



**Brighton & Hove  
City Council**

# Planning Committee

Title:	<b>Planning Committee</b>
Date:	<b>1 July 2009</b>
Time:	<b>2.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<p><b>Councillors:</b>Hyde (Chairman), Wells (Deputy Chairman), Carden (Opposition Spokesperson), Caulfield, Cobb, Davey, Hamilton, Kennedy, McCaffery, Smart, Steedman, and C Theobald</p> <p><b>Co-opted Members:</b> Mr J Small (CAG Representative)</p>
Contact:	<p><b>Penny Jennings</b> Senior Democratic Services Officer 01273 291065 penny.jennings@brighton-hove.gov.uk</p>

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## AGENDA

### 33. 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.*

### 34. MINUTES OF THE PREVIOUS MEETING

1 - 14

Minutes of the meeting held on 10 June 2009 (copy attached).

### 35. CHAIRMAN'S COMMUNICATIONS

### 36. PETITIONS

No petitions had been received by the date of publication of the agenda.

### 37. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 24 June)

No public questions received by date of publication.

### 38. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 24 June 2009)

No deputations received by date of publication.

## **PLANNING COMMITTEE**

### **39. WRITTEN QUESTIONS FROM COUNCILLORS**

No written questions have been received.

### **40. LETTERS FROM COUNCILLORS**

No letters have been received.

### **41. NOTICES OF MOTION REFERRED FROM COUNCIL**

No Notices of Motion have been referred.

### **42. APPEAL DECISIONS**

**15 - 34**

(copy attached).

### **43. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

**35 - 38**

(copy attached).

### **44. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

**39 - 42**

(copy attached).

### **45. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**

### **46. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST: 1 JULY 2009**

(copy circulated separately).

### **47. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF ITEMS ON THE PLANS LIST**

### **48. TO CONSIDER AND NOTE THE CONTENT OF THE REPORT DETAILING DECISIONS DETERMINED BY OFFICERS UNDER DELEGATED AUTHORITY**

**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.

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For further details and general enquiries about this meeting contact Penny Jennings, (01273 2910650), email [penny.jennings@brighton-hove.gov.uk](mailto:penny.jennings@brighton-hove.gov.uk) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk).

Date of Publication - Tuesday, 23 June 2009



**BRIGHTON & HOVE CITY COUNCIL**

**PLANNING COMMITTEE**

**2.00pm 10 JUNE 2009**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Hyde (Chairman), Wells (Deputy Chairman), Carden (Opposition Spokesperson), Caulfield, Cobb, Hamilton, Kennedy, McCaffery, Smart, Steedman, C Theobald and West

**Co-opted Members** Mr J Small (CAG Representative)

**Officers in attendance:** Jeanette Walsh (Development Control Manager), Steve Walker (Area Planning Manager (West)), Steve Reeves (Principal Transport Planner), Kathryn Boggiano (Senior Planning Officer), Hilary Woodward (Senior Lawyer) and Penny Jennings (Senior Democratic Services Officer)

**PART ONE**

**17. PROCEDURAL BUSINESS**

**17A Declaration of Substitutes**

17.1 Councillor West was in attendance in substitution for Councillor Davey.

**17B Declarations of Interest**

17.2 Councillor West declared a personal and prejudicial interest in application BH2009/00898, "Seasons Café", 36 Gloucester Road, Brighton, by virtue of the fact that as a Ward Councillor he had taken part in detailed meetings with neighbouring objectors. He stated that he would leave the meeting during consideration of the application and would take no part in the discussion or voting thereon.

17.3 Councillor Cobb referred to the fact that she had been a signatory to a Notice of Motion to Council supporting a general presumption against "back land" development and sought advice thereon. The Solicitor to the Committee confirmed that the statement was general rather than relating to any specific application. She referred to

Applications BH2008/03523, Land rear of 6 & 8 Kelly Road and BH2009/00461, 94–96 Reigate Road enquiring whether Councillor Cobb remained of a neutral mind in respect of those applications. Councillor Cobb confirmed that she had not predetermined either and that she would take remain present during their consideration.

### **17C Exclusion of Press and Public**

17.4 In accordance with Section 100A of the Local Government Act 1972 (“The Act”), the Planning Committee considered whether the press and public should be excluded from the meeting during consideration of an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during it, there would be disclosure to them of confidential information (as defined in Section 100A(3) of (The Act).

17.5 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any item on the agenda.

### **18. MINUTES OF THE PREVIOUS MEETING**

18.1 **RESOLVED** - That the Chairman be authorised to sign the minutes of the meeting held on 20 May 2009 as a correct record.

### **19. CHAIRMAN'S COMMUNICATIONS**

#### **Web casting**

19.1 The Chairman explained that afternoon’s meeting of the Planning Committee was being web-cast. Members were reminded to speak directly into the microphones and to switch them off when they had finished speaking in order to ensure that they could be heard clearly both within the Council Chamber and in the public gallery above.

19.2 **RESOLVED** – That the position be noted.

### **20. PETITIONS**

20.1 There were none.

### **21. PUBLIC QUESTIONS**

21.1 There were none.

### **22. DEPUTATIONS**

22.1 There were none.

### **23. WRITTEN QUESTIONS FROM COUNCILLORS**

23.1 There were none.



**24. LETTERS FROM COUNCILLORS**

14.1 There were none.

**25. NOTICES OF MOTION REFERRED FROM COUNCIL**

25.1 There were none.

**26. APPEAL DECISIONS**

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

**27. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

27.1 The Committee noted the list of planning appeals which had been lodged as set out in the agenda.

**28. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

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

**29. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**

29.1 **RESOLVED** – That the following site visits be undertaken by the Committee prior to determination of the application:

Application	Site visit requested by:
BH2009/00508, "Asda", Crowhurst Road	Development Control Manager
BH2009/00655, Covers Yard, Melbourne Street	Development Control Manager
BH2009/01030, 2a Croft Road (tree application)	Councillor Hyde, Chairman

**30. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST:10 JUNE 2009**

**(i) TREES**

(1) Councillors Kennedy, McCaffery and C Theobald considered that the health and safety grounds cited as justification for removal of the holly tree at 2a Croft Road, were not sufficiently compelling also requiring further information regarding removal of the other

trees. Following discussion it was agreed that to defer consideration of the application pending a site visit.

- 30.1 **RESOLVED** – (1) That the following application be deferred pending a site visit.

Application BH2009/01030, 2a Croft Road, Brighton

(2) 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 refuse consent to fell the tree referred to in the application for the reasons set out in the report:

Application BH2009/00886, 35a Chatsworth Road, Brighton

(ii) **SUBSTANTIAL OR CONTROVERSIAL APPLICATIONS OR APPLICATIONS DEPARTING FROM COUNCIL POLICY:  
10 JUNE 2009**

- 30.2 There were none.

(iii) **MINOR APPLICATIONS: 10 JUNE 2009**

**A. Application BH2008/03475, 1 Warmdene Way, Patcham** – Demolition of existing garage and construction of a bungalow.

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Senior Planning Officer, Ms Boggiano gave a presentation detailing the constituent elements of the scheme and the rationale for approval being recommended. It was understood that the applicant had removed a hedge which formed the boundary to the garden on No22 having replaced it with a timber fence and widened access track. An on-going land ownership dispute had ensued but this did not fall within the remit of planning control.
- (3) Mrs Ely spoke on behalf of neighbouring objectors to the scheme. This application was in their view no different from the two previous schemes which had been refused and should also be refused. The access road had been widened to include land which was not in the applicant's ownership, this had resulted in loss of natural habitat and was the subject of a legal dispute. The access road would be hazardous for pedestrians and vehicular traffic, there were no turning facilities and notwithstanding the proposed access way improvements existing drainage flooding problems in Warmdene Way would be exacerbated. Overall the scheme represented overdevelopment and would result in an over intensification of the existing residential use and overlooking, loss of privacy and overshadowing.
- (4) Mr Barker spoke on behalf of the applicant in support of their scheme. He explained that the applicant had worked in conjunction with the Planning Department to overcome the previous reasons for refusal. Significant improvements to the existing

carriageway and drainage would result to the benefit of all residents, which would not otherwise take place.

- (5) Councillor Pidgeon spoke in his capacity as a Local Ward Councillor setting out his objections and those of his ward colleague Councillor G Theobald. He reiterated the concerns of neighbouring residents also considering that there would be inadequate on-site parking. Warmdene Way was narrow and without pavements and it would be difficult for large vehicles e.g., refuse collection vehicles to turn around safely and to re-enter Warmdene Road.

#### **Questions/Matters on Which Clarification was Sought**

- (6) Councillor Kennedy enquired whether details of the surfacing proposed to the front gardens were known and it was explained that submission of these details would form a condition as part of any consent issued and would be subject to approval by the local planning authority. Councillor Kennedy also referred to loss of the hedge enquiring as to landscaping measures to be put into place to ameliorate against its loss. It was confirmed that these details would also need to be submitted to the planning authority. Councillor Kennedy stated that in her view a permeable surface of sustainable materials would be preferable.
- (7) Councillor West whilst noting that tactile paving was proposed in order to improve the access way surface and the measures intended to improve drainage enquired whether the applicant would be prepared to provide a "Rumble Strip" to control the speed of vehicles. The applicant's representative confirmed that the applicant would be willing to do so.
- (8) Councillor Cobb sought clarification regarding the location and number of parking spaces to be provided and it was explained that two of them were located on land outside the application site which was in use for parking. Councillors Cobb and C Theobald also enquired regarding arrangements which would be put into place in for access/turning by refuse lorries and other heavy vehicles, particularly as a turning area at the end of the track way was inaccessible as it was located beyond a locked wooden gate. The Principal Transport Planner referred to the arrangements for collection from the eleven existing houses stating that it was envisaged that recycling / refuse could be collected from the application site in the same way.
- (9) Councillor Cobb enquired whether the area had been subject to flooding prior to removal of the hedgerow. In the view of objectors it was considered that any pre-existing problems had worsened considerably. Councillor Pidgeon responded in his capacity as a Local Ward Councillor stating that based on his knowledge of the site which spanned more than 20 years, flooding had not been experienced until recently.
- (10) Councillor Smart queried whether the access way would be of sufficient width if the applicant was subsequently required to reinstate that hedge which had been removed. The Principle Transport Planner confirmed that it would.
- (11) Councillor Steedman enquired whether there would be priority for vehicles entering the site. It was confirmed that they would and that appropriate signage would be provided.

**Debate and Decision Making Process**

- (12) Councillor West stated that notwithstanding that he had concerns regarding pedestrian safety he was satisfied that the measures proposed would address most of them. On balance he considered the scheme to be acceptable and supported it. Councillors Kennedy and Steedman concurred in that view.
- (13) Councillor Kennedy considered that the applicant had worked hard to demonstrate that they had made improvements to the earlier scheme, and stated that she would like the landscaping proposals to include native hedgerow species.
- (14) Councillor Hamilton stated that as there were already eleven properties in Warmdene Way, he did not consider that one further property would generate additional traffic such that it would create an additional hazard particularly in view of the significant improvements that had been proposed to the existing access arrangements.
- (15) Councillor Cobb received clarification regarding the status of the access way but stated that she was not re-assured that the proposed surfacing improvements would be maintained in future, as the area would remain as private highway and would not fall within the responsibility of the local authority. She saw little benefit in the proposed improvements for neighbouring residents other than a reduction in flood risk to 20b. It was noted in answer to questions that they had not objected to the current scheme. She was of the view that this application was similar to both of the earlier ones which had been refused and was not acceptable.
- (16) Councillor Smart was concerned regarding the lack of a turning head and remained of the view that there was potential conflict between pedestrian and vehicular movements which could have significant road safety implications. In answer to questions, the Principal Transport Planner advised that no injury accidents had been reported over 15 year period. Councillor Smart was also concerned that although a total of no more than 5 dwellings had originally been considered acceptable in Warmdene Way there were already eleven, permission was now sought for one more.
- (17) Councillor C Theobald agreed stating that she did not consider the scheme to be acceptable or that road safety concerns had been adequately addressed.
- (18) A vote was taken and on a vote of 5 to 4 with 3 abstentions planning permission was granted
- 30.3 **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, to include the requirement that a "Rumble Strip" be provided. An informative would be added requesting that the applicant explore the feasibility of providing a permeable surface constructed of sustainable materials. The applicant to be advised that any hedgerow provided should use a native species.

**Note:** Councillors Caulfield, Cobb, Smart and C Theobald voted that the application be refused. Councillors Hyde (Chairman), McCaffery and Wells abstained.

**B. Application BH2008/03523, Land R/o 6 & 8 Kelly Road, Brighton** - Erection of two storey dwelling on land rear of 6 and 8 Kelly Road.

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager (West), Mr Walker detailed the constituent elements of the current scheme, including the proposed access arrangements and the rationale for recommending that planning permission be granted.
- (3) Mr Heyward spoke on behalf of neighbouring objectors to the scheme. They considered the proposals represented an overly dominant back land development which would have a detrimental impact on the amenity of neighbouring dwellings and on the character of the neighbouring street scene.
- (4) Mr Turner spoke on behalf of the applicant in support of their application. He stated that they had sought to address the previous reasons for refusal by scaling back the first floor, setting the development down within the site in order to avoid overlooking and by reducing both the ridge height and the overall footprint of the building.

**Questions/Matters on Which Clarification was Sought**

- (5) In answer to questions by Councillor Kennedy, the Area Planning Manager explained that the footprint of this development would be 30% smaller than that requested as part of the previous refused application. Although six trees (small Cypresses) would be felled, they were to be replaced and the remaining screening would be retained in order to protect neighbouring amenity.
- (6) Councillor Hamilton sought confirmation of the distance between the development site and the rear of houses located in Hove Park Road.
- (7) Councillor Cobb also enquired regarding the distances and changes in level between the properties in Kelly Road itself and those in Hove Park Road.
- (8) Mr Small, CAG referred to trees located on the northern boundary of the site, seeking assurances that as protected trees, measures would be undertaken to ensure that they were not adversely affected by works on site.
- (9) Councillor West enquired whether the footpath from The Drove way, was a public footpath. He expressed concern regarding the level of tarmacked off-street parking, which could encourage an intensification of parking on site. He asked whether a condition could be added to any permission granted reducing that area. The Development Control Manager responded that the applicant had provided an acceptable level of amenity space.
- (10) Councillor Smart enquired regarding the proposed boundary treatment to the side elevation facing 19 Hove Park Road

**Debate and Decision Making Process**

- (11) Councillor Kennedy stated that she considered it appropriate for an informative to be added to encourage the applicant to provide a parking surface which was permeable and constructed of sustainable materials.
- (12) Councillor C Theobald stated that she considered that the proposal represented over development of the site. The footpath would generate additional pedestrian activity which would be detrimental to the amenity of neighbouring properties. Vehicular access onto the site would also increase the number of vehicular movements in a narrow area which had a restricted turning head, she did not consider the scheme be approved.
- (13) Councillors Carden and Wells considered the proposal was acceptable. Councillor Carden stated that only one vehicle at a time would be able to access the site, he did not therefore consider that this would lead to a proliferation of traffic/parking. Councillor Wells disagreed that it would be appropriate to reduce the surfaced dedicated parking area. In view of the size of the amenity space provided, any additional vehicles would be able to park elsewhere within the site irrespective of whether this surface area was reduced.
- (14) Councillor McCaffery considered that the applicant had worked hard to effect improvements to the previous scheme and that this application was acceptable.
- (15) Councillor West stated that although he considered the scheme to be acceptable overall he wished to propose that an additional condition be added requiring a reduction to the dedicated surfaced parking area on site, this was seconded by Councillor Kennedy. A vote was taken but the proposal was lost.
- (16) A vote further substantive vote was taken and on a vote of 9 to 3 planning permission was granted.

30.4 **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 including one requesting the applicant consider provision a suitable permeable surface to the area set aside for vehicular parking.

**Note:** Councillors Caulfield, Cobb and C Theobald voted that planning permission be refused.

**C. Application BH2009/00461, 94-96 Reigate Road, Brighton** – Construction of a new three-bedroom semi-detached house.

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager (West), Mr Walker gave a detailed presentation setting out the constituent elements of the proposed scheme. He explained that although some loss of light to the property at 92 Reigate Road would result, this would not be to principle windows and would be insufficient to warrant refusal.

**Questions/Matters on Which Clarification was Sought**

- (3) Councillor Wells sought clarification regarding the distance between the application site and the neighbouring property at 92 Reigate Road. The Area Planning Manager explained that the overall distance from the site boundary to the neighbouring house (including the space between the boundary fence and the garage) was in excess of 4metres.
- (4) Councillor C Theobald enquired regarding the size of the proposed rear amenity space which would be associated with the new dwelling.
- (5) Councillor McCaffery enquired whether it was intended to provide additional screening between the rear (eastern boundary) of the site and the neighbouring properties in Compton Road which were located at a much lower level due to the gradient of the site. She stated that she was concerned that these properties would be overlooked and suffer loss of amenity and privacy as a consequence of the proposal, additional screening could go some way towards mitigating against this. The Area Planning Manager responded that this was not proposed and, that changes in levels and topography between the two sites was such that it was not considered that loss of amenity would occur.
- (6) Councillor McCaffery also sought clarification regarding location of windows in the proposed development in relation to those on the side elevation of the neighbouring property at 92.
- (7) Councillors C Theobald and McCaffery also enquired regarding the type of landscaping proposed, whether the hedge between nos 92 and 94 was proposed to be retained and the location of the proposed cycle storage facility.
- (8) Councillor Cobb enquired regarding the differences between the present scheme and the earlier ones which been refused during the 1990's.

**Debate and Decision Making Process**

- (9) Councillor McCaffery stated that she was concerned that insufficient screening was proposed in order to protect neighbouring amenity. She also considered that insufficient account had been taken of the cumulative impact on the street scene that this development would have in the context of the dwelling which had recently been erected on the neighbouring corner plot.
- (10) Councillor Cobb stated that she did not consider the proposed form of development to be appropriate as it would result in a severe diminution of existing amenity space.
- (11) Councillor C Theobald was in agreement with Councillor Cobb and stated that she could not support the proposal as she considered that it would result in a significant loss of light and amenity to no 92.
- (12) A vote was taken and on a vote of 9 to 3 planning permission was granted.

- 30.5 **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:** Councillors Cobb, McCaffery and C Theobald voted that planning permission be refused.

- D. Application BH2008/03427, 33 Mile Oak Road, Brighton** – Demolition of non-original extensions to existing property and conversion with new extensions to 2 x three bedroom and 1X two- bedroom houses. Erection of 2 x new three bedroom houses on the same site – creation of new public footpath along Northern boundary of Mile Oak Road including repositioning of flint boundary wall (amended scheme).

- (1) It was noted that this application has formed the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager (West), Mr Walker, gave a presentation explaining the constituent elements of the scheme. It was acknowledged that highway safety issues in the area had been a constraint to redevelopment of the site; the current scheme was considered to represent a good compromise which would retain the character of the site and secure much needed highway improvements. The scheme was considered to have highway safety benefits whilst retaining conservation and design benefits without having a significant affect on the amenity of neighbouring occupiers.

#### **Questions/Matters on Which Clarification was Sought**

- (3) Councillors McCaffery, C Theobald and Wells enquired regarding the condition of the Elm tree which was proposed for removal considering that it appeared to be a healthy specimen.
- (4) Councillor West sought clarification regarding which elements of the building currently on site would be retained and those which would be replaced by the new build. He also enquired regarding the configuration of the flint wall which was to be removed and rebuilt and details of any other boundary treatment proposed.
- (5) Councillor Cobb sought confirmation that the replacement wall would be of flint. Mr Turner the applicant's agent who was available to answer any questions explained that the wall would be rebuilt using the original materials.
- (6) Councillors Cobb and C Theobald enquired why it would not be possible to provide a footpath on the other side of the road and why how its proposed location had been arrived at. Mr Turner explained the rationale for proposed solution and why it had not been possible to locate the footpath elsewhere which would have avoided loss of the tree or the need for the flint wall to be moved.

#### **Debate and Decision Making Process**

- (7) Councillor Hamilton referred to the high level of objections to previous schemes, very few had been received in respect of the current scheme and no one had requested to



speak in opposition to it indicating the level of local public support. There was currently no footpath on either side of the road representing a serious hazard to pedestrian safety. The scheme would address these and reinstate the building on site to its original appearance. Councillor Carden concurred in that view. He was confident that the wall would be reinstated properly as similar works had been executed successfully elsewhere in the City.

- (8) Councillor McCaffery agreed that the scheme was acceptable. In response to concerns expressed by Councillor Cobb regarding temporary loss of the wall she referred to the removal relocation and rebuilding of a flint wall at Preston Manor in her ward which had been affected very successfully.
- (9) Councillor Smart stated that whilst he regretted loss of the Elm tree and was anxious to ensure that the wall was reinstated properly, he considered that the housing element of the scheme good, on balance he supported it.
- (10) Councillor C Theobald stated that although she considered the development itself to be acceptable she considered that greater effort should have been made to protect the tree and that removal of a 200 year old wall albeit that it would be relocated and rebuilt was sacrilegious.
- (11) A vote was taken and on a vote of 9 to 3 minded to grant planning permission was given.

30.6 **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 that it is minded to grant planning permission subject to receipt of further information to demonstrate the scheme can achieve CSH3 and to the conditions and informatives set out in the report.

**Note:** Councillors Cobb, C Theobald and West abstained.

**E. Application BH2009/00898, Seasons Café, 36 Gloucester Road, Brighton –**  
Applications for variation of Condition 2 of application BH1999/00436/FP to read: The premises shall not be open or in use except between the hours of 08.00 to 20.00 from Monday to Saturday, and between 10.00 to 18.00 on Sundays. Remove Condition 5 in order to allow the preparation and sale of hot food on the premises.

- (1) The Senior Planning Officer, Ms Boggiano explained that the current application represented a resubmission following an earlier refusal by the Committee (14/04/32009) on the grounds that the applicant had failed to adequately demonstrate that the proposal would not detrimentally impact on the amenities of neighbouring properties by reason of odours. Since that time confirmation had been received from the Environmental Health department that they no longer had any objection to the proposal. The applicant had responded to their concerns and had undertaken to install an odour neutralising component to the existing ventilation system. Subject to compliance with the proposed conditions the application was considered to accord with development plan policies.

- (2) Mr Braithwaite spoke on behalf of neighbouring objectors setting out their concerns in respect of the proposed variation. He explained that the current conditions had been agreed in order to protect the amenities of neighbouring residential properties, the situation had not changed and any change to the existing permission would result in unacceptable increases in the levels of noise odour disturbance and refuse. Insufficient storage space had been made available within the premises and rubbish associated with the premises was routinely stored in bins outside the premises other than on the correct collection day.
- (3) Mr Handley, the applicant spoke in support of his application referring to the odour control and other measures which had been implemented since he had purchased and refurbished the premises. He had committed a significant financial outlay in order to overcome any problems identified and no complaints had
- (4) Councillor Taylor spoke in his capacity as a Local Ward Councillor setting out his objections to the scheme and re-iterating the concerns of neighbouring objectors. If the Committee were minded to grant permission then he requested that this be for a temporary period in order for the situation to be monitored properly. Following such a period the application could come back to the Committee for approval or not in the light of its operating history.

#### **Questions/Matters on Which Clarification was Sought**

- (5) Councillor Wells queried the statements made regarding storage of rubbish in receptacles on street stating that his clear understanding on the previous occasion the application had been considered a condition had been attached requiring Mr Handley to ensure that all waste generated by the premises should be stored internally pending its due collection day. The Chairman confirmed that had also been her recollection.
- (6) Councillors Cobb and Mrs Theobald queried whether or not it was illegal and constituted an offence if waste was stored in this fashion.
- (7) Councillor McCaffery sought confirmation whether there was sufficient space within the premises to enable bins to be stored. Mr Handley, the applicant, responded explaining that he was still in negotiation with the department in respect of this issue as he considered it would be problematic to store waste in a basement storage area and that space available elsewhere within the premises was limited.
- (8) Councillor Smart enquired whether any complaints had been received by the Environmental Health Department relating to the applicant and it was confirmed that they had not.

#### **Debate and Decision Making Process**

- (9) Councillor Wells considered that the terms of the earlier permission relating to storage of waste bins associated with the use should be met.
- (10) Councillor Caulfield was in agreement that measures should be out into place to ensure that the bins were stored off the public highway and for enforcement action to be taken should that prove necessary.

- (11) Councillor Hamilton stated that he was satisfied that adequate odour control measures were now in place and supported the modest increase in hours of operation requested, however he was dissatisfied with the current bin storage arrangements, this matter needed to be addressed. Councillor Smart concurred in that view. Councillor Hamilton also sought clarification whether the outdoor sitting out area for those using the cafe was in the ownership of the applicant or licensed from the highway authority.
- (12) Members were in general agreement that whilst acceptable overall they were dissatisfied with the current bin storage arrangements and that they would not support any intensification of the current use until or unless this matter had been addressed. Discussion ensued regarding the most appropriate means of securing this end and whether to amend proposed Condition 2, Condition 6 or both and whether Members were minded to grant a temporary permission. Advice was given by the Solicitor to the Committee.
- (13) Councillor Caulfield proposed that a temporary permission be granted for twelve months, this was seconded by Councillor Steedman. However, a vote was taken and on a vote of 5 to 6 the proposal was lost.
- (14) A further vote was taken and on vote of 8 to 3 planning permission was granted as set out below. Councillor West was not present when voting took place.

30.7 **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 to amendments to Condition 3 as set out in the late representations list and, to Condition 6 being amended to read as follows:

“Prior to implementation of the variation of conditions hereby approved, a scheme for the storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full accordance with the approved details and thereafter be retained as such at all times.”

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policies SU9 and QD27 of the Brighton & Hove Local Plan.

**Note 1:** Having declared a personal and prejudicial interest in the above application Councillor West left the meeting and took no part in the discussion or voting thereon.

**Note 2:** Councillors Kennedy, Smart and Wells abstained from voting in respect of the above application.

**31. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF ITEMS ON THE PLANS LIST**

31.1 **RESOLVED** – That the following site visits be undertaken by the Committee prior to determination:

Application:	Site visit requested by:
BH2009/00508, "Asda" Crowhurst Road	Development Control Manager
BH2009/00655,"Covers Yard, Melbourne Street	Development Control Manager
BH2009/01030, 2a Croft Road (tree application)	Councillor Hyde, Chairman

**32. TO CONSIDER AND NOTE THE CONTENT OF THE REPORT DETAILING DECISIONS DETERMINED BY OFFICERS UNDER DELEGATED AUTHORITY**

**Decisions on Applications Delegated to the Director of Environment**

32.1 **RESOLVED** - That those details of applications determined by the Director of Environment under delegated powers be noted.

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

**Note 2:** A list of representations received by the Council after the Plans Lists reports had been submitted for printing, was circulated to Members on the Friday preceding the meeting (for copy see minute book). Where the representations were received after that time they should 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 is in accordance with Resolution 147.2 of the then Sub Committee on 23 February 2005.

The meeting concluded at 5.40pm

Signed

Chairman

Dated this

day of

**APPEAL DECISIONS**

	<b>Page</b>
<b>A. PATCHAM WARD</b>	
Application BH2008/01842, 82 Wilmington Way, Patcham. Appeal against refusal to grant planning permission for a single storey side extension. (Delegated Decision) <b>APPEAL DISMISSED</b> (copy of the letter from the Planning Inspectorate attached).	<b>17</b>
<b>B. WESTBOURNE WARD</b>	
Application BH2008/02759, 14 Langdale Gardens, Hove. Appeal against refusal to grant planning permission for loft conversion to form a self-contained flat (Committee Decision) <b>APPEAL DISMISSED</b> (copy of the letter from the Planning Inspectorate attached).	<b>19</b>
<b>C. SOUTH PORTSLADE WARD</b>	
Application BH2008/03701, Portslade County Infant School, Portslade. Appeal against refusal to grant planning permission for one 48 sheet "Ultravision" display panel and one 96 sheet static display panel, both with external illumination (Committee Decision). <b>APPEAL DISMISSED</b> (copy of the letter from the Planning Inspectorate attached).	<b>23</b>
<b>D. REGENCY WARD</b>	
Application BH2008/03692, 115A Western Road, Brighton. Appeal against refusal to grant planning permission for a non-illuminated fascia sign (Committee Decision) <b>APPEAL DISMISSED</b> (copy of the letter from the Planning Inspectorate attached).	<b>25</b>
<b>E. REGENCY WARD</b>	
Applications (A) BH2008/02095 and BH2007/04462, Royal Alexandra Hospital, Dyke Road, Brighton. Appeal against refusal to grant planning permission for (A) proposed demolition of all existing hospital buildings. Erection of 151 residential units comprising 40% affordable units with 807.2sqm of commercial floor space for a GP surgery (including 102sqm for a pharmacy) together with associated access, parking, amenity space (including a public garden) and landscaping. (B) An appeal made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for conservation area consent.(Committee Decision) <b>APPEALS DISMISSED</b> (copy of the letter from the Planning Inspectorate attached).	<b>27</b>





# Appeal Decision

Site visit made on 14 April 2009

by **Elizabeth Lawrence BTP MRTPI**

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

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**Decision date:**  
**11 May 2009**

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**Appeal Ref: APP/Q1445/A/09/2094181/WF**  
**82 Wilmington Way, Brighton, East Sussex, BN1 8JG.**

- 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 Stephen Pert against the decision of Brighton & Hove City Council.
- The application (Ref BH2008/01842), dated 21 May 2008, was refused by notice dated 8 August 2008.
- The development proposed is described as a single storey side extension.

## Preliminary matters

1. The Appellant has submitted drawings showing 2 alternative roof designs, although they did not form part of the application determined by the Council. As such I am unable to take them into account in my consideration of this appeal, which is based purely upon the merits of the Appeal scheme.

## Decision

2. I dismiss the appeal.

## Main issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the street scene.

## Reasons

4. Whilst the site is located on a prominent corner within the street scene, the tall boundary fences and hedges give a strong sense of enclosure to the property. In addition, due to its single storey nature and the elevated positions of the 2 storey dwellings to the north, south and east, the property itself is not prominent in the street scene. Visually the property relates to the bungalows to the west rather than the dwellings in Highfield Crescent .
5. Due to its height and size the proposed flat roof would appear bulky and out of keeping with both the host property and the street scene, where it would project above the boundary hedge. It would be particularly prominent in views from the south and northeast because of the rising ground levels and would appear incongruous when viewed from the north, where it would upset the symmetry and proportions of the pair of bungalows. The situation would be exacerbated by the extension's continuation of the front building line because it would similarly upset the proportions of the host building.
6. I conclude that the proposal would unacceptably harm the character and appearance of the existing building and the street scene. As such it would be contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan 2005. Amongst other things these policies seek to ensure that new development makes a positive contribution to the visual quality of the environment and that extensions are well designed in relation to the property being extended.

*Elizabeth Lawrence*

INSPECTOR







# Appeal Decision

Hearing conducted on 19 May 2009

Site visit made on 19 May 2009

by **Mr D Lavender MRTPI**

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**Decision date:  
28 May 2009**

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## Appeal Ref: APP/Q1445/A/08/2089397

### 14 Langdale Gardens, Hove, BN3 4HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission.
- The appeal is by Mr T Steele against the decision of Brighton & Hove City Council.
- The application Ref BH2088/02759, dated 12 August 2008, was refused by notice dated 31 October 2008.
- The development proposed is a loft conversion to form a self-contained flat.

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### **Decision: The appeal is dismissed.**

#### **Reasons**

1. There are four reasons for refusal in the Council's decisions notice. The Council concedes that two of these (relating to lifetime homes and sustainable construction) can be suitably addressed by planning condition and a third (relating to meeting travel demand) is the subject of a Unilateral Undertaking. Nonetheless, the matter that remains in dispute relates to the substance of the proposal, and this leads directly to the main issue for me to consider, namely the effect of the proposed roof alterations on the character and appearance of the area.
2. Langdale Gardens lies in a solidly residential part of Hove and extends northwards from the sea front. Apart from a cluster of detached houses about mid-way along, the road is lined on both sides with closely spaced semi-detached houses of typically suburban character dating from the early to middle part of the last century. Those at the northern end of the road are generally larger than those at the southern end but virtually all share broad similarity in their original designs, which include red brick elevations and hipped roofs clad with plain tiles surmounted by ornamental ridge tiles. At the southern end, in particular, these features are augmented with gable-fronted bays variously of angled- or square-sided shape, finials, areas of fish-tail or scalloped tile-hanging to the upper floors, and white painted timber balustrades to small first floor balconies set between the bays. These and other similar ornamentations show an attention to fine detail often lacking in modern development and create a strong architectural unity between the various groups of buildings. Together, they create an attractive residential environment especially redolent of many sea-side housing areas of the period.
3. As may be expected, some of the properties have been altered over the years, and this is a pattern that may be expected to continue as older-style properties are refurbished and adapted for modern-day needs. However, a purpose of policies in the statutory development plan is not to prevent such works taking

place at all, but to avoid the distinctive character of areas such as this being incrementally eroded by unsympathetic alterations. Policies QD1 and QD2 in the Brighton and Hove Borough Local Plan 2005, for example, promote high standards of design in all new development, including alterations to existing buildings, while the Council's supplementary planning guidance on roof extensions, in support of policy QD14, has been formulated specifically to avoid those which are of excessive proportions, poorly shaped or unattractive in appearance. For dormer windows, it suggests ways in which suitable proportions may be achieved by, among other things, maintaining adequate distance from the edges of the roof, adopting traditional shapes and avoiding large areas of cladding to either side.

4. The appeal property is one half of a semi-detached pair of houses towards the southern end of the road. It was apparently divided into two flats some years ago, leaving its exterior largely unaltered. The now proposed third flat would be formed by re-shaping the roof from a hipped-end to a gable-end and constructing a large box-like extension in the rear roof slope. The latter would be built vertically off the rear main wall of the house, be tile clad under a felted roof and be of much the same width as the main part of the existing property. Three roof lights would also be inserted in the front roof slope. Roof extensions are inherently conspicuous because of their elevated position and the alterations proposed in this case would be manifest on all elevations, variously from the street and from neighbouring properties to the rear, opposite and alongside. From each of these viewpoints, the present simple lines of the existing hipped roof and the openness that is contributed by the gap between it and the hipped roof to the south would be lost. No less significantly, the overall shape of the dwelling would be much altered in a discordant and, to my mind, unattractive way. In sum, I find the proposals for the roof to be excessive in scale, of insufficient design quality to meet the Council's policy requirements, as well as to comprehensively breach the salient advice in the Council's published guidance.
5. It is argued that the alterations would simply mirror those on the other half of the pair, to the north. That is not entirely correct inasmuch as the neighbouring property has had other alterations made to it as well. These include replacement of the original plain tiles with concrete interlocking tiles, removal of the finial from the front bay (and its uncharacteristic sideways replacement atop the ridge of the main roof), substitution of metal balcony railings for the original timber balustrade, new tile-hanging (without fish-tails or scallops) and the extensive application of white paint to the former red-brickwork. It may well be that similar alterations could be incorporated into the appeal scheme to create fresh symmetry between the pair. However, to do so would not only contribute to the loss of detail that lends the area its distinctive qualities, but would also effectively double the harmful visual impact of such alterations, and of the roof alterations themselves, in the street as a whole.
6. The Council concedes that works of the kind proposed could be carried out as householder "permitted development" under the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), as was apparently the case next door. Nonetheless, permission is required for the appeal scheme because the Article 3 provisions do not apply to

properties that have already been converted into flats. The same exclusion would, at present, attach to only a thin scattering of other properties along the street, but I nonetheless saw few roof windows of any size and nothing comparable with the appeal scheme or its neighbour. That is despite permitted development provisions having been available over many years, and is now in the face of successive tightening of the permitted development regime by Government with the specific aim of averting visually unattractive and un-neighbourly roof alterations. The risk of more widespread uncontrolled alterations thus seems small, and would, in any event, be subject to the Council's ability to bring them within control through the use of Article 4 powers. I am not therefore persuaded to any view other than that the relevant statutory development plan policies and the Council's associated guidance should be upheld in the interests of avoiding the demonstrable harm to the character and appearance of the area that the proposed development would cause.

7. I have considered all other matters raised at the Hearing and in the representations, including the planning conditions suggested by the Council to deal with its other concerns and the Unilateral Undertaking proffered by the Appellant. However, these do not alter my conclusion on the main issue that the visual impact of the proposal would be unacceptable. The appeal therefore fails.

D Lavender

## APPEARANCES

### FOR THE APPELLANT:

Mr M Lewis	Architect and Planning Consultant 25 St Nicholas Lodge Church Street, Brighton
Mr T Steele	Appellant

### FOR THE LOCAL PLANNING AUTHORITY:

Mr J Hawkes	Planning Officer, Brighton and Hove City Council
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## DOCUMENTS

- 1 Appearance list
- 2 Council's written evidence
- 3 Council's specimen condition relating to waste minimisation
- 4 Unilateral Undertaking dated 17 February 2009

## PLANS

- A Appeal Plans, as existing and as proposed, both numbered 08/111/JW and date stamped 5 September 2008

## PHOTOGRAPHS

- 1 2 sheets of photographs of the appeal property and its surroundings



# Appeal Decision

Site visit made on 1 June 2009

by **Noel Hutchinson**

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

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**Decision date:**  
**5 June 2009**

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## Appeal Ref: APP/Q1445/H/09/2098445

### Portslade County Infant School, Locks Hill, Portslade, Brighton BN41 2LA

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Portslade Infant School against the decision of Brighton & Hove City Council.
- The application Ref BH2008/03701, dated 25 November 2008, was refused by notice dated 9 February 2009.
- The advertisements proposed are one 48-sheet "Ultravision" display panel and one 96-sheet static display panel, both with external illumination.

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## Decision

1. I dismiss the appeal.

## Main issues

2. I consider the main issues to be the effect of the illuminated poster panels on the character and appearance of the appeal premises and their surroundings; and their effect on public safety.

## Reasons

3. The appeal site is the corner of school premises immediately overlooking a large open expanse of road junction. Development around the junction is dominated by two large car dealerships with further businesses to the south otherwise the wider area is residential.
4. The proposed siting of the panels would be particularly exposed. The school is sited on ground well above the level of Old Shoreham Road, enclosed by a well maintained boarded fence and mesh fencing above brick retaining walls. The panels would be sited on top of the retaining walls and simply break into the line of fencing. The 48-sheet Ultravision panel would be sited in a splay position across the south west corner of the property, while the 96-sheet panel would adjoin it facing onto the Old Shoreham Road. With both panels some 3m high they would rise well above the height of the fencing. Because of their size and elevated siting well above ground level, exposed by the considerable expanse of open junction, the two panels would be very prominent commercial features.
5. The junction with Locks Hill marks a clear change in character between the school and open land to the east with the commercial premises to the west and south west of the junction. Although the two panels would be directed towards commercial properties I consider that their siting on school premises to be an

inappropriate form of development. Not only would the panels appear as very obtrusive commercial elements alien to their school setting, there would be no attempt to form a satisfactory visual integration with the existing boundary fencing. For these reasons I conclude that the two large poster panels would appear as unduly obtrusive commercial features that would be out of place and harmful to the character and appearance of the school premises.

6. With regard to public safety the submitted plans show that the panels would be displayed well above ground level and back from the top of the retaining wall. There is no evidence that any projection forward of the wall would be other than minimal. I therefore see no potential hazard to passing pedestrians. In the case of road users the panels would be readily visible and I do not consider that within this urban area they would appear as sudden or such unusual features that they would demand the attention of drivers and prove to be a hazard to public safety.
7. As part of their grounds for refusing advertisement consent the Council have stated that the displays would be contrary to policies in the Brighton & Hove Local Plan and their Supplementary Planning Document 07 Advertisements. I have taken these policies into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.
8. I have taken account of the appellants' representations about the financial benefits to the school from the display of the panels. However, because the Regulations require that appeals be considered only in the interests of amenity and public safety, it is these considerations which must be decisive.
9. For the reasons given above I conclude that while the display of the 48-sheet Ultravision panel and the 96-sheet poster panel would not be detrimental to the interests of public safety they would be detrimental to amenity.

*Noel Hutchinson*

INSPECTOR



# Appeal Decision

Site visit made on 1 June 2009

by **Noel Hutchinson**

**an Inspector appointed by the Secretary of State  
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**Decision date:  
5 June 2009**

## **Appeal Ref: APP/Q1445/H/09/2100129 115A Western Road, Brighton BN1 2AB**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Paul Andrew Estates against the decision of Brighton & Hove City Council.
- The application Ref BH2008/03692, dated 19 November 2008, was refused by notice dated 15 January 2009.
- The advertisement proposed is a non-illuminated fascia sign.

### **Decision**

1. I dismiss the appeal.

### **Main issue**

2. I consider the main issue to be the effect of the non-illuminated sign on the character and appearance of the appeal premises and their surroundings.

### **Reasons**

3. The appeal site is part of a narrow three storey building with a curved upper façade and a shop at ground floor. Two upper floors appear to be in office use. The property is part of a busy commercial street where, on many of the older buildings, there is a clear distinction between the domestic appearance of upper floors and that of ground floor shops and other business frontages. The property is also within a conservation area, where it is necessary to pay special attention to the desirability of preserving or enhancing its character and appearance. Well sited signs of suitable size and design on business premises in commercial areas are not precluded; but a strict control is expected to be maintained to ensure that such signs do not spoil the appearance of the area.
4. The appeal sign is in position and displayed at first floor level on that part of the building of domestic appearance. It is also above the fascia sign of the ground floor shop, so creating a two tier display, with another sign above at second floor level. While it contains individual letters that are applied and project from the face of the building, the painted background defines the total area of the display. However by occupying the whole of the area between the first floor windows the appeal sign shows no regard for the design and balance of the façade. It appears as a particularly dominant feature that is out of scale and out of keeping with the building's fenestration. In my opinion the sign

spoils the appearance of the building resulting in harm to the character and appearance of the conservation area.

5. Both parties have referred to the Council's advertisement control policies and I have taken the policies into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.
6. For the reasons given above I conclude that the display of the non-illuminated fascia sign is incompatible with the conservation status of the area and detrimental to the interests of amenity.

*Noel Hutchinson*

INSPECTOR





# Appeal Decisions

Inquiry held on 12 to 15 May 2009  
Site visits made on 15 and 18 May  
2009

by **John Papworth DipArch(Glos) RIBA**

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

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**Decision date:**  
**12 June 2009**

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## Appeal A: APP/Q1445/A/08/2092613

### Royal Alexandra Hospital, Dyke Road, Brighton BN1 3JN

- 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 Taylor Wimpey UK Limited against the decision of Brighton & Hove City Council.
- The application Ref BH2008/02095, dated 18 June 2008, was refused by notice dated 12 December 2008.
- The development proposed is demolition of all existing hospital buildings. Erection of 151 residential units comprising 40% affordable units with 807.2sq m of commercial floor space for a GP Surgery (including 102sq m for a pharmacy) together with associated access, parking, amenity space (including a public garden) and landscaping.

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## Appeal B: APP/Q1445/E/08/2086542

### Royal Alexandra Hospital, Dyke Road, Brighton BN1 3JN

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for conservation area consent.
- The appeal is made by Taylor Wimpey UK Limited against Brighton & Hove City Council.
- The application Ref BH2007/04462 is dated 23 November 2007.
- The demolition proposed is of the existing buildings.

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## Procedural Matters

1. During the conditions session at the Inquiry, the Montpelier and Clifton Hill Association stated that if the building was to be demolished they were keen to see certain items salvaged and kept. The exact nature of those items remaining was not clear at that time, neither as a result was the appellant able to commit themselves to anything without knowing what the items might be. I agreed to hold the Inquiry open so that if there were items seen at the site inspection requiring clarification or submissions, those matters could be dealt with. In the event it was agreed that the items to the main entrance façade and some commemorative stones could be salvaged and no further discussion was needed. As a result, I closed the Inquiry by letter dated 26 May 2009.
2. The second site inspection on 18 May consisted of a visit to another building by arrangements made by the Association and limited by agreement with the Council to myself, and representatives of the appellant and the Association. I then carried out an unaccompanied inspection of the two conservation areas, viewing buildings referred to in evidence. These arrangements did not prejudice the interests of any party but have assisted me in coming to my decisions.

### **Decision Appeal A**

3. I dismiss the appeal.

### **Decision Appeal B**

4. I dismiss the appeal and refuse conservation area consent for the demolition of the existing buildings.

### **Main Issues**

5. I consider the main issues to be;
  - In Appeal B, the effect of the demolition on the character and appearance of the Montpelier and Clifton Hill Conservation Area and the setting of the West Hill Conservation Area.
  - In Appeal A, the effect of the development on the character and appearance of the Montpelier and Clifton Hill Conservation Area and the setting of the West Hill Conservation Area.

### **Reasons**

#### *Conservation Area Consent*

6. Planning Policy Guidance Note 15 "*Planning and the Historic Environment*" provides guidance on the demolition of unlisted buildings in conservation areas where the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of the area. Consideration may be given to the merits of any proposed development in determining whether consent should be given. Further advice appears in Appendix 2 of the English Heritage document "*Guidance on Conservation Area Appraisals*" which sets out questions that might be asked and goes on to say that any one of these characteristics could provide the basis for considering that a building makes a positive contribution to the special interest of a conservation area, provided that its historic form and values have not been seriously eroded by unsympathetic alteration. Local Plan Policy HE8 states that proposals should retain buildings, structures and features that make a positive contribution to the character or appearance of a conservation area. The demolition of a building and its surroundings, which make such a contribution, will only be permitted where all of the following apply: a) supporting evidence is submitted with the application which demonstrates that the building is beyond economic repair (through no fault of the owner/applicant); b) viable alternative uses cannot be found; and c) the redevelopment both preserves the area's character and would produce substantial benefits that would outweigh the building's loss. I shall therefore first address the contribution that the buildings and features make to the area.
7. Having heard and read of the views of local residents and other interested parties, I consider that there is a strong affection for the Royal Alexandra Children's Hospital as an institution and the values that it stood for. That affection has not gone with the relocation of the use to the new buildings to the east of the city but has stayed with the unused buildings. There appears to be a strong attachment to the main block in particular as embodying the essence of the institution and I consider this block, and especially the south facing

façade is seen as an icon representing the institution, separate from any recognition of its architectural qualities.

8. I turn now to consider the buildings in more traditional terms. There are clearly buildings and extensions whose removal would have a positive impact on the character and appearance of the area. Next in order comes the older separate buildings, the Nurses Home and Laundry Block (using the names from the Council's evidence), which have been added to and altered and are limited in their contribution to the conservation area due to their present condition and location with intervening buildings. Then in order comes the administration block which is readily visible on Dyke Road and retains some interesting and prominent features, albeit with rear extensions and rearranged windows. Lastly, and to my mind of superior architectural interest and townscape quality, is the main block.
9. This main block, including its return along Dyke Road, has been altered, but I consider much of the alteration to be part of the history of the site and not to strike at the heart of what makes the building of interest and an attractive feature of the streetscene. The addition of the balconies and even their glazing in has been sensitively done and is largely restricted to the three gabled bays and the linking bay, leaving the two eastern bays with their chimneys dominant. Whilst I am aware of what has been covered, the balconies now form a part of the interest of the building and its contribution to the conservation area. The addition of an upper floor over what was at one time the open top balcony is less successful and has occasioned the removal of the gabled dormers which is a regrettable loss. The newer top storey work also unbalances the composition and fails to sit harmoniously above the previous work or besides the original fabric. The towers to the western end have also been altered, but the cupolas still make sense of the layout and the rectangular infill does not disrupt the composition to a great extent. These cupolas and the chimneys are a major feature on the skyline and the removal of two ventilators is not a significant loss on this unlisted building. On balance, I consider that the main block and particularly its southern façade and the southern end of the Dyke Road frontage contribute positively to the character and appearance of the conservation area.
10. Additionally, the space in front of the south façade is a significant positive feature in my view and one that is referred to in the conservation area character statement as contributing to the character of this part of the area, whereas much else in this document, as well as in the 'Pevsner' volume referred to, is descriptive only. This space, together with the space within the road junction, provides a pleasing openness to the area and the setting for views across it from various vantage points both within this conservation area and the adjoining West Hill Conservation Area. The view of the southern façade, and in particular, its eastern two bays and chimneys as they become apparent from behind premises on the Powis Grove corner, is an important positive feature of the approach up Dyke Road from the City Centre.
11. I have been referred to the predominantly stuccoed appearance of much of the conservation area and a perceived discord through the hospital buildings being red brick and terracotta. I do not concur with the view that this is harmful or discordant. There are two brick churches in the conservation area as well as the appeal building and in differentiating their non-residential use, shape and

size, I consider this a pleasing counterpoint which adds rather than takes away, from the qualities of the area. I acknowledge that the institutional use that justified this difference has gone, but the size remains as does the public perception that this is still very much the Royal Alexander Children's Hospital building with all the attachment that appears to go with that status.

12. I shall address the evidence regarding a conversion scheme, but reserve further discussion to the overall balance in my third section. Mr Turner for the appellant had been requested to carry out an assessment of a '55 unit conversion scheme' giving 21 private units in a conversion and 12 private with 22 affordable units in new buildings. Without any account for site purchase costs this scheme showed a substantial loss and this worsens when site purchase costs are added. Local Plan Policy HE8 has the three requirements set out previously and on the basis of these figures, I do not consider it has been shown that the building is beyond economic repair, but I am of the view that this alone is not a reliable measure. In listed building considerations PPG15 makes clear that generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use. For the great majority this must mean economically viable uses if they are to survive. It could be that such a building is in good repair, but could be threatened over time by an inability to find a viable use.
13. I see little difference in the case of the appeal buildings. I did not see evidence of serious disrepair that might threaten long-term retention, but without a viable use there is risk of physical deterioration and the ongoing underutilisation of land and buildings, with the attendant harm to the character and appearance of the conservation area. In the case of the '55 unit conversion scheme' a viable alternative use has not been found, but that is not proof to my mind that a viable alternative use cannot be found, as stated in Policy HE8. There could be other variations of retention and new-build which might secure the contribution made by the south facing façade or part of it.
14. On balance, I find parts of the building to make a positive contribution, but there have been later alterations that erode the value. There may be a case for some retention, but I acknowledge the difficulties and am not persuaded that this is the best course of action depending on the quality of the proposed total redevelopment. I am of the view that the existing main building is of sufficient value, in townscape and architectural terms, as well as the fondness felt by local people that any replacement should be of the highest standard that recognises the value of the existing buildings and all that they stand for and would compensate for their loss. I shall now consider the merits of the replacement building before considering the balance required by Central Government guidance, the advice of English Heritage and the Local Plan policy, having regard to the requirement of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

#### *Development Proposals*

15. The buildings and site are presently unused and the proposed housing use would contribute to providing both open market and affordable housing on previously developed land close to shopping, transport and other services. I

consider the principle of housing use appropriate and to provide housing that would go some way to addressing a shortfall in the five year supply, although this now appears less than previously identified following the approval of the South-East Plan in early May 2009. In addition there would be provision of a health surgery, which again in this predominantly residential area, well served by public transport, would be beneficial and appropriate. Total new-build as proposed provides for a high level of energy efficiency and the provision of underground car parking on the cleared site. Starting with such a cleared site provides a more efficient use of land and I consider the resulting density in keeping with this sustainable location, subject to the physical effect on matters contained in Local Plan Policies QD1, QD2, QD4 and HE6.

16. The design and layout of the proposed development is stated to have responded to the constraints of the site and its surroundings by employing a variety in the disposition of built form and the elevations to the boundaries. I find the internal elevations and those to the boundaries with adjoining properties to be well considered, and the elevation to Clifton Hill responds to the variety on that road without mimicry or a tendency to be over-different. The built form would be on different planes to that which would be removed and that arrangement would establish a pleasing enclosure to the street scene that is lacking now. The relationship with the proposed development on the car park opposite would change from the present arrangement and there would be windows closer than now. However, I do not find this relationship unusual in an urban area or, even with the changes in level, harmful to the spatial and visual relationship or to the living conditions of future occupiers of either scheme.
17. The south facing façade would be placed at a different angle to that at present, but more importantly in my judgement, it would be placed forward onto the open land that I, and the conservation area statement, find to be a significant feature. The visual erosion of that open space would not, in my judgement, be adequately compensated for by the access that would be allowed or by the opening-up of the frontage. The reduction in ground level to accommodate the step-free entrance to the surgery, whilst providing this access, also has the effect of heightening the elevation facing south, further emphasising the bulk of the new building and increasing the dominance that I consider it would have over the road junction and approach from the city centre. The use of the curved feature at this location would do little to reduce the bulk and would itself introduce a further incursion into the open space to the detriment of the character and appearance of the area. I heard also of the effect of this reduction in levels in placing much of the surgery accommodation low in the site, and I am not convinced of the wisdom of this arrangement nor of the necessity of providing the required level access at this low point.
18. I look now at the east facing elevation along Dyke Road. There was comparison with the villas on the other side of the road, within the West Hill Conservation Area, and evidence on whether or not they had appreciable gaps between them. There are gaps, often partly filled by the side porches, and often less obvious in oblique views. I attach limited weight to the proposed lack of gaps in the new build, as this would be a different type and age of building and I do not consider the need for similar gaps or the appearance of such gaps to be essential. There would be some modelling of the elevation and



upper level, and in plan view I consider this sufficient to break up the bulk of the building. However, there would be a largely unbroken roof level, albeit with some stepping back and forward, and this would have the effect of increasing the height of the building as the land falls to the south. This effect culminates in the height that I have referred to on the southern façade. I do not consider this level roofline to be a common feature on older buildings within this hilly area and in a block of the size now proposed would emphasise the bulk.

19. There is a listed building nearby on Clifton Hill, and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving its setting, among other things. Policy QD4 also identifies this as being of strategic importance along with views into and from within conservation areas. The listed building is unusual in its setting and in my opinion owes little to its surroundings at present, due to being of a different scale and materials. I do not consider that the proposed redevelopment would adversely affect the setting of the listed building which would remain of interest and as a contrast to the other built form.
20. In conclusion on this issue I do not consider that the proposed building responds sufficiently to the grain and design of the existing built environment of the area, failing to reflect the scale and character or appearance of the area and not retaining or protecting spaces between buildings or open areas which contribute to that character or appearance, all as required by Local Plan Policy HE6. With regard to the requirements of Policies QD1 and QD2, I find the scale and height of the proposals and their relationship to the topography and skyline to be lacking in variety and interest and, on the south and east elevations, to present an over-solid form of development within this area of visual variety. The reduction in the size, and hence the value of the contribution of the open space further indicates shortcomings in the disposition of new built form on the site.

#### *Overall Balance*

21. I am of the view that whilst there is an affection for the existing building, in general terms the benefits of a well designed new building, providing affordable housing, energy efficient construction and sustainable use of resources thereafter, located close to transport and services, together with the provision of health facilities close to where people live, would all weigh heavily in favour of the old building being replaced with one more fitted to today's needs. As stated, I do not discount the possibility of some retention of the south façade, as being the part most in the public view, which contributes the most to the area and which I consider could be seen as epitomising the children's hospital, although there is no scheme before me. But, neither do I discount the possibility of successful total redevelopment.
22. However, I have identified shortcomings in the design and layout of the proposed building that lead me to conclude that the loss would be insufficiently compensated for by the development proposed, in visual terms and with regard to the effect on the character and appearance of the conservation areas. Whilst I consider Policy QD4 to be less applicable with regard to strategic views, the views from the lower approaches of Dyke Road of the present

building is significant within the townscape of the area and the proposed building would, in my judgement, not be a fitting replacement for this south elevation and its contribution to the wider street scene and townscape.

23. In the balance required of my decision, I find that the merits of the proposed development, as previously identified, and not confined to visual or character matters, insufficient to overcome the failure of the proposed building to respond to the importance of the Dyke Road and Clifton Hill corner in particular, eroding also the valuable contribution made by the open space.
24. I have been directed to the involvement of the regional design forum as well as English Heritage and particularly the series of letters from that agency. Whilst it is clear that the design was evolving in a direction that English Heritage thought an improvement, I do not read into the final letter an unequivocal agreement that the scheme had reached an acceptable quality as a replacement for the existing building, only that they were happy for the Council to now make their decisions without further reference to English Heritage.
25. I conclude that the proposals would fail to accord with the requirement of Policy HE8 that redevelopment both preserves the area's character and produces substantial benefits that would outweigh the building's loss and that as there are no acceptable plans for redevelopment, consent for demolition should be refused, as set out in that policy and in PPG15. For the reasons given above I conclude that the both appeals should be dismissed.

*S J Papworth*

INSPECTOR

## DOCUMENTS

- Document 1 Signed and sealed S106 Agreement dated 11 May 2009
- Document 2 Intermediate Design and Access Statement from previous scheme referred to by Council
- Document 3 Letter English Heritage to Council 16 January 2008
- Document 4 Supplementary Planning Guidance 15 "*Tall Buildings*"
- Document 5 Land registry details submitted by The Montpelier and Clifton Hill Association
- Document 6 Four Proofs of Evidence of The Montpelier and Clifton Hill Association and associated documents
- Document 7 Proof of Evidence of The Brighton Society and associated documents
- Document 8 Statement of Common Ground
- Document 9 Bundle of documents submitted by The Montpelier and Clifton Hill Association and associated documents
- Document 10 Plan PL104E marked to show separation distances to adjacent 3<sup>rd</sup> Avenue Developments' scheme
- Document 11 Written rebuttal of facts submitted by 3<sup>rd</sup> Avenue Developments
- Document 12 Agreed Conditions and The Montpelier and Clifton Hill Association additions/alterations
- Document 13 Addendum to D Lander Proof of Evidence re SE Plan
- Document 14 Revised version of M Bleakley Proof of Evidence



**NEW APPEALS**

**WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

**APPLICATION DECISION LEVEL**

**ROTTINGDEAN COASTAL**

BH2008/01164

25 Roedean Crescent, Brighton

Demolition of existing dwelling and replacement with new contemporary house.

APPEAL LODGED

22/05/2009

Environmental Services Planning Committee

**WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

**APPLICATION DECISION LEVEL**

**WISH**

BH2008/02011

1 Welbeck Avenue, Hove

Demolition of existing detached house to be replaced with a block of six two bedroom flats.

APPEAL LODGED

26/05/2009

Delegated

**WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

**APPLICATION DECISION LEVEL**

**WISH**

BH2008/02764

23 Tennis Road, Hove

Proposed balcony to rear at first floor level, access spiral staircase, and replacement of window with glazed doors.

APPEAL LODGED

26/05/2009

Delegated

**WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

**APPLICATION DECISION LEVEL**

**BRUNSWICK AND ADELAIDE**

BH2008/03885

Amber Court, 38 Salisbury Road, Hove

Formation of additional storey to create 2 no. 2 bed flats.

APPEAL LODGED

02/06/2009

Delegated

**WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

**APPLICATION DECISION LEVEL**

**GOLDSMID**

BH2009/00012

18 Davigdor Road, Hove

Erection of a 3 storey extension to form one dwelling.

APPEAL LODGED

03/06/2009

Delegated

## NEW APPEALS RECEIVED

**WARD**

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

**ROTTINGDEAN COASTAL**

BH2008/02307

57 Falmer Road, Brighton

Demolition of existing derelict building and construction of 6 x 2 storey town houses. Provision of 12 cycle spaces.

APPEAL LODGED

08/06/2009

Environmental Services Planning Committee

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**WARD**

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

**HOLLINGDEAN & STANMER**

BH2009/00232

63 Uplands Road, Brighton

Excavation to land to front of property to create hardstanding (retrospective).

APPEAL LODGED

08/06/2009

Delegated

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**WARD**

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

**REGENCY**

BH2008/03407

Flats 1 and 2, 94 Montpelier Road, Brighton

Erection of a garden shed and loggia to the rear. (Retrospective).

APPEAL LODGED

05/06/2009

Delegated

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**WARD**

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

**ROTTINGDEAN COASTAL**

BH2008/03090

6 Cliff Approach, Brighton

Demolition of existing detached house. Erection of apartment building comprising 7 no. self-contained flats, with provision for communal garden, cycle parking and car parking facilities (Resubmission of BH2007/03867)

APPEAL LODGED

10/06/2009

Non determination

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## NEW APPEALS RECEIVED

### WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

### **WISH**

BH2008/03947

370-374 Portland Road, Hove

The erection of seven flats to the north of the site replacing an existing mixed use development incorporating offices and accommodation and two maisonettes to the south of the site replacing derelict garages.

APPEAL LODGED

09/06/2009

Delegated

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### WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

### **PRESTON PARK**

BH2008/03194

Land Rear of 140 - 146 Springfield Road, Brighton

Erection of a terrace of 4 no. two bedroom dwellings.

APPEAL LODGED

10/06/2009

Delegated

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### WARD

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

### **CENTRAL HOVE**

BH2008/03290

6 Wilbury Grove, Hove

Erection of a first floor rear single storey conservatory and raised deck.

APPEAL LODGED

26/05/2009

Delegated

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**Brighton & Hove  
City Council**

**INFORMATION ON HEARINGS / PUBLIC INQUIRIES**  
**1<sup>st</sup> July 2009**

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

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**Gala Bingo Hall & Adjacent Carpark, 193 Portland Road, Hove**

Planning application no: BH2008/02586  
Description: Demolition of existing building. Redevelopment of site to provide new GP surgery at part ground, part first floor, new D1/D2 unit at ground floor and 38 residential units above in part 3, part 4 and part 5 storey building, including 16 affordable units (40%). Surface car parking and landscaping at rear. (Resubmission of withdrawn application BH2008/00600).  
Decision: Committee  
Type of appeal: Informal Hearing  
Date: 1<sup>st</sup> & 2<sup>nd</sup> July 2009  
Location: Council Chamber, Brighton Town Hall

**9 Benfield Close, Portslade**

Planning application no: BH2008/01110  
Description: Single storey rear extension (retrospective).  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date: 7<sup>th</sup> July 2009  
Location: Brighton Town Hall

**68 Tongdean Lane, Withdean**

Planning application no: BH2008/03379  
Description: Proposed first floor rear extension, partially extending over existing double garage. (Resubmission of BH2008/06033)  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date: 8<sup>th</sup> July 2009  
Location: Jubilee Library

**17-19 Duke Street, Brighton**

Planning application no: BH2008/02993  
Description: Replacement of existing roof with Mansard roof extension to create additional storey.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date: 15<sup>th</sup> July 2009  
Location: Hove Town Hall

### **46 Dyke Road, Brighton**

Planning application no: BH2007/04469

Description: Partial demolition and alterations to existing house and erection of a two storey detached house to the rear.

Decision: Committee

Type of appeal: Informal Hearing

Date: 28<sup>th</sup> July 2009

Location: Hove Town Hall

### **107 Boundary Road, Hove & Land to rear 107 Boundary Road, Portslade**

Planning application no: • BH2008/03442

• BH2008/03449

Description: • Demolition of existing house and construction of 2-storey building with pitched roof and lightwell to form 7 flats. (Amended Description).

• Construction of new partially sunken 3 bedroom single storey dwelling with flat roof and rooflights.

Decision: Committee

Type of appeal: Informal Hearing

Date: 4<sup>th</sup> August 2009

Location: Hove Town Hall

### **Land at Brighton Marina**

Planning application no: BH2007/03454

Description: Demolition of Asda superstore to create 3 -10 storey building with enlarged store (3112 sqm increase) and 2,025 sqm of other Class A1-A5 (retail/restaurant/drinking) uses on ground floor with 779 residential units above and community hall and new pedestrian/cyclist bridge link from cliff to roof of building and associated engineering works. Demolition of petrol filling station to create 28 storey building with 182 sqm of Class A uses at ground floor and 148 residential units above. Demolition of McDonalds restaurant to create 5 - 16 storey building with enlarged drive-thru restaurant (285 sqm increase) and 131sqm of other Class A uses and 222 residential units above. Demolition of estates office to create 3-4 storey building of 35 residential units. Demolition of western end of multi-storey car park to create 6-11 storey building adjacent to western breakwater of 117 residential units with stair access from breakwater to Park Square. Demolition of part of the eastern end of multi-storey car park to create single storey petrol filling station, pedestrian footbridge and new lift and stair access. Total: 1301 residential units. Associated car parking spaces (805 residential, 666 commercial), cycle parking (1907 residential, 314 in public realm), servicing, plant, refuse, CHP unit, public and private amenity space, hard & soft landscaping and outdoor recreation areas. Change of use of two A1 retail units (524 sqm) within Octagon to medical use (Class D1). Alterations to vehicular, pedestrian and cyclist access and circulation, including new roundabout and transport interchange behind Waterfront.

Decision: Committee

Type of appeal: Public Inquiry

Date:

Location:

### **6 Cliff Approach, Brighton**

Planning application no: BH2008/03090

Description: Demolition of existing detached house. Erection of apartment building comprising 7 no. self-contained flats, with provision for communal garden, cycle parking and car parking facilities (Resubmission of BH2007/03867).

Decision: Non determination

Type of appeal: Informal Hearing

Date:

Location:

### **Land rear of 140 – 146 Springfield Road, Brighton**

Planning application no: BH2008/03194

Description: Erection of a terrace of 4 no. two bedroom dwellings.

Decision: Committee

Type of appeal: Public Inquiry

Date:

Location:

### **Garages at rear of 90 Cromwell Road, Hove**

Planning application no: BH2008/02452

Description: Demolition of existing single storey garages and construction of one 2-bedroom mews house.

Decision: Committee

Type of appeal: Informal Hearing

Date:

Location:

