273 291065, email penny.jennings@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Tuesday, 22 July 2008

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 9 JULY 2008

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Hyde (Chairman), Wells (Deputy Chairman), Barnett, Carden, Davey, Hamilton, Kennedy, McCaffery, Mrs Norman, Smart, Steedman and C Theobald

Co-opted Members Mr J Small (CAG Representative) and Mr R Pennington (Brighton & Hove Federation of Disabled People)

PART ONE

31. PROCEDURAL BUSINESS

31.1 Declarations of Substitutes

<u>Councillor</u>	<u>For Councillor</u>
Mrs A Norman	K Norman

31B. Declarations of Interest

31.2 The Chairman, Councillor Hyde stated that during the site visit relative to Application BH2008/00925, Maycroft and Parkside, London Road and 2, 4, 6 & 8 Carden Avenue, it had become apparent that the resident of one of the houses forming part of the application site was a former Conservative MP and as such was known to her. However she had not predetermined the application and the nature of her declaration was personal rather than prejudicial. Councillors Barnett, Carden, Mrs A Norman, Smart, Mrs Theobald and Wells declared that they had the same personal but not prejudicial interest and had not predetermined the application.

31.3 The Chairman, Councillor Hyde also declared an interest in application BH2007/04444, Land R/o 67 -81 Princes Road. She had become aware that builders carrying out work for a member of her family also had an interest in this application. It was her intention therefore to vacate the Chair and to leave the meeting during consideration of this item. The Deputy Chairman Councillor Wells would take the Chair during her absence.

31C. Exclusion of Press and Public

- 31.4 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A (3) or 100 1 of the Local Government Act 1972.
- 31.5 **RESOLVED** - That the press and public not be excluded from the meeting during the consideration of any items on the agenda.

32. MINUTES OF THE PREVIOUS MEETING

- 32.1 **RESOLVED-** That the minutes of the meeting held on 18 June 2008 be approved and signed by the Chairman as a correct record.
- 32.2 **RESOLVED** - That subject to the amendment set out above the minutes of the meeting held on 18 June 2008 be approved and signed by the Chairman.

33. CHAIRMAN'S COMMUNICATIONS

Core Strategy

- 33.1 The Head of Planning Strategy stated that a briefing / training session was to be held for Members on Tuesday 22 July 2008. Details relative to the event would be circulated in the near future .

Laser Measuring Equipment

- 33.2 A brief presentation in respect of this matter would be given to Members at their next scheduled meeting on 30 July 2008. The presentation would be given by David Maltby of Maltby Land Surveyors who had recently worked on a survey of the bandstand on the sea front, The presentation would be of about ten minutes duration following which there would be the opportunity for Members to ask questions.
- 33.3 **RESOLVED** - That the position be noted in respect of all of the above.

34. PUBLIC QUESTIONS

- 34.1 There were none.

35. WRITTEN QUESTIONS FROM COUNCILLORS

- 35.1 There were none.

36. PETITIONS

- 36.1 There were none.

37. DEPUTATIONS

37.1 There were none.

38. LETTERS FROM COUNCILLORS

38.1 There were none.

39. NOTICES OF MOTION REFERRED FROM COUNCIL

39.1 There were none.

40. TO CONSIDER THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

40.1 **RESOLVED** - That the following site visits be undertaken by the Committee prior to determining the applications:-

The following site visits were agreed as set out below: Those suggested by the development control Manager were likely to be on the agenda for 30 July 2008 but might not appear.

APPLICATION	SITE	SUGGESTED BY
BH2008/01357	17 - 19 Oxford Street	Councillor Steedman
BH2007/ 01574	Hove Rugby Club, Hove Recreation Ground, Shirley Drive	Councillor Barnett
BH2008/00955	Woodingdean Business Park, Bexhill Road	Development Control Manager
BH2008/01268	GB Liners, Blackman Street,	Development Control Manager
BH2008/00792	Brighton General Hospital	Development Control Manager
BH2008/1554	Sackville Trading Estate	Development Control Manager

41. PLANS LIST APPLICATIONS, 9 JULY 2008

(i) TREES

41.1 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 7 of the report and resolves to grant consent for felling of the tree referred to below subject to the conditions set out in the report :

BH2008/01725, Woodingdean Primary School, Warren Road, Woodingdean

[**Note** : Councillor McCaffery requested and it was agreed that in future as far as was practicable the list of delegated decisions on tree applications should

record the reason for the decision].

(ii) SUBSTANTIAL OR CONTROVERSIAL APPLICATIONS OR APPLICATIONS DEPARTING FROM COUNCIL POLICY

- 41.2 **Application BH2008/00925, Maycroft & Parkside, London Road & 2,4,6 and 8 Carden Avenue, Brighton** – Demolition of existing buildings and development of residential care home.
- 41.3 It was noted that this application had formed the subject of a site visit prior to the meeting.
- 41.4 The Planning Officer gave a detailed presentation illustrating the proposals by reference to detailed plans and photomontages which also illustrated the distance between the application site and the nearest domestic dwelling house. It was explained that vehicular access would be via the north east corner of the site, where on-site parking for 25 vehicles had been provided. The building would be constructed with pitched roof, dormers, chimneys, dutch gables and tiled bays and would be of a traditional appearance. The proposed development would replace the six existing detached houses, and would provide residential accommodation for the elderly in accordance with Policy H011 of the Local Plan.
- 41.5 In answer to questions the Planning Officer explained that the building would be used as a residential care home and would contain 82 private suites (39 of which would be for residents suffering from mental frailty or dementia, with the remaining 43 suites used for elderly care. Communal living / dining areas, a hairdressers and staff facilities would also be included. The proposed development was considered acceptable subject to conditions to control the development on detail and as set out in the proposed Section 106 Obligation.
- 41.6 Mr Radmell spoke on behalf of neighbouring objectors stating that in their view the proposals were out of keeping with the prevailing street scene of the surrounding area, would be bulky and overly dominant and would result in loss of amenity and privacy for neighbouring residents. It was considered that there was sufficient provision of such accommodation, this accommodation was therefore superfluous. Mr Weston spoke on behalf of the applicant in support of their application he explained that the scheme as presented had been formulated following a public exhibition which had received overwhelming support. Indications of interest had shown that a number of those intending to reside within the completed scheme were City residents who would be freeing up family homes located elsewhere across the City. The proposed accommodation would provide a high standard of modern care for frail and elderly residents. Councillor G Theobald spoke in his capacity as a Local Ward Councillor setting out his objections to the scheme reiterating the points made by the objector. The proposed development would be inappropriate at this location and would dwarf and overlook the neighbouring developments as it was not in scale with them or of a complimentary style, resulting in loss of amenity and privacy. Proposed access arrangements to the site could also be

problematic and could give rise to an increased likelihood of traffic accidents.

- 41.7 Councillor Barnett stated that there were already a number of good quality nursing homes across the City and queried whether there was sufficient need for the type of accommodation proposed. Councillor Mrs Norman sought confirmation regarding the precise nature of the accommodation and care proposed to be provided in view of the fact that there did not appear to be under provision overall. It was explained that the accommodation would operate as a nursing home for those who were either physically frail or who were suffering from alzheimer's or dementia. Councillor Smart sought confirmation regarding the purchase cost of accommodation to prospective residents . It was explained however that this did not constitute a relevant planning consideration.
- 41.8 Councillor Kennedy enquired regarding why the applicant had not submitted an Environmental Impact Assessment to accompany their application, as this represented best practice in conjunction with a major application. It was explained that this had not been required by the Local Planning Authority but that a number of conditions were proposed, any development would also be contingent on the successful completion of a Section 106 Obligation. Councillor Kennedy was also of the view that details relative to proposed screening would also have been desirable particularly bearing in mind that the scheme would result in removal of mature screening which currently helped to shield the site from the main London Road and from its neighbours .
- 41.9 Councillor McCaffery sought clarification regarding the definition of a suite with the development and the applicant explained that the majority of units would comprise a large bedroom, kitchenette and bathroom, but that a small number of units would comprise two rooms a kitchenette and bathroom.
- 41.10 Councillor Mrs Theobald enquired whether 25 car parking spaces plus bicycle parking spaces would be sufficient. It was explained that it was considered that it would be. Based on experience of use at other similar developments visits by family members tended to be staggered throughout the day/ during the week. Councillor Mrs Theobald stated that it appeared that it appeared that neighbouring residents had grave concerns regarding the proposed form of the development. In her view too many units were proposed of too great density, height and bulk, which would totally overwhelm neighbouring buildings. The prevailing character of the area was of lower rise domestic dwellings with gardens and low rise blocks of flats. The mock tudor design did not reflect any of the other buildings in the area. It was out of keeping and incompatible. She was also of the view that the proposed development would mar the gateway entry to Patcham / the city formed by the London Road frontage of the site. She also considered that the loss of six homes was unacceptable.
- 41.11 Councillor Hamilton stated that he considered that it was important that the Urban Characterisation Study be completed as soon as possible, as this would provide a useful additional tool in assessing the potential impact of development at various locations across the city. He considered that there was a lack of specialist care of the type proposed and he considered the design to be acceptable.

- 41.12 Councillors Barnett and Mrs Norman stated that whilst the applicant had a good reputation for providing the type of accommodation for which planning permission was sought. Neither considered the application site to be appropriate for the proposed form of development.
- 41.13 Councillor Kennedy stated that she had concerns regarding the scale and design of the proposed development concurring with other speakers that it was somewhat different to that of other development in the vicinity of the site. She also had concern regarding advice given by officers' in response to questions which related to potential grounds for refusal of planning permission. She did not consider that details of a decision of the Planning Inspectorate relative to a scheme put forward by the applicant in another county was necessarily relevant to Brighton & Hove. She acknowledged however that the development would undoubtedly provide for an identified need. Councillor Steedman concurred in that view stating that whilst acknowledging the value of the scheme he had concerns regarding its design.
- 41.14 Councillor Smart sought details regarding the proposed crossover arrangements. He considered that these could give rise to a hazard, that the height of the development was too great and that there were too few parking spaces.
- 41.15 Councillor Wells stated that he considered the proposed development was acceptable particularly bearing in mind that those who took up residence were likely to free up family accommodation elsewhere across the City. Councillor McCaffery stated that she was not averse to the design and considered that it would provide much needed accommodation.
- 41.16 Councillor Hyde , the Chairman stated that whilst she considered the design to be acceptable she had concerns regarding the height of the proposed development .
- 41.17 A vote was taken and on a vote of 5 to 4 with 3 abstentions planning permission was refused on the grounds set out below.
- 41.18 **RESOLVED** - That the Planning Committee having considered the above application considered that planning permission should be refused on the grounds that :
- (1) The proposed residential care home, by reason of its bulk, massing, footprint, height and design, would relate poorly to adjoining houses in Carden Avenue, would be out of character with the surrounding area and represents overdevelopment of the site. The proposal is contrary to policies QD1, QD2, QD3 and QD27 of the Brighton & Hove Local Plan ;
 - (2) The proposal involves the net loss of six houses and , as such , represents an unacceptable loss of dwellings contrary to policy H08 of the Brighton and Hove Local Plan ; and
 - (3) The proposal, due to increased traffic movements and proximity to the junction of London Road and Carden Avenue, would exacerbate existing traffic

problems in the area and as such is contrary to policies TR1 and TR7 of the Brighton and Hove Local Plan.

[**Note 1** : Councillor Smart proposed that planning permission be refused in the terms set out above . This was seconded by Councillor Mrs Theobald].

[**Note 2**: A recorded vote was then taken. Councillors Barnett, Davey, Mrs A Norman, Smart and Mrs Theobald voted that planning permission be refused . Councillors Carden, Hamilton, McCaffery and Wells voted that minded to grant planning permission should be granted. Councillors Hyde, (Chairman) Kennedy and Steedman abstained. Therefore on a vote of 5 to 4 with 3 abstentions planning permission was refused on the grounds set out].

- 41.19 **Application BH2008/01113, BHASVIC College, 205 Dyke Road, Hove –** Proposed redevelopment of educational facilities comprising one 4 storey, one 3 storey and one 3 and 1 storey blocks and associated works.
- 41.20 It was noted that this application had formed the subject of a site visit prior to the meeting.
- 41.21 The Planning Officer gave a detailed presentation setting out the proposals by reference to detailed drawings, visuals and aerial views in order to indicate the configuration and coverage of the new buildings within the site. Amendments had been made to the proposed theatre block following discussion between officers and the applicant and this element of the scheme was also now considered acceptable .
- 41.22 It was explained in answer to questions it would be necessary to remove 5 trees from the site which were covered by TPO's ,but that overall it was envisaged that a very good BREAM rating would be attained .
- 41.23 Councillor Kennedy asked to see elevational material looking from the theatre block towards the Crocodile Walk. Questions were asked regarding whether or not it would be appropriate to provide anti graffiti treatment to surfaces. Councillor Smart sought clarification regarding the location of parking within the reconfigured site. Councillor Mrs Theobald stated that in her view the loss of any parking was to be regretted bearing in mind that the numbers of staff and students was likely to increase. She was also of the view that a condition requiring a green wall to the facing wall would enhance and soften the facing wall of the theatre block. Confirmation regarding the precise nature of the artwork to be provided as part of the percentage for art was sought. It was explained that this would be decided upon by a Panel and that Local Ward Councillors would be part of the commissioning panel.
- 41.24 Councillor Steedman expressed his support for the suggestion that a green wall be provided . He considered that it was important to ensure that matching materials were used. The Development Control Manager confirmed that it would be most appropriate for this matter to be dealt with by way of an additional informative. Councillor McCaffery sought clarification by reference to plans of details between the existing and new buildings.

41.25 Mr Small (CAG) stated that whilst not listed the main entrance building was of local interest. Notwithstanding that elements of the scheme would be set back he was of the view that the would tower would be higher than this building and could be overly dominant of it. He was also concerned that where old and new brickwork would exist in close juxtaposition to one another that it would be very difficult to ensure an exact match. Councillor Wells expressed his support of the scheme and did not share Mr Small's concerns relative to the brickwork. Councillors Mrs Norman and McCaffery also supported the scheme which they considered was of a good design. Councillor Hamilton stated that the scheme would provide much needed modern purpose built accommodation. It was noted that the scheme would result in the loss of the existing weekend boot fairs .

41.26 A vote was taken and Members voted unanimously that minded to grant planning permission be granted ,a further vote was taken relative to the addition of an informative seeking provision of a green wall/ roof to the theatre and this was agreed on a vote of 11 with 1 abstention.

41.27 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 10 of the report and resolves that it is minded to grant planning permission subject to receipt of an amended drawing providing visual relief to the west elevation of the theatre, a satisfactorily completed Sustainability Checklist, to the Conditions and Informatives set out in the report and a Section 106 Obligation to secure :

(i) £50,000 towards Sustainable Transport Improvements ; and

(ii) £30,000 towards public art ;

and to the addition of an informative relative to :

the provision of a green wall to the wall / roof as appropriate of the theatre block.

[**Note** : Members voted unanimously that minded to grant planning permission be granted subject to successful completion of the Section 106 Obligation. Councillor Hamilton abstained from voting relative to the addition of an informative relative the provision of a green wall].

(iii) DECISIONS ON MINOR APPLICATIONS WHICH VARY FROM THE RECOMMENDATIONS OF THE DIRECTOR OF ENVIRONMENT AS SET OUT IN THE PLANS LIST (MINOR APPLICATIONS) DATED 18JUNE 2008

41.28 There were none.

(iv) OTHER APPLICATIONS

41.29 **Application BH2007/04444, Land to Rear 67 - 81, Princes Road, Brighton –** Erection of 8 new two and three storey houses at the rear and a single storey lift housed onto Princes Road. Provision of private and communal gardens, refuse

storage, cycle storage and one car parking.

- 41.30 It was noted that this application had formed the subject of a site visit prior to the meeting.
- 41.31 The Planning Officer explained that the Committee were being recommended to agree that they would have refused planning permission for the reasons set out in the Conditions and Informatives set out in the report had an appeal against non-determination had been lodged by the applicant. A detailed presentation was given and it was explained that a total of 222 letters of objection had been received relative to the proposals. Details of the site boundaries, means of access and location of the conservation area were shown. It was explained that the site was considered to be a Greenfield site in that available records dating back to the 1950's indicated that the site had previously been in use as a small holding. Although the roof heights of heights of the proposed buildings were not of uniform height they remained at variance with those of the prevailing street scene, albeit that the applicants had indicated that the site would provide 100% affordable housing. Refusal was recommended on the grounds set out in the report.
- 41.32 Ms Rogers spoke on behalf of neighbouring objectors setting out their objections to the scheme. Objectors were in agreement that the site was a greenfield one notwithstanding that it had been subjected to rigorous clearance by the applicants. In the view of objectors notwithstanding that at each subsequent application had comprised fewer dwelling units, the grounds for refusal had not been overcome and the site remained unsuitable for the number of dwellings proposed in terms of density, overlooking, steep gradients, configuration within the site, access to the site and in relation to the other grounds referred to in the officers report. With the construction of the waste transfer station the proposed accommodation would provide a poorer aspect and amenity for any future residents of the dwellings than would previously have been the case. Mr Coomber spoke on behalf of the applicant in support of their scheme stating that in their view it constituted a brownfield site, the officers recommendation was disappointing in that a number of requests to meet further in order to discuss the proposals had been declined. It was considered that the scheme represented good use of the site which would provide much needed social housing. Issues relative to access to the site had been adequately addressed in the applicants view, the registered social landlord would have allocation rights to the units and it could therefore be ensured that units would be allocated in line with identified need, which would be of high quality and would represent a sustainable form of development. Councillor Taylor spoke in his capacity as a Local Ward Councillor setting out his objections to the proposals. He echoed the grounds put forward by neighbouring objectors stating that the various applications had come forward in respect of the site all of which had been unsuitable, would be completely unneighbourly to existing residents and did not respect either the gradients of the site or the character of the surrounding area. He considered that in order to prevent further future applications relative to a site which in his view was totally inappropriate for residential use he thought it was important for the Committee to designate the site as not suitable as building land and urged

them to consider that option.

- 41.33 In answer to questions of Councillors Barnett and Davey relative to the status of the land the Planning Officer reiterated that the land was designated as greenfield in that records relative to the planning history of the site indicated that there had never been any domestic dwellings there. Councillor Barnett referred to the fact that retaining walls between neighbouring gardens and the site appeared to have been removed and that neighbouring trees also appeared to have been removed. The Planning Officer explained that there was a clear delineation between the site and the garden areas attached to neighbouring domestic dwellings and that this had always been the case.
- 41.34 Mr Small (CAG) sought information regarding elevational details of the gatehouse which would front onto Princes Road. Mr Pennington, Brighton & Hove Federation of Disabled People sought details relative to the distance of the proposed disabled parking bay from the site bearing in mind that this would be available for use by any disabled driver in the vicinity and not necessarily a resident of the proposed development. Councillor Davey also sought confirmation in respect of this matter. Councillors Barnett and Mr Pennington also sought details of the distance of residents front doors on leaving the lift at site ground level. Councillor Smart also sought details of alternative means of access onto the site for wheelchair or other disabled users in the event of the lift being inoperable. Details of arrangements to leave the site in the event of fire were also sought.
- 41.35 Councillor Mrs Theobald sought details regarding provision to the site by the City Car Club and it was explained that such details would need to form the subject of separate negotiation. In answer to further questions it was explained that nomination rights would vest with the registered social landlord.
- 41.36 Councillor Mrs Norman considered that works to the site entrance way were likely to compromise the adjacent tree which formed the subject of a TPO. She also expressed concern regarding difficulties in accessing the site due to the steep gradient in order to get onto it, in the event of lift failure or during inclement weather this could also represent difficulties for able bodied residents as well. Councillors Mrs Theobald and McCaffery echoed those views.
- 41.37 Councillors Barnett and Smart stated that they recognised that there was a desperate need for affordable housing, but stated they had concerns regarding access issues in relation to the site. Councillor Wells, acting as Chairman, stated that he considered the proposals to be acceptable and would provide much needed housing. Councillor Hamilton stated that on balance he considered the officers recommendation to be appropriate and one which should be supported.
- 41.38 Councillors Davey, Kennedy and Steedman stated that in their view the proposed scheme was wholly inappropriate and considered that the Committee should pass a resolution precluding its use as building land. However, the Solicitor to the Sub Committee stated that this was not appropriate as the Committee should not fetter its future decision making in respect of any site.

- 41.39 A vote was taken and on a vote of 6 to 2 with 3 abstentions planning permission was refused on the grounds set out below.
- 41.40 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons set out in the report and resolves that the Local Planning Authority would refused planning permission for the reasons set out below, had an appeal against non- determination not been lodged by the applicant :
1. the proposed development, by reason of excessive site coverage and inadequate boundary separation, overly large unit proportions and inadequate space around the proposed dwellings is considered to be san overdevelopment of the site resulting in overlooking to and cramped living conditions for future occupiers , contrary to Brighton & Hove Local Plan policies QD1, QD2, QD3, QD27, HO4 and HO5.
 2. T proposed terrace by reason of its excessive building height in relation to plot size, excessively deep and bulky proportions, bulky terraces, inappropriate materials, and lack of separation to site boundaries and failure of the ridge heights to appropriately step down following the gradient of Princes Road, would result in a poor appearance that was incongruous with the existing Princes Road terrace and harmful to the setting of the terrace properties and views into the area and the character and appearance of the Round Hill Conservation Area contrary to policies QD1, QD2, QD3, QD4 and HE6 of the Brighton & Hove Local Plan.
 3. The proposed car free development fails to provide for the resulting travel demand and would be likely to exacerbate the existing on- street parking stress and result in the displacement of existing resident parking, contrary to Brighton& hove Local Plan policies TR1, TR19, QD27 and HO7.
 4. The proposed development by reason of its bulk, height and lack of separation to adjoining site boundaries would appear overbearing and result in overlooking and a loss of privacy to the rear of the Princes Road properties, to the detriment of residential amenity contrary to policy QD27 of the Brighton & Hove Local Plan.
 5. The proposed development would result in the loss of a Greenfield site which had significant ecological interest. The applicant has failed to incorporate nature conservation mitigation and enhancement measures within the design of the proposal and as such has failed to address and mitigate the adverse impacts on the development on the nature conservation value of the site contrary to policies QD17, QD18, and QD19 of the Brighton & Hove Local Plan.
 6. The proposed solar panels would result in a cluttered roof scape and insufficient information has been submitted with regard to the appearance of the solar panels, and in the absence of an Echomes / Code for Sustainable Homes pre-assessment by an accredited assessor, the contribution the solar panels make towards achieving the necessary rating cannot be properly assessed. Therefore the proposal cannot be properly judged against policies QD1, Qd2, QD4, HE6 and SU2 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 16 “Renewable Energy & Efficiency”.
 7. The applicant has failed to demonstrate that the development would not adversely impact on the Horse Chestnut tree which is adjacent to the proposed access to the site. As such it is considered that the proposal is

contrary to policy Qd16, of the Brighton & Hove Local Plan.

8. The proposed development would result in an off road parking space and cross over from Princes Road which would be detrimental to the character and appearance of the conservation area, in particular Nos 67 - 81 Princes Road, which are characterised by front boundary walls and front gardens. As such the proposal is contrary to policies QD2 and HE6 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on drawing nos.0409,-07-001, 011, 012,013, 014, 015, 020, 021,022, 023, 024 submitted on 30 November 2007, Tree report submitted 11 February 2008.

[**Note** : Having declared a personal and prejudicial interest in respect of the above application Councillor Hyde vacated the Chair and left the meeting during consideration of the above application. Councillor Wells the Deputy Chairman took the Chair during her absence].

- 41.41 **Application BH2008/01357, 17 - 19 Oxford Street, Brighton** - Change of use of ground and first floor from class A2 (finance and professional services) to class A3 (restaurant and cafe) and A4 (drinking establishment) with associated internal alterations and rear roof terrace.
- 41.42 Members considered that it would be appropriate to hold a site visit prior to determining the application.
- 41.43 **RESOLVED** - That consideration of the above application be deferred pending a site visit.
- 41.44 **Application BH2008/01327, 196 Dyke Road, and Brighton** – Proposed demolition of two houses and erection of a four storey block of 8 flats.
- 41.45 The Planning Officer gave a detailed presentation referring to the configuration of the existing site and to site coverage relative to the proposed development. It was considered that the previous reasons for refusal had been overcome in that the proposed design had effected improvements which respected the character and appearance of the neighbouring Booth Museum. It was proposed that all of units would have amenity space in the form of balconies and in the case of the ground floor unit a patio.
- 41.46 Councillor Hyde the Chairman welcomed the improvements which had been effected to the design of the building. In answer to questions the Planning Officer explained that there were no residential properties immediately abutting the site. In answer to questions by Councillor McCaffery it was explained that the Territorial Army barracks was located immediately to the rear of the application site. Councillor McCaffery enquired whether the existing entrance to the site was to be retained, in particular the statues currently in situ to either side of the gate pillars. It was explained that these would need to be removed in order not to impede the sight lines for vehicles accessing or egressing from the site.

- 41.47 Councillor McCaffery expressed surprise that issues had not been raised relative to additional vehicular movements and traffic which would be generated by the site in an area where traffic congestion was already an issue. In answer to questions put by Councillor Kennedy it was explained that it was proposed to provide on – site parking for 9 vehicles which equated to one parking space per unit.
- 41.48 Councillor Mrs Theobald stated that she did not support the proposed development considering that the two dwelling houses currently on site should be retained as family homes. Mr Small (CAG) reiterated the comments submitted by CAG and the Prestonville Community Association and which were set out in the report. In their view the application was inappropriate to the setting and unique character of the listed Booth Museum over which it would have a commanding impression. It was also considered that it was difficult to ascertain from the photomontages accompanying the application what impact the development would have on surrounding development.
- 41.49 A vote was taken and on a vote of 8 to 3 with 1 abstention planning permission was granted in the terms set out below.
- 41.50 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendations set out in Paragraph 8 of the report and resolves to grant planning permission subject to receipt of a satisfactorily completed Sustainability Checklist and to the Conditions and Informatives set out in the report.
- [**Note** : Councillors McCaffery, Mrs A Norman and Mrs Theobald voted that the application be refused. Councillor Kennedy abstained].
- 41.51 **Application BH2008/00829, 85D Crescent Drive North, Woodingdean** - Alterations to roof including raising the ridge height. Insertion of two dormers and roof light in north / west elevation, dormer and roof light in south / east elevation, two roof lights to north / west elevation and window and roof light to south / west elevation.
- 41.52 A vote was taken and on a vote on 10 to 1 planning permission was granted in the terms set out below.
- 41.53 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves to grant planning permission subject to the Conditions and Informatives set out in the report.
- [**Note** : Councillor McCaffery abstained from voting in respect of the above application. Councillor Hamilton was not present at the meeting when the vote was taken].
- 41.54 **Application BH2007/01574, Hove Rugby Club, Hove Recreation Ground, Shirley Drive, Hove** - Extension to clubhouse to provide additional changing rooms, clubroom and entrance porch.

- 41.55 Members considered that it would be beneficial to hold a site visit prior to determining the application.
- 41.56 **RESOLVED** - That consideration of the above application be deferred pending a site visit .
- 41.57 **Application BH2007/00942, 55 – 57 Church Road, Hove** - Change of use of no 57 from retail (A1) to restaurant (A3) in conjunction with no.55 single storey rear extension, alterations to basement and ground floor and installation of extract ducting to rear elevation. Formation of front boundary wall and replacement shopfronts to nos. 55 & 57.
- 41.58 Councillor Steedman enquired regarding the location of waste storage facilities, seeking confirmation that they were considered to be adequate. It was explained that these would be located to the rear of the premises. Councillor Smart considered it regrettable that the retail use would be replaced by a restaurant.
- 41.59 A vote was taken and on a vote of 9 with 2 abstentions planning permission was granted in the terms set out below.
- 41.60 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves to grant planning permission subject to the Conditions and Informatives set out in the report.
- 41.61 [**Note** : Councillors McCaffery and Smart abstained from voting in respect of the above application. Councillor Hamilton was not present at the meeting when the vote was taken].
- 41.62 **Application BH2007/02454, 5 - 6 Western Road, Hove** – Part retrospective application for the erection of a four storey building over an existing basement level nightclub, comprising a ground floor bar (A4) and six flats over the floors above, and including alterations to existing elevations.
- 41.63 The Planning Officer referred to the additional submissions received and set out in the “Late Representations List”. It was noted that Councillor Elgood fully supported the officers’ recommendations and would be happy to revise his objections accordingly should the Committee grant permission. A detailed presentation was given detailing recent past planning history relative to the site and the measures for which planning approval was now sought which sought to ameliorate and remedy the current situation on site and to ensure completion of the development . The individual floor plans for each floor of the building were referred to as were proposals relating to storage of domestic and recycling waste within the building, for clearance by private contractors only via Western Road rather than via Farman Street and Cross Street. Conditions were proposed which would ensure that operation of the basement nightclub and ground floor bar were entirely separate and could not be combined. In order to reduce the height of the shuttered elevation in line with the recommendations contained in the Planning Inspector’s report relative to the

most recent appeal decision, the height of the lift shaft would be reduced. Access to the top two floors would be by means of staircases. Measures were also proposed relative to the replacement of the existing UPVC windows, coating of surfaces provision where appropriate with vandal proof paint, relative to removal of the existing ramp and provision of CCTV cameras in Farman Street .

- 41.64 Mr Chavasse, present to speak on behalf of neighbouring objectors stated that having conferred with the applicant's representative he was prepared to withdraw the objections raised on the basis that works would be carried out as indicated particularly in relation to the removal and storage of waste . Mr Barling spoke on behalf of the applicant in support of their application. He stated that the current application sought to complete the scheme and to carry out the building works in a manner which was acceptable to all parties, and overcame the planning objections and the issues raised by the Planning Inspector in relation to the most recent planning appeal . There was a will to ensure that all works were properly carried out , in order to obviate the need for the building to be demolished which would not be beneficial to any party . He was confident that the architect currently engaged would ensure that these works were carried out in accordance with the submitted plans should the application be approved.
- 41.65 Councillor Davey sought clarification regarding the location of cycle parking facilities relative to the development and it was explained that these would be located at basement level with the remainder at first floor internally. Bicycles could be taken up to that level via the internal lift.
- 41.66 Mr Small (CAG) enquired whether as details relative to a number of conditions were still awaited whether it would be appropriate for the Committee to grant permission at this stage. The planning officer explained that if the conditions of any permission granted were not complied with that the Enforcement action would be taken.
- 41.67 Mr Pennington, Brighton & Hove Federation of Disabled People enquired regarding disabled access arrangements to the building. He considered that the current proposal was inadequate, as a result of lowering of the lift tower this meant that access to the top two floors of the building was via stairs which meant they were not fully accessible .
- 41.68 The Planning Officer explained that it was accepted that in order to effect the changes necessary to meet planning requirements and to address the issues raised in the Planning Inspector's report that a compromise solution had been reached.
- 41.69 A vote was taken and Members voted unanimously that planning permission be granted minded to grant subject to expiry of the consultation period in the terms set out below.
- 41.70 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons set out in Paragraph 9 of the report and resolves to grant planning permission subject to the Conditions and Informatives set out in the report and addition of Condition 3 relative to the provision of appropriate

lighting.

(v) DECISIONS ON APPLICATIONS DELEGATED TO THE DIRECTOR OF ENVIRONMENT

41.71 **RESOLVED** – Those details of the applications determined by the Director of Environment under delegated powers be noted.

[**Note 1:** All decisions recorded in this minute are subject to certain conditions and reasons recorded in the Planning Register maintained by the Director of Environment. The register complies with the legislative requirements].

[**Note 2 :** A list of representations, received by the Council after the Plans List reports had been submitted for printing had been circulated to Members on the Friday preceding the meeting. (For copy see minute book). Where representations were received after that time they would be reported to the Chairman and Deputy Chairman and it would be at their discretion whether these should (in exceptional cases), be reported to the Committee. This in accordance with resolution 147.2 of the then, Sub Committee held on 23 February 2005].

42. SITE VISITS

42.1 The following site visits were agreed:

APPLICATION	SITE	SUGGESTED BY
BH2008/01357	17 - 19 Oxford Street	Councillor Steedman
BH2007/01574	Hove Rugby Club, Hove Recreation Ground, Shirley Drive	Councillor Barnett
BH2008/00955	Woodingdean Business Park, Bexhill Road	Development Control Manager
BH2008/01268	GB Liners Blackman Street	Development Control Manager
BH2008/00792	Brighton General Hospital	Development Control Manager
BH2008/01554	Sackville Trading Estate	Development Control Manager

43. APPEAL DECISIONS

43.1 The Committee noted letters received from the Planning Inspectorate advising on the results of planning appeals which had been lodged as set out on the agenda.

44. APPEALS LODGED

44.1 The Committee noted the list of Planning Appeals, which had been lodged as set out in the agenda.

45. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

45.1 The Committee noted the information set out in the agenda relating to information on Informal Hearings and Public Inquiries.

The meeting concluded at 6.15pm

Signed

Chair

Dated this

day of

APPEAL DECISIONS

	Page
A. SOUTH PORTSLADE WARD	
Applications (A) BH2007/006262 and (B) BH200700851, Land to the rear of 8 Locks Hill, Portslade. Appeal against a refusal to grant (A) listed building consent for demolition of part of an existing boundary wall and construction of a new flint boundary wall and (B) planning permission for proposed construction of a pair of semi detached cottages with private gardens and car parking. APPEALS DISMISSED (copy of the letter from the Planning Inspectorate attached).	21
B. STANFORD WARD	
Applications (A) BH2007/03382 and BH2007/0383, British Engineerium, The Droveaway, Nevill Road, Hove. Appeal against refusal to grant (A) listed building consent for erection of a telecommunications base station consisting of 3 no. 3G mobile phone antennas and associated development and (B) planning permission to erect a telecommunications base station consisting of 3no. 3G mobile phone antennas and associated development. Delegated Decision APPEALS DISMISSED (copy of the letter from the Planning Inspectorate attached).	23
C. HANOVER & ELM GROVE WARD	
Application BH2007/00884, Former Covers Yard, Melbourne Street, Brighton. Appeal against refusal to grant planning permission for a development comprising 54 flats and 6 office spaces(part new build), part conversion of existing buildings). APPEAL DISMISSED (copy of the letter from the Planning Inspectorate attached).	25
D. ROTTINGDEAN COASTAL WARD	
Application BH2007/02003, 4 Lenham Road West, Rottingdean. Appeal against refusal to grant planning permission for erection of a roof extension. APPEAL DISMISSED (copy of the letter from the Planning Inspectorate attached).	33
E. CENTRAL HOVE WARD	
Applications (A) BH2005/06265 and (B) BH2005/06266, 8 Medina Terrace Hove. Appeal against refusal to grant planning permission for partial removal of the partial removal of the fourth floor pitched roof and replacement with top floor open plan room and (B) Appeal against refusal to grant listed building consent for partial removal of the fourth floor pitched roof and replacement with a top floor open plan room.. APPEAL ALLOWED (copy of the letter from the Planning Inspectorate attached).	35



Appeal Decisions

Hearing held on 10 June 2008
Site visit made on 10 June 2008

by **Olivia Spencer BA BSc DipArch RIBA**

**an Inspector appointed by the Secretary of State
for Communities and Local Government**

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**Decision date:
14 July 2008**

Appeal Ref: APP/Q1445/E/07/2059572

Land to the rear of 8 Locks Hill, Portslade, Brighton BN41 2LB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr I Dodd against the decision of Brighton & Hove City Council.
- The application Ref BH2007/00626, dated 26 February 2007, was refused by notice dated 25 May 2007.
- The works proposed are demolition of part of an existing boundary wall and construction of a new flint boundary wall and garage.

Appeal Ref: APP/Q1445/A/07/2059566

Land to the rear of 8 Locks Hill, Portslade, Brighton BN41 2LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr I Dodd against the decision of Brighton & Hove City Council.
- The application Ref BH2007/00851, dated 26 February 2007, was refused by notice dated 25 May 2007.
- The development proposed is the construction of a pair of semi-detached cottages with private gardens and car parking.

Decision

1. I dismiss the appeals.

Main issue

2. It was agreed at the hearing that reasons 2 and 3 for refusal of planning permission, which relate to efficient use of resources and the provision of cycle storage, could be overcome by the imposition of conditions. I therefore consider the main issue in this case is the effect of the proposed development on the setting of no.8 Locks Hill which is listed grade II.

Reasons

3. The appeal site is located within a suburban area but the flint faced 2 storey listed cottage, which predates much of the adjacent development, has retained much of its original rural vernacular character and a spacious verdant setting. The building is separated from a terrace of houses to the north and to a greater degree from former school buildings to the south which are set at a lower level. The land on which the proposed houses would be built may not have originally been in the same ownership as the listed building and in recent years it has been in commercial use. Nevertheless it now forms, in combination with the

adjoining gardens to the north, a significant area of space and greenery around the cottage. Falling ground levels to the west mean that the nearby large block of flats has little visual impact from within the site or from in front of the listed building in Locks Hill.

4. The proposed access would cut across the historic curtilage of the listed building and would be wider, and thus nearer to the cottage than the existing driveway. The front wall and a short nib of rear flint wall would be cut back and a large and very visible entrance created, with an expanse of hard surfacing, albeit with some planting, evident beyond. This characteristically suburban feature would detract significantly from the soft semi-rural character of the cottage garden and adjacent land. The proposed flint wall that would separate the access road from the listed building, though attractive in its own right, would have the effect of enclosing the southern elevation of the listed building, reducing that part of the garden and cramping the currently generous area around the flank wall entrance to the cottage. Thus whilst the works would involve only minor alterations to the existing walls, I consider the harm caused by the proposed access to the setting of the listed building would be substantial.
5. Although the main entrance doors to the proposed houses would be in the eastern elevation, this side of the structure has been designed to reflect the traditional rear cat-slide form of the listed building. The 2 buildings, old and new, would thus appear to sit back to back with a distance of only some 10.5 metres between their closest points. A layout such as this is predominantly an urban pattern of development and as such I consider it would appear at odds with the informal spacious and historically rural character of the listed building. Further though built at a lower level than the cottage, the eastern roof slope of the proposed buildings, some 13 metres wide and rising approximately 5 metres from eaves to ridge, would be visible above the boundary wall. Such a considerable expanse of roof built close to the boundary I consider would have an enclosing and overbearing effect that would seriously detract from residents and visitors understanding and experience of, the original rural character of the listed building which relies to significant degree on its setting.
6. I conclude the proposed development would fail to preserve the setting of the listed building contrary to Policy HE3 of the Brighton and Hove Local Plan 2005.

Other considerations

7. I note that the appellant currently parks cars in the existing narrow site access, reversing from it into the road. However there seems little reason why parking and turning facilities could not be provided without development of the houses and widening of the entrance. And whilst Government policy promotes the efficient use of previously developed land, it advocates that this should be achieved together with enhancement of the built environment not at the expense of it as I consider would be the case here. Neither is sufficient therefore to outweigh the considerations that led to my conclusion on the main issue.

Olivia Spencer

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

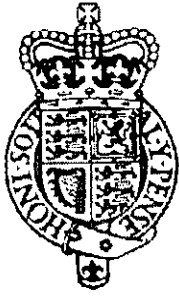
Mr D Collins DipTP MRTPI Agent for the appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mr G Bennett BAMA DipTP IHBC Senior Planner Conservation
Mr P Earp BTP Senior Planner Development Control

DOCUMENTS SUBMITTED AT THE HEARING

- 1 1879 map submitted by the Council
- 2 Bundle of historic maps submitted by the Council
- 3 Aerial photo of site submitted by the Council
- 4 Amended appeal statement submitted by the Council



Appeal Decisions

Site visit made on 2 April 2007

by **Philip Wilson** DipArch DipTP RIBA MRTPI

an Inspector appointed by the Secretary of State for
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Date: 9 May 2007

Appeal Ref: APP/Q1445/A/06/2017155
8 Medina Terrace, Hove, East Sussex BN3 2WL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ms K Martin against the decision of Brighton & Hove City Council.
- The application Ref: BH2005/06265, dated 12 September 2005, was refused by notice dated 11 January 2006.
- The development proposed is partial removal of fourth floor pitched roof and replacement with top floor open plan room.

Summary of Decision: The appeal is allowed, and planning permission granted subject to conditions set out below in the Formal Decision.

Appeal Ref: APP/Q1445/E/06/2017156
8 Medina Terrace, Hove, East Sussex BN3 2WL

listed building.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Ms K Martin against the decision of Brighton & Hove City Council.
- The application Ref: BH2005/06266, dated 10 November 2005, was refused by notice dated 11 January 2006.
- The works proposed are partial removal of fourth floor pitched roof and replacement with top floor open plan room.

Summary of Decision: The appeal is allowed, and listed building consent is granted in the terms set out below in the Formal Decision.

Procedural Matters

1. The appeal building is included in Grade II of the statutory list of buildings of special architectural or historic interest. In considering the effect of the proposals on the listed building, I have had regard to the duty imposed by sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This duty requires special consideration to be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses.
2. As the appeal building is within the Cliftonville Conservation Area, I have also had regard to the duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. In determining both appeals, I have taken into account advice on buildings and areas of special architectural or historic interest contained in Planning Policy Guidance note 15 *Planning and the Historic Environment* (PPG15).

3. My decisions on the appeal proposals are based drawings 05479/PA20 and 05479/PA/021. An amended version of drawing 05479/PA20, revision A, forwarded to me after the site inspection includes additional descriptive notes but does not appear to materially alter the proposals. A revised version of drawing 05479/PA/010 was sent to me after the site inspection (05479/PA/010a). It is the version referred to in the Council's notices of its decisions and appears to supersede the original drawing. I have taken it into consideration for the purposes of my decisions.

Main Issues

4. The main issues in both appeals are first, whether the development and works proposed would preserve the special interest of the listed building and, secondly, whether the development and works proposed would preserve or enhance the character or appearance of the Cliftonville Conservation Area.

Planning Policy

5. In refusing planning permission and listed building consent, the Council alleges conflict with policies HE1, HE6, QD1 and QD14 of the Brighton and Hove Local Plan 2005. No conflict is alleged with strategic planning policies.
6. Policy HE1 supports alterations, extensions or changes of use of a listed building only when there would be no adverse effect of the architectural and historic character of the interior or exterior of the building and only where proposals would respect the scale, design, materials and finishes of the existing building and would preserve its historic fabric. Policy HE6 requires proposals within or affecting the setting of a conservation area to preserve or enhance the character or appearance of the area. The policy sets out criteria that proposals will be expected to satisfy. They include a requirement that there should be no harmful impact on the townscape and roofscape of the conservation area.
7. Policy QD1 requires all development to be of a high standard of design, taking into account scale, height and detailing. Policy QD14 lists criteria that proposals for extensions and alterations to buildings will need to satisfy. They include a requirement that the extension or alteration be well designed and detailed in relation to the property to be extended, and in relation to adjoining properties and the surrounding area. Local plan policies are supported by supplementary planning guidance on roof alterations and extension, SPG Note 1. I have taken this guidance into account in reaching my decisions.

Reasons

First Main Issue

8. The list description includes a reference to previous alterations to the attic storeys of houses that make up the terrace and to their conversion into flats. No 8 Medina Terrace remains a single dwelling with 4 floors above a basement. Its position gives it particular prominence in relation to the remainder of the terrace and the scaffront promenade. It is difficult to determine the original roof form of houses within the terrace as, with the possible exception of No 6, roofs appear to have been rebuilt or remodelled. These changes have, in my opinion, had only a limited effect on the architectural character of the terrace.
9. The present attic rooms of 8 Medina Terrace appear to have been formed in the recent past through reconstruction of the former roof. I saw no features of obvious architectural

interest, either internally or externally. The proposed replacement accommodation at this level would, in my opinion, be no more prominent than the existing roof. Although of modern design, I am satisfied that it would respect the outward form and character of the listed building.

10. Given that the roof of the appeal property does not, in common with most others in the terrace appear to be original, there is, in my opinion, considerable scope for a modified roof form, within the architectural parameters of the terrace as a whole. The appeal proposals have, in my opinion, been sensitively conceived and detailed. I do not accept, as the Council argues, that the combination of flat and pitched roofs proposed would significantly affect the character of the existing building or the terrace of which it is part. Accordingly, I conclude that the special interest of the listed building would be preserved and that no conflict arises with the objectives underlying local plan policies HE1, QD1 or QD14.

Second Main Issue

11. The conservation area in this case extends well back from the seafront promenade and includes many buildings, terraces and groups of buildings of good architectural character. As a listed building, and by reason of its prominence, Medina Terrace makes a significant contribution to the special architectural and historic interest of the conservation area. In that I have concluded that the special interest of the listed building would be preserved by the appeal proposals, it follows that its contribution to the conservation area would be no less than at present. I therefore conclude that the appeal proposals would preserve the character and appearance of the Cliftonville Conservation Area, in accordance with the main objective of local plan policy HE6.


Conditions

12. The Council has indicated conditions it would wish to see attached to any planning permission or listed building consent that might be granted. I have considered these in the light of Circular 11/95 advice. Although the application is generally informative on materials and finishes, for the avoidance of doubt I consider it necessary to attach to the listed building consent I intend to grant a condition requiring details of these to be approved by the Council. As the appeals are linked, I see no reason for duplicating the condition in the planning permission I propose to grant.

Conclusions

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeals should be allowed.

Formal Decisions

Appeal Ref: APP/Q1445/A/06/2017155 

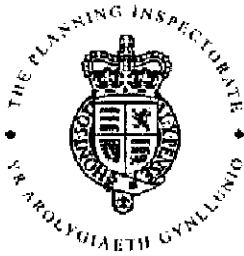
14. I allow the appeal, and grant planning permission for partial removal of fourth floor pitched roof and replacement with top floor open plan room at 8 Medina Terrace, Hove in accordance with the terms of the application, Ref: BH2005/06265, dated 12 September 2005, and the plans submitted with it, subject to the development hereby permitted being commenced before the expiration of 3 years from the date of this permission.

Appeal Ref: APP/Q1445/E/06/2017156 LB

15. I allow the appeal, and grant listed building consent for partial removal of fourth floor pitched roof and replacement with top floor open plan room at 8 Medina Terrace, Hove in accordance with the terms of the application Ref: BH2005/06266, dated 10 November 2005 and the plans submitted with it, subject to the following conditions:
1. The works for which consent is hereby granted shall be commenced before the expiration of 3 years from the date of this consent.
 2. No works shall commence before details and samples of the materials – including colour of render, paintwork or colourwash – to be used in the construction of the external surfaces of the works for which consent is hereby granted have been submitted to and approved in writing by the local planning authority. Thereafter the works shall not be undertaken other than in accordance with the details approved.

Philip Wilson

INSPECTOR



Appeal Decision

Hearing held on 7 May 2008

Site visit made on 7 May 2008

by **Martyn Heyes** BSc(ENG), MEng, PhD,
CEng, FICE, FIHT

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
27 June 2008

Appeal Ref: APP/Q1445/A/08/2065312

Former Covers Yard, Melbourne Street, Brighton BN2 3LH.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Hyde Housing Association Ltd against the decision of Brighton & Hove City Council.
- The application Ref BH2007/00884, dated 9 March 2007, was refused by notice dated 5 July 2007.
- The development proposed comprises of 54 flats and six office spaces (part new build, part conversion of existing buildings).

Application for costs

1. At the Hearing an application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.

Decision

2. I dismiss the appeal.

Procedural Matters

3. At the opening of the hearing the appellant submitted a Unilateral Undertaking to fund a range of social infrastructure items. The Council accepted that the sums of money involved were acceptable and that this would effectively overcome one of the Council's reasons for refusal.
4. I have noted that there is a dispute between the parties as to the current status of the permitted uses, but as this is not reflected in the Council's reasons for refusal, I have not considered the matter further in reaching my decision.

Main Issues

5. The main outstanding issues are the effects of the proposed development on the character and appearance of the area, the living conditions of the occupiers of neighbouring properties and future occupiers of the development, with respect to outlook, privacy, natural lighting levels and outside amenity space, as well as on highway safety.

Reasons

Character and appearance

6. The site lies adjacent to one of the main highway routes into Brighton, outside the town centre in an area described as 'central fringe'. The Lewes Road frontage consists of a terrace of shops which would not be directly affected by the proposals, while the former builders' yard behind them marks a transition between Victorian terraced houses to the south and a range of workshops, together with Enterprise House, a tall former factory building, to the north. Also fronting onto Melbourne Street is a relatively new school, and a Victorian hall, Connaught House, which is part of the re-development site, and sandwiched between the terraced houses.
7. The current character and appearance of the area is difficult to define given the varied mixture of properties and uses, but key to an acceptable scheme must be its ability to integrate satisfactorily with the properties surrounding it. The appearance of the proposed development would be dominated by the 6/7 storey block of flats, and while the site lies in a corridor which can accept tall buildings, I do not consider that this building would sit comfortably so close to the existing terraced houses at the south of the site. Its siting hard against the footway only emphasises the conflict with the adjacent terrace, as would the treatment of the new elevations.
8. Renovating the brick facade of Connaught House as part of the scheme would retain an attractive feature in the street-scene, but the proposed external lift shaft abutting the gable wall remaining after the demolition of the adjoining house would be a somewhat incongruous feature. The harm to the street-scene would be further exacerbated by the appearance of the associated large slatted screen, although I accept that views of it will be limited.
9. I conclude that the proposed development would not accord with Policy QD2 of the Brighton & Hove Local Plan as it fails to emphasise and enhance the positive qualities of the local neighbourhood by taking into account the local characteristics, particularly the height, scale, bulk and design of existing buildings.

Living Conditions

10. The constraints posed by the existing buildings, and the density of the proposed development have led the appellant to resorting to a number of unusual techniques in an attempt to avoid overlooking and safeguard privacy.
11. One of these techniques is the provision of the large slatted screen that would be erected to hide the external walkways and staircases proposed on the eastern elevation of Connaught House, and to limit the overlooking of windows in the rear elevations of nos.32-37 Melbourne Street. The inter-visibility distances involved are below the standards normally regarded as acceptable, and I am not convinced that the proposed scheme would adequately overcome the privacy issue. Moreover the size and position of the screen is such that it would present a dominant outlook to the view from the rear of the terrace. As a result, I conclude that the proposed development would not accord with LP

Policy QD27 which seeks to ensure that new development does not cause material nuisance or loss of amenity to neighbouring occupiers.

12. Another technique considered necessary would be the use of the bay windows which would be partially glazed with etched glass on the eastern elevations of the smaller blocks of flats. This would prevent direct inter-visibility between rooms which are only about 9m apart. While I accept that their use should overcome the privacy issue, it would leave those rooms where these are the only windows without an acceptable outlook. I consider this would result in unsatisfactory living conditions, and conclude that this aspect of the design would also conflict with LP Policy QD27.
13. The form of development would also result in a number of flats having restricted levels of natural light in certain habitable rooms. While the appellant has submitted amendments to the scheme to overcome this issue, it is further evidence that the proposed development fails to demonstrate a high standard of design as required by LP Policy QD1.
14. The size of the site would make it practically impossible to provide a children's play area to the Council's standards, and although this issue arises as a consequence of the appellant's choice of uses for the site, the nearby Turnerland would provide a second best facility for what would probably be a limited number of children. There is also very little private outdoor amenity space which is not overlooked, but this again is somewhat inevitable for this type of development, and I would not reject the scheme on these grounds alone.

Highway Safety

15. The evidence is that on street parking in the locality is at a premium. While parking restrictions and other traffic regulations have been introduced to improve highway safety and support sustainable transport modes, this area of Brighton is not currently in a controlled parking zone. Under these circumstances, the lack of provision for the demand for car parking which would be generated by the block of 44 flats would be likely to cause considerable conflict with the existing local residents and result in inconsiderate and dangerous parking. I conclude that, in this respect, the proposed development would not accord with LP Policy TR7 which only permits developments that do not increase danger to other road users.
16. I have noted the great strides which the Council have made in promoting sustainable transport, and this is also reflected by the number of car clubs that are now operating. However, like the Council, I consider that any proposal which relies on none of the residents owning a motor vehicle is unrealistic in this location at this point in time.

Conclusions

17. The proposed development would have much to commend it, particularly its contribution to meeting Brighton's affordable housing needs. I also recognise the effort which the appellant has put into evolving a scheme that has attracted favourable comments from the Council's urban designer. It is a difficult site to redevelop satisfactorily and I accept that some compromises will probably be required. However, in my assessment the density of the development

proposed in this scheme can only be achieved by resorting to a number of features that would conflict with the objectives of the Development Plan. The benefits of the scheme are not such as to outweigh the harm that I have identified, and, having considered all other matters raised, I conclude that the appeal should be dismissed.

Martyn P Heyes

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr S Bareham MRTPI	Lewis & Co Planning, Paxton Business Centre, Portland Road, Hove BN3 5SG.
Mr S Atkins RIBA	DRP Architects, 87-88 Upper Lewes Road, Brighton BN2 3FF.
Mr G Waller CEng MICE MCIWEM	The Civil Engineering Practice, 11 Tungsten Building, George Street, Fishergate BN41 1RA.
Ms D Dyball	John Packer Associates, 5 Kingfisher Court, Bollbrook Business Park, Uckfield TN22 1QQ.
Ms J Strube	Hyde Housing Association, 2 nd Floor, Rayford House, School Road, Portslade BN3 5HX.
Mr G Ings RIBA	DRP Architects

FOR THE LOCAL PLANNING AUTHORITY:

Ms K Brocklebank MRTPI	Brighton & Hove City Council
Mr H Walke MRTPI	Brighton & Hove City Council
Mr S Reeves MIHT	Brighton & Hove City Council

DOCUMENT

1 . Council's revised schedule of preferred conditions

APPEARANCES

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Mr S Reeves MIHT	Brighton & Hove City Council

DOCUMENT

1 . Council's revised schedule of preferred conditions



Costs Decision

Hearing held on 7 May 2008

Site visit made on 7 May 2008

by **Martyn Heyes** BSc(ENG), MEng, PhD,
CEng, FICE, FIHT

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
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☎ 0117 372 6372
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Decision date:
27 June 2008

Costs application in relation to Appeal Ref: APP/Q1445/A/08/2065312 Former Covers Yard, Melbourne Street, Brighton BN2 3LH.

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Hyde Housing Association Ltd for a full award of costs against Brighton & Hove City Council.
- The hearing was in connection with an appeal against the refusal of planning permission for 54 flats and six office spaces (part new build, part conversion of existing buildings).

Summary of Decision: The application fails and no award of costs is made.

The Submissions for Hyde Housing Association Ltd

1. The application is for a full award of costs.
2. The decision to refuse planning permission was taken by officers in excess of the powers set out in the scheme of delegation. It was, strictly, an unlawful decision. By taking it in this manner the Council behaved unreasonably in terms of paragraph 1 of Annex 1 of Circular 8/93.
3. The applicant need not, and could not, show that the officers' recommendation would have been overturned if the application had been dealt with by the Planning Committee. However, two recent comparable schemes at Ebenezer Chapel and Travers Perkins were approved by the committee against the officers' recommendation, and showed a willingness to take an independent view on matters of a similar nature to the present proposal. The recommended reasons for refusing the Ebenezer Chapel scheme were similar to those stated in this case, but were rejected by the Council's Planning Committee.
4. Although a similar application for a full award of costs was recently rejected in the case of the appeal on a former Esso garage site, the circumstances here are different. In the Esso appeal the Inspector considered that, although the Council had behaved unreasonably, no wasted expense need have been incurred as a result because it was open to the applicant to resubmit the application without paying an additional fee. In this case however that was not possible because the applicant had already withdrawn the first application in order to seek Counsel's opinion on the status of the existing permitted uses of the site. A new application would have attracted a fee of £14,155 (in 2007); and in order to avoid this additional expense, an appeal was the only alternative.

The Response by the Council

5. The Council accept that the planning application was refused by officers in excess of their designated powers, and since the practice was drawn to their attention, they have dealt with applications differently.
6. In this case it was the applicant's choice to withdraw the first application before it could be determined by the Planning Committee.
7. The applicant is effectively claiming costs associated with a third application which has not yet been incurred.

Conclusions

8. I have considered this application for costs in the light of Circular 8/93 and all the relevant circumstances. This advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused another party to incur or waste expense unnecessarily.
9. It is accepted that the Council behaved unreasonably in so far as the officers had no power to act in the way they did, and their action prevented the applicant making their case to the Council's Planning Committee. It is evident from the cases quoted that there was some possibility of a different outcome if they had had that opportunity, however, it was open to the applicant to resubmit the application and have it determined by the Committee.
10. I accept that, in this case, this course of action would have cost the applicant £14,155 because the application had already been withdrawn once. However, the decision to withdraw the application was made by the applicant.
11. In determining whether the Council can be considered to have caused the applicant to incur unnecessary expense, I can see no reason why the applicant needed to withdraw the original application. While I understand that the applicant was attempting to resolve the issue of the existing permitted uses, the additional evidence of the Counsel's opinion could have been made available to the Council before the first decision was made, and, following the refusal, a second, cost free, submission could have been considered by the Council's Planning Committee. I therefore consider that the Council cannot be held responsible for the applicant being faced with the additional expense of another set of planning application fees.
12. I conclude that unreasonable behaviour resulting in unnecessary expense, as described in Circular 8/93, has not been demonstrated. An award of costs is not justified.

Formal Decision and Costs Order

13. I refuse the application for an award of costs.

Martyn P Heyes

INSPECTOR



Appeal Decision

Site visit made on 3 March 2008

by **Susan A F Simpson LLB**

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
14 March 2008

Appeal Ref: APP/Q1445/A/07/2061830

4 Lenham Road West, Rottingdean, East Sussex BN2 7GJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Pinder against the decision of the Brighton & Hove City Council.
- The application (BH2007/02003) dated 23 May 2007, was refused by a notice dated 19 July 2007.
- The development proposed is described in the application as a roof extension.

Decision

1. I hereby dismiss the appeal.

Reasons

2. The properties along Lenham Road West vary both in style and size. Situated towards the head of this small cul-de-sac of dwellings, the appeal property enjoys a prominent location in the street scene.
3. The proposed extensions to either side of No 4 would result in a considerable horizontal expanse of roof where the incorporation of the dormer windows would add significantly to the amount of mass and bulk that would result from the new first floor additions. Overall, the proposal would materially alter the character and appearance of No 4 and produce a dwelling that would appear larger and more bulky than neighbouring dwellings and substantially more prominent and overbearing in the street scene. It follows that I find the development to be contrary to Policies QD14 and QD2 of the Local Plan and the Council's supplementary planning guidance note 1.
4. I have considered all the other matters that have been raised including the submissions that the scheme would improve the current appearance of No 4 and the references to other premises in the area. In respect of the latter, I find no direct comparison between these and the effect the development would have on the Lenham Road West street scene. I have also taken into account the support that has been received from local residents and that, had the proposal been otherwise acceptable, the second reason for refusal could have been overcome by the imposition of a condition. However, none of these matters alters the decision I have reached in this case.

S A F Simpson

INSPECTOR



Appeal Decisions

Site visit made on 2 April 2007

by **Philip Wilson** DipArch DipTP RIBA MRTPI

an Inspector appointed by the Secretary of State for
Communities and Local Government

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Date: 9 May 2007

Appeal Ref: APP/Q1445/A/06/2017155
8 Medina Terrace, Hove, East Sussex BN3 2WL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ms K Martin against the decision of Brighton & Hove City Council.
- The application Ref: BH2005/06265, dated 12 September 2005, was refused by notice dated 11 January 2006.
- The development proposed is partial removal of fourth floor pitched roof and replacement with top floor open plan room.

Summary of Decision: The appeal is allowed, and planning permission granted subject to conditions set out below in the Formal Decision.

Appeal Ref: APP/Q1445/E/06/2017156
8 Medina Terrace, Hove, East Sussex BN3 2WL

listed building.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Ms K Martin against the decision of Brighton & Hove City Council.
- The application Ref: BH2005/06266, dated 10 November 2005, was refused by notice dated 11 January 2006.
- The works proposed are partial removal of fourth floor pitched roof and replacement with top floor open plan room.

Summary of Decision: The appeal is allowed, and listed building consent is granted in the terms set out below in the Formal Decision.

Procedural Matters

1. The appeal building is included in Grade II of the statutory list of buildings of special architectural or historic interest. In considering the effect of the proposals on the listed building, I have had regard to the duty imposed by sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This duty requires special consideration to be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses.
2. As the appeal building is within the Cliftonville Conservation Area, I have also had regard to the duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. In determining both appeals, I have taken into account advice on buildings and areas of special architectural or historic interest contained in Planning Policy Guidance note 15 *Planning and the Historic Environment* (PPG15).

3. My decisions on the appeal proposals are based drawings 05479/PA20 and 05479/PA/021. An amended version of drawing 05479/PA20, revision A, forwarded to me after the site inspection includes additional descriptive notes but does not appear to materially alter the proposals. A revised version of drawing 05479/PA/010 was sent to me after the site inspection (05479/PA/010a). It is the version referred to in the Council's notices of its decisions and appears to supersede the original drawing. I have taken it into consideration for the purposes of my decisions.

Main Issues

4. The main issues in both appeals are first, whether the development and works proposed would preserve the special interest of the listed building and, secondly, whether the development and works proposed would preserve or enhance the character or appearance of the Cliftonville Conservation Area.

Planning Policy

5. In refusing planning permission and listed building consent, the Council alleges conflict with policies HE1, HE6, QD1 and QD14 of the Brighton and Hove Local Plan 2005. No conflict is alleged with strategic planning policies.
6. Policy HE1 supports alterations, extensions or changes of use of a listed building only when there would be no adverse effect of the architectural and historic character of the interior or exterior of the building and only where proposals would respect the scale, design, materials and finishes of the existing building and would preserve its historic fabric. Policy HE6 requires proposals within or affecting the setting of a conservation area to preserve or enhance the character or appearance of the area. The policy sets out criteria that proposals will be expected to satisfy. They include a requirement that there should be no harmful impact on the townscape and roofscape of the conservation area.
7. Policy QD1 requires all development to be of a high standard of design, taking into account scale, height and detailing. Policy QD14 lists criteria that proposals for extensions and alterations to buildings will need to satisfy. They include a requirement that the extension or alteration be well designed and detailed in relation to the property to be extended, and in relation to adjoining properties and the surrounding area. Local plan policies are supported by supplementary planning guidance on roof alterations and extension, SPG Note 1. I have taken this guidance into account in reaching my decisions.

Reasons

First Main Issue

8. The list description includes a reference to previous alterations to the attic storeys of houses that make up the terrace and to their conversion into flats. No 8 Medina Terrace remains a single dwelling with 4 floors above a basement. Its position gives it particular prominence in relation to the remainder of the terrace and the scafront promenade. It is difficult to determine the original roof form of houses within the terrace as, with the possible exception of No 6, roofs appear to have been rebuilt or remodelled. These changes have, in my opinion, had only a limited effect on the architectural character of the terrace.
9. The present attic rooms of 8 Medina Terrace appear to have been formed in the recent past through reconstruction of the former roof. I saw no features of obvious architectural

interest, either internally or externally. The proposed replacement accommodation at this level would, in my opinion, be no more prominent than the existing roof. Although of modern design, I am satisfied that it would respect the outward form and character of the listed building.

10. Given that the roof of the appeal property does not, in common with most others in the terrace appear to be original, there is, in my opinion, considerable scope for a modified roof form, within the architectural parameters of the terrace as a whole. The appeal proposals have, in my opinion, been sensitively conceived and detailed. I do not accept, as the Council argues, that the combination of flat and pitched roofs proposed would significantly affect the character of the existing building or the terrace of which it is part. Accordingly, I conclude that the special interest of the listed building would be preserved and that no conflict arises with the objectives underlying local plan policies HE1, QD1 or QD14.

Second Main Issue

11. The conservation area in this case extends well back from the seafront promenade and includes many buildings, terraces and groups of buildings of good architectural character. As a listed building, and by reason of its prominence, Medina Terrace makes a significant contribution to the special architectural and historic interest of the conservation area. In that I have concluded that the special interest of the listed building would be preserved by the appeal proposals, it follows that its contribution to the conservation area would be no less than at present. I therefore conclude that the appeal proposals would preserve the character and appearance of the Cliftonville Conservation Area, in accordance with the main objective of local plan policy HE6.

Conditions

12. The Council has indicated conditions it would wish to see attached to any planning permission or listed building consent that might be granted. I have considered these in the light of Circular 11/95 advice. Although the application is generally informative on materials and finishes, for the avoidance of doubt I consider it necessary to attach to the listed building consent I intend to grant a condition requiring details of these to be approved by the Council. As the appeals are linked, I see no reason for duplicating the condition in the planning permission I propose to grant.

Conclusions

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeals should be allowed.

Formal Decisions

Appeal Ref: APP/Q1445/A/06/2017155 *FP*

14. I allow the appeal, and grant planning permission for partial removal of fourth floor pitched roof and replacement with top floor open plan room at 8 Medina Terrace, Hove in accordance with the terms of the application, Ref: BH2005/06265, dated 12 September 2005, and the plans submitted with it, subject to the development hereby permitted being commenced before the expiration of 3 years from the date of this permission.

Appeal Ref: APP/Q1445/E/06/2017156 LB

15. I allow the appeal, and grant listed building consent for partial removal of fourth floor pitched roof and replacement with top floor open plan room at 8 Medina Terrace, Hove in accordance with the terms of the application Ref: BH2005/06266, dated 10 November 2005 and the plans submitted with it, subject to the following conditions:
1. The works for which consent is hereby granted shall be commenced before the expiration of 3 years from the date of this consent.
 2. No works shall commence before details and samples of the materials – including colour of render, paintwork or colourwash – to be used in the construction of the external surfaces of the works for which consent is hereby granted have been submitted to and approved in writing by the local planning authority. Thereafter the works shall not be undertaken other than in accordance with the details approved.

Philip Wilson

INSPECTOR

NEW APPEALS RECEIVED

ITEM 57

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

WESTBOURNE

BH2008/00655

174 Portland Road Hove

Conversion of upper floors Maisonette into one 1-bed flat and one two bed flat. Rear single storey extension to provide store for ground floor shop and refuse and cycle stores for flats above. Insertion of rear rooflight. Extension to rear dormer.

APPEAL LODGED

20/06/2008

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

GOLDSMID

BH2008/00149

West View The Drive Hove

Roof extension to create two flats, roof gardens and associated parking and cycle store.

APPEAL LODGED

24/06/2008

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

PATCHAM

BH2008/00859

25 Sunnysdale Avenue Brighton

Two storey rear extension.

APPEAL LODGED

26/06/2008

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

WITHDEAN

BH2007/03965

Land Adjacent 2 Croft Road Brighton

Erection of 2 storey house.

APPEAL LODGED

01/07/2008

WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

extension.

APPEAL STATUS

APPEAL RECEIVED DATE

WOODINGDEAN

BH2008/00090

93 The Ridgway Brighton

First floor rear extension over existing rear

APPEAL LODGED

23/06/2008

NEW APPEALS RECEIVED**ITEM 57****WARD****HANGLETON & KNOLL****APPLICATION NUMBER**

BH2008/00922

ADDRESS

32 Holmes Avenue Hove

DEVELOPMENT DESCRIPTION

Room in roof with rear dormer and side half gable.

APPEAL STATUS

APPEAL LODGED

APPEAL RECEIVED DATE

01/07/2008

WARD**WITHDEAN****APPLICATION NUMBER**

BH2007/03950

ADDRESS

2 Croft Road Brighton

DEVELOPMENT DESCRIPTION

Demolish ground floor conservatory, construct ground floor rear extension with terrace over, construct first floor front extension with terrace, new pitched roofs and elevated parking space with crossover.

APPEAL STATUS

APPEAL LODGED

APPEAL RECEIVED DATE

01/07/2008

WARD**WITHDEAN****APPLICATION NUMBER**

BH2007/03950

ADDRESS

2 Croft Road Brighton

DEVELOPMENT DESCRIPTION

Demolish ground floor conservatory, construct ground floor rear extension with terrace over, construct first floor front extension with terrace, new pitched roofs and elevated parking space with crossover.

APPEAL STATUS

APPEAL LODGED

APPEAL RECEIVED DATE

01/07/2008

WARD**GOLDSMID****APPLICATION NUMBER**

BH2007/02090

ADDRESS

61 Palmeira Avenue Hove

DEVELOPMENT DESCRIPTION

Demolition of existing house and erection of 5 storey block of 8 flats (2 x 1 bed, 3 x 2 bed, 2 x 3 bed, 1 x 4 bed).

APPEAL STATUS

APPEAL LODGED

APPEAL RECEIVED DATE

02/07/2008

NEW APPEALS RECEIVED**ITEM 57****WARD****APPLICATION NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****WOODINGDEAN**

BH2007/03410

17 Holton Hill Brighton

Outline application for a pair of semi-detached houses. All matters reserved for further determination.

APPEAL LODGED

30/06/2008

WARD**APPLICATION NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****WITHDEAN**

BH2007/04086

Site at rear of 188 Surrenden Road Brighton

Demolition of existing garage. Construction of part single, part two storey house with integral garage.

APPEAL LODGED

25/06/2008

WARD**APPLICATION NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****REGENCY**

BH2008/01019

29 Western Road Brighton

Temporary consent for the display of externally illuminated mesh banner sign.

APPEAL LODGED

03/07/2008

WARD**APPLICATION NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****REGENCY**

BH2007/03452

33 Ship Street Brighton

Change of use of retail unit to bar/restaurant in conjunction with existing adjacent bar/restaurant.

APPEAL LODGED

03/07/2008

WARD**APPLICATION NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****WISH**

BH2007/04287

61 St Leonards Gardens Hove

First floor rear extension with hipped roof, including new windows to southern elevation.

APPEAL LODGED

04/07/2008

NEW APPEALS RECEIVED**ITEM 57****WARD****APPLICATION NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****ROTTINGDEAN COASTAL**

BH2008/00892

7 Welesmere Road Brighton

Change of use of an existing 'granny annex' to a detached dwelling.

APPEAL LODGED

03/07/2008

WARD**APPLICATION NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****ST. PETER'S & NORTH LAINE**

BH2007/04444

Land to the rear of 67 - 81 Princes Road Brighton

Erection of 8 new two and three storey houses at the rear and a single storey lift house onto Princes Road. Provision of private and communal gardens, refuse storage, cycle storage and one car parking space.

APPEAL LODGED

20/06/2008

WARD**APPLICATION NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****WOODINGDEAN**

BH2007/03528

138 The Ridgway Brighton

Two storey side extension.

APPEAL LODGED

08/07/2008

WARD**APPLICATION NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****ST. PETER'S & NORTH LAINE**

BH2007/04013

100-103 Church Street Brighton

Replacement of windows on first and second floors and alterations to shop entrance and office entrance doors and windows to the ground floor.

(Resubmission of BH2007/02246).

APPEAL LODGED

01/07/2008



**Brighton & Hove
City Council**

**INFORMATION ON INFORMAL HEARINGS / PUBLIC INQUIRIES
30 July 2008**

This is a note of the current position regarding Planning Inquiries and Hearings

46-48 Kings Road, Brighton

Planning application no: BH2007/03924

Details of application: Display of externally illuminated advertisement banner.

Decision: Delegated

Type of appeal: Informal Hearing

Date:

Location:

The Standard, 77 West Street, Brighton

Planning application no: BH2007/03708

Details of application: Installation of advertisement signage to front elevation and above rear entrance, four uplighters to front elevation and two down lighters above the front entrance.

Decision: Delegated

Type of appeal: Informal Hearing

Date: 5 August 2008

Location: Committee Room 1, Hove Town Hall

The Standard, 77 West Street, Brighton

Planning application no: BH2007/03712

Description: Installation of advertisement signage to front elevation and above rear entrance.

Decision: Delegated

Type of appeal: Informal Hearing

Date: 5 August 2008

Location: Committee Room 1, Hove Town Hall

Bali Brasserie, Kingsway Court, First Avenue, Hove

Planning application no: BH2007/04314

Description: UPVC canopy to rear of building to provide smoking shelter (retrospective)

Decision: Delegated

Type of appeal: Informal Hearing

Date: 23 September 2008

Location: Committee Room 2 Hove Town Hall

Bali Brasserie, Kingsway Court, Queens Gardens Hove

Planning application no: ENFORCEMENT:- 2007/0547

Details of application: Construction of smoking shelter.

Decision: N/A

Type of appeal: Informal Hearing

Date:

Location:

128 Church Road Hove

Planning application no: BH2007/02378
Details of application: Change of use of first floor with second floor extension, with additional accommodation in the roof space to form five flats.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

124 Church Road Hove

Planning application no: BH2007/02379
Details of application: Alterations and extensions to form part 2, part 3 storey building with roof accommodation to form four flats above existing retail.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

Norfolk Court, Norfolk Square

Planning application no: BH2007/02515
Details of application: Gambrel roof extension to form 1 bedroom flat and external alterations to existing building.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

57 Shirley Drive, Hove

Planning application no: BH2007/02609
Details of application: Construction of two semi-detached houses.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

Albany Towers, St Catherines Terrace, Kingsway Hove

Planning application no: BH2007/03305
Details of application: Roof extension to provide 2 penthouse flats with 2 car parking spaces and new secure cycle store.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

Land to the rear of 48 & 50 Old Shoreham Road

Planning application no: BH2007/04047
Details of application: Construction of two three storey, four bedroom houses.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

9 Station Road, Portslade

Planning application no: BH2007/04148
Details of application: Proposed roof extensions and alterations, including provision of mansard roof to provide additional floors creating two additional flats and bike/bin storage at entrance.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

32 Redhill Drive, Brighton

Planning application no: BH2007/02980
Details of application: Demolition of existing house and construction of a pair of semi-detached houses - resubmission of refused application BH2007/00041.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

87 Cowley Drive, Woodingdean, Brighton

Planning application no: BH2008/00443
Description: Outline application for a detached dwelling.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

Land At SW Corner Portland Street & Church Street Brighton

Planning application no: BH2007/01058
Description: Mixed use development accommodated on 6 floors consisting of 5 studio flats, 24 one-bedroom flats, 10 two-bedroom flats and 1 three-bedroom flat, 7 office units (Portland Street), 4 retail units (Church Street) and 21 carparking spaces. Resubmission and revised scheme following withdrawal of application BH2006/01813.
Decision: Non-determination
Type of appeal: Public Inquiry
Date:
Location:

5 The Sett Portslade

Planning application no: BH2008/00585
Description: Proposed 2 storey side extension.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

7 Welesmere Road Rottingdean Brighton

Planning application no: BH2008/00892
Description: Change of use of an existing 'granny annex' to a detached dwelling.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

Site Address: 2 Northgate Close Rottingdean

Planning application no: BH2008/00177
Description: First floor and side extensions. Retrospective.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location:

Site Address: 106 Longhill Road

Planning application no: BH2007/03875
Description: Demolition of existing house and garage. Construction of a five-bedroom detached house with integral annexe and a detached double garage.
Decision: Delegated
Type of appeal: Informal Hearing
Date:
Location: