

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 13 JANUARY 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Hyde (Chairman), Wells (Deputy Chairman), Carden (Opposition Spokesperson), Caulfield, Cobb, Davey, Hamilton, Kemble, Kennedy, McCaffery, Smart and Steedman

Co-opted Members Mr J Small (CAG Representative)

Officers in attendance: Jeanette Walsh (Development Control Manager), Hamish Walke (Area Planning Manager(East)), Zachary Ellwood (Interim Senior Team Planner), Steve Reeves (Principal Transport Planning Manager), Hilary Woodward (Senior Lawyer), and Penny Jennings (Senior Democratic Services Officer)

PART ONE

182. PROCEDURAL BUSINESS

182A. Declaration of Substitutes

182.1 Councillor Kemble was in attendance as substitute Member for Councillor C Theobald.

182B. Declarations of Interest

182.2 Councillor Kemble stated that he had been approached in relation to Application BH2009/02169, Cambridge Works, Cambridge Grove. He had however not expressed an opinion in relation to the application and remained of a neutral mind and therefore intended to remain present at the meeting during the discussion and debate thereon.

182C. Exclusion of the Press and Public

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

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

183. MINUTES OF THE PREVIOUS MEETING

- 183.1 Councillor Smart referred to page 9 of the minutes stating that he had referred to the advice received from the Environmental Health Department. In his view this was ambiguous regarding potential health risks and should either be qualified or removed. He wished a statement to that effect to be added to the minutes.
- 183.2 **RESOLVED** – That the Chairman be authorised to sign the minutes of the meeting held on 16 December 2009 as a correct record subject to the amendment set out above

184. CHAIRMAN'S COMMUNICATIONS

Web casting

- 184.1 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.

Member/Officer Working Group

- 184.2 The Chairman explained that a Member/Officer Working Group was being set up to improve the smooth running of the Committee's business and to ensure that Members were involved in planned changes to the planning process. Details would be forwarded to Members.

Pre Application Meetings

- 184.3 The Development Control Manager explained that in order to facilitate consideration of major applications where appropriate, applicants would have the opportunity to give presentations to Members regarding proposed schemes at the pre application stage. It was proposed that presentations would be given following planning site visits in those instances where this was considered applicable. Details would be forwarded to Members.
- 184.4 **RESOLVED** – That the position be noted.

185. PETITIONS

- 185.1 There were none.

186. PUBLIC QUESTIONS

- 186.1 There were none.

187. DEPUTATIONS

- 187.1 There were none.

188. WRITTEN QUESTIONS FROM COUNCILLORS

188.1 There were none.

189. LETTERS FROM COUNCILLORS

189.1 There were none.

190. NOTICES OF MOTION REFERRED FROM COUNCIL

190.1 There were none.

191. APPEAL DECISIONS

191.1 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.

192. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

193. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

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

194.1 Mr Small, CAG, considered that it might be applicable to pay a visit to application site BH2007/04074, Land adjoining 24 Tower Road, Brighton in view of its close proximity to a listed building. Members decided to see the Officer's presentation first however and considered once they had seen it that they had sufficient information to determine the application without the need for a site visit.

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

Application:	Site Visit Requested by:
BH2009/02331, Land East of West Pier, Esplanade, King's Road (Brighton O Wheel)	Development Control Manager
BH2009/01722, Cardinal Newman School, The Upper Drive, Hove	Development Control Manager
BH2009/01746, Land R./o 43-45	Councillor Hyde(Chairman)/Councillor

Norway Street, Portslade	Hamilton
BH2009/02231, Land R/o 21-22 Queen's Road	Councillor Davey

195. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST: 13 JANUARY 2010

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

A. Application BH2009/02331, The Brighton O, Land East of West Pier Lower Esplanade, King's Road, Brighton – Temporary use of land for stationing of 60 metre high spokeless observation wheel (The Brighton O) including a dedicated area for the secure storage of boats.

(1) The Chairman explained that further information had been received from the applicant and that consideration of the application had been deferred in order to enable that information to be evaluated.

195.1 **RESOLVED** – that the position be noted.

(ii) MINOR APPLICATIONS

B. Application BH2009/02939, Land Adjacent, to Recreation Ground, Patcham By Pass, Brighton - Installation of a 12.5 metre high monopole supporting 3, O2 antennas and 3, Vodaphone antennas, and the installation of 2, equipment cabinets at ground level adjacent to monopole.

(1) The Area Planning Manager (East), Mr Walke detailed the considerations made in relation to the application and its past planning history including the decision of the Planning Inspectorate in relation to an earlier appeal relating to the placing of a mast in the same location. He also made reference to 7 further letters of objection which had been received after the late list had closed. The only considerations in this case were the siting and appearance of the proposed development. Those instances where health concerns could represent a material consideration were set out in the report.

(2) He explained that permission had been granted on appeal earlier that year for a 10m high monopole with 3 antennas and 1 equipment cabinet. The Inspector had found that the proposal would result in no material harm to the living conditions of local residents or visitors, with particular reference to health and safety. The approved development had not been implemented and the current mast sharing application would supersede it. A technical justification had been given for siting the mast at its proposed location. A diagram was displayed showing the areas where signal coverage was greatest.

(3) Prior to a submission being given by a representative speaking on behalf of local objectors the Solicitor to the Committee responded to points notified by the same objector in advance of the meeting referring to a case which the representative held

that loss of property value was a material planning consideration. She had looked at the case R. (on the application of Nunn) v First Secretary of State (2005). The case concerned a local planning authority (lpa) whose notice of refusal of prior approval under Part 24 GPDO was received after the 56 day limit. Dr Nunn had claimed that her Article 6 Human Rights Act rights (right to a fair hearing) had been infringed as her representations on health concerns and loss of property value had been ineffective. Although the lpa had accepted that approval should be refused this determination was ineffective because the notice was ineffective. The Court had agreed that Dr Nunn's Article 6 rights had been infringed but the case did not hold that loss of property value was a material planning consideration.

- (4) Mr Lothian spoke on behalf of local objectors referring to the major health and other concerns raised by local residents. Planning Inspectors were not democratically appointed nor in his view were they independent, whereas Members of the Committee were. Members had refused the previous application having taken account of the overwhelming views of local residents. He urged them to do the same on this occasion, disregard the earlier appeal decision and head the overwhelming weight of public opinion.

Debate and Decision Making Process

- (5) Councillor Smart referred to the comments received from the Environmental Health Department notably that the Government recognises that there can be indirect adverse effects on the well being of people in some cases. He remained of the view that this statement implied that there might be an adverse impact, if it was not relevant it should not be included.
- (6) Councillor Wells expressed concern regarding additional on-street furniture, especially the associated equipment cabinets which could cause obstruction or a reduction in the available footway. The Area Planning Manager referred to actual the location of the proposed equipment cabinets, their distance from the kerb edge and from the proposed mast. He explained that photographs displayed by the objector did not show anything currently on site.
- (7) A vote was taken and on a vote of 3 to 2 with 7 abstentions Members voted that prior approval was not required.

- 195.2 **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 prior approval is not required for the proposed development.

Note: Councillors Smart and Wells voted that prior approval was required. Councillors Caulfield, Davey, Hyde (Chairman), Kemble, Kennedy, McCaffery and Steedman abstained. Therefore on a vote of 3 to 2 with 7 abstentions the Committee agreed that prior approval was not required.

- C. Application BH2009/02071, R/o 183 Ditchling Road, Brighton** - Demolition of the 20 existing single storey garages. Construction of 3 two storey, two bedroom dwellings. Conversion of existing storage building to form a further two storey, two bedroom dwelling. To include altered pedestrian/bicycle access and associated landscaping.

- (1) The Area Planning Manager (East), Mr Walke gave a presentation detailing the constituent elements of the scheme by reference to photographs and drawings and sectional drawings, showing the configuration and layout of the site in relation to neighbouring dwellings. He explained that it was considered that the previous reasons for refusal had been overcome and minded to grant approval was therefore recommended. It was noted that the sustainable transport requirement would be £6,000 not £3,000 as set out (in error) in the report.

Questions/Matters on Which Clarification was Sought

- (2) Councillor Kemble requested to know the depth of the site in relation to neighbouring dwellings and referred to the narrowness of the access road onto the site and enquired why the fire authority had not been consulted in respect of the application. The Development Control Manager explained that the development would need to meet building control regulations and that on minor developments it had been agreed with the fire authority that they would not be consulted as a matter of course.
- (3) Councillor Kemble also requested to see plans relating to the previously refused scheme and the current one (minded to grant) and to be shown the differences between the two.
- (4) Councillor McCaffery expressed concern regarding potential difficulties for emergency vehicles entering the site and regarding the fact that as no on-site parking was proposed any vehicles associated with the development would be displaced onto neighbouring streets. Confirmation was regarding the current status of the garages and whether they were still in use. She also had concerns given the former use of the site as to whether any measures were required to ameliorate any potential land contamination that might have occurred.
- (5) Councillors Hamilton and Smart sought confirmation regarding current levels of usage of the garages on site and regarding their ownership and whether any works were proposed to the gate piers /walls to the frontage of the roadway onto Ditchling Road. It was explained that the garages had been in single ownership but were sub let and that no works were planned to the piers/walls referred to.
- (6) Councillor Smart also sought confirmation regarding the rationale for no vehicle parking being provided on site. It was explained that parking was not proposed due to the narrow access width which although it had been used in association with the garage use in the past did not meet current safety standards for access/egress nor would there be sufficient space to provide an adequate turning circle.
- (7) Councillor Cobb sought confirmation regarding the arrangements and siting of receptacles for the collection of refuse from the development. Also, regarding the configuration and dimensions of living accommodation within the units. Confirmation was also sought regarding the number of residents who would occupy the completed dwellings, but it was explained that this could not be confirmed.

Debate and Decision Making Process

- (8) In view of the number of questions raised by Members relating to the configuration of the site Councillor Hyde, the Chairman enquired whether Members wished to carry out a site visit prior to determining the application but they decided that they did not.
- (9) Councillor Kemble stated that he would be happier to support the application if the applicant could be required to provide a sprinkler system on site. The applicant's agent who was present at the meeting confirmed that they were prepared to explore this option. The Solicitor to the Committee stated that the applicant could not be compelled to provide sprinklers but that their willingness to pursue that option was noted.
- (10) Councillor Smart whilst having some concerns in respect of access/egress arrangements and lack of on-site parking noted that the number of vehicles associated with the proposed residential development would be far fewer than generated by the 20 garages previously on the site.
- (11) Councillor Steedman commended the scheme which he considered represented clever use of a small site, he was happy to support it.
- (12) Councillor Cobb stated that she had a number of concerns, considering that the application represented over development of a dense site which would result in unacceptable levels of noise and light pollution to neighbouring residents whilst constituting loss of the open space in front of the existing garages. In her view it would set a precedent, she also had concerns relating to drainage/removal of sewage and displacement of vehicles associated with the site which would need to park in nearby roads.
- (13) Councillor Caulfield felt unable to support the application as she had grave concerns in respect of access/egress from the site, particularly for emergency vehicles. She did not consider that the proposed dwellings would meet acceptable lifetime homes standards.
- (14) A vote was taken and on a vote 9 to 2 with 1 abstention minded to grant planning permission was given.

195.3 **RESOLVED** - That the Committee has taken into consideration and agrees with the recommendation set out in paragraph 8 of the report and resolves that it is minded to grant planning permission subject to the applicant entering into a Section 106 Obligation and to the conditions and informatives set out in the report. It be noted and approved that the sum to be provided towards sustainable transport is £6,000.

Note: Councillors Caulfield and Cobb voted that the application be refused. Councillor McCaffery abstained.

D. Application BH2009/02391, Land R/o 183 Ditching Road, Brighton – Demolition of 20 existing single storey garages.

- (1) A vote was taken and on a vote of 10 to 1 with 1 abstention conservation area consent was granted.

195.4 **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 conservation area consent subject to the conditions and informatives set out in the report.

Note: Councillor Cobb voted that the application be refused. Councillor McCaffery abstained.

- E. Application BH2009/02169, Unit C, Cambridge Works, Cambridge Grove , Hove –** Application for variation of Condition 2 of application 3/85/0104 which states that “the premises shall be used for industrial finishing specialising in plastic and powder coating only” in order to allow the use of the premises for testing, servicing, repair and maintenance of motor vehicles only.
- (1) The Interim Senior Team Planner, Mr Ellwood gave a presentation detailing the scheme. He referred to the comment received from the Station Manager at Preston Circus Community Fire Station and to the response to it set out in the Late Representations List. It was considered that the proposal would not result in a significant impact on the amenities of neighbouring occupiers or adversely affect the setting of the adjacent Willett Estate Conservation Area. The scheme compensated for the demand for travel which it created and would not result in a significant impact on parking in the area. Following circulation of the Late Representations List 7 further letters of support for the scheme had been received.
 - (2) It was explained that the current application related only to the proposed change of use. A further separate application for a canopy was awaited.
 - (3) Mr Spurell spoke as an objector to scheme. He referred to the un-adopted status of the roadway in Cambridge Grove and to the responsibility of freeholders to maintain that highway and to the fact elements of this had been sold off to two commercial owners (including the applicant) some 7 years previously. There were grave concerns that the road (which was in a poor state of repair) was not designed to take the additional traffic generated by this use and that damage could be sustained to the Victorian gas mains beneath the surface. In that event legal action could be taken against the Council as it had previously refused to adopt the road. The use would also exacerbate existing access, on–street parking problems.
 - (4) Mr Bareham spoke on behalf of the applicant in support of their application. He explained that the proposed use would not result in any increase in the number of vehicles using the site. Vehicles being checked prior to receiving an MOT would now also be able to receive their MOT service on site rather than this taking place elsewhere with the vehicle being returned later. The entire process would be able to take place on site. This use would provide full time employment for four staff.

Questions/Matters on Which Clarification was Sought

- (5) Councillors Kennedy, Smart and Wells expressed concern regarding the potential for any legal action to be taken against the Council, enquiring whether that represented a material planning consideration. The Solicitor to the Committee explained that freehold ownership/maintenance issues were not material planning considerations. If a claim was lodged against the Council it would be resisted.

- (6) Councillor Steedman enquired whether proposed Condition 3 would be sufficient to control the noise being produced when an engine was revved at full acceleration as required for part of the MOT test. This was different from the noise generated by plant and machinery.
- (7) Councillor Kemble stated that he was aware that the period during which an engine was at full acceleration was very brief. He was unsure whether it would be practicable for that to be conditioned.

Debate and Decision Making Process

- (8) The Interim Senior Team Planner stated that Members could amend Condition 3 if they were so minded. He also suggested that an additional condition (5) be added to ensure that no activities took place outside the building in order to seek to avoid any potential noise nuisance.
- (9) Councillor Carden stated that he was familiar with the site and considering that the proposed use would not generate unacceptable noise levels. He supported the application.
- (10) A vote was taken and the proposal that Condition 3 be amended was lost on a vote of 3 to 9. A further vote was taken and Members agreed on a vote of 11 with 1 abstention that an additional condition (5) be added.

195.5 **RESOLVED** - That the Committee has taken into consideration and agrees with the recommendation set out in paragraph 8 of the report and resolves that it is minded to grant planning permission subject to the conditions and informatives set out in the report and to the additional condition set out below.

Condition 5: No testing, servicing, repair or maintenance of vehicles shall take place outside of the building for which this approved use inures.

Reason: To protect the amenities of the occupiers of neighbouring property in accordance with the provisions of policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

Note: Councillor Kemble abstained from voting in respect of the above application.

F. Application BH2009/01746, Land R/o 43-45 Norway Street, Portslade -
Construction of a new 3 storey building comprising 4 self-contained flats with roof lights and rear dormers.

- (1) Members agreed that it would be beneficial to carry out a site visit prior to determining the application.

195.6 **RESOLVED** - That the above application be deferred pending a site visit.

G. Application BH2009/02310, 61 Hill Brow, Hove – Addition of first floor to create a two storey dwelling.

- (1) The Interim Senior Team Planner, Mr Ellwood gave a presentation detailing the proposed scheme by reference to elevational drawings and floor plans. The impact of the proposed first floor addition on the character and appearance of the building, the street scene and on the amenity of adjoining properties was considered.

Questions/Matters on Which Clarification was Sought

- (2) Councillor Kemble requested details of the differences between the current application and the previously refused scheme. It was explained that insufficient information had accompanied the previous application to enable an assessment of the impact on neighbouring dwellings to be made; the proportions of this scheme had also been scaled back.
- (3) Councillor Smart referred to the issues raised by objectors in relation to the impact and inconvenience caused by scaffolding associated with the works, it was explained that these were not material planning considerations and were civil matters to be addressed outside the Committee's remit.
- (4) In answer to further questions by Councillor Smart it was explained that conditions regulating the hours during which building works could be carried out were not usually applied to domestic dwellings, this was consistent with the approach adopted by other local planning authorities. Any noise or other nuisance could be addressed by Environmental Health legislation.

Debate and Decision Making Process

- (5) A vote was taken and Members voted unanimously that planning permission be granted.

195.7 **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.

H. Application BH2009/02648, Kingsmere, London Road, Brighton – Construction of 5 additional garages.

- (1) The Interim Senior Team Planner, Mr Ellwood stated that an additional condition was proposed in order to address the concerns of neighbouring objectors and to ensure that the garages were not used for non-domestic purposes.

Questions/Matters on Which Clarification was Sought

- (2) Councillor McCaffery enquired whether the proposed condition would preclude the garages from being used to park commercial vehicles. It was explained that anyone living in the development who owned a commercial vehicle would be able to park it in their on-site garage.
- (3) A vote was taken and Members voted unanimously that planning permission be granted.

195.8 **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 and to the additional condition set out below.

Condition 4: The garages hereby permitted shall be used solely for parking of vehicles and for other domestic purposes and shall at no time be used for any business or commercial purposes, including commercial storage.

Reason: To protect the amenities of the surrounding area in accordance with the provisions of policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

I. Application BH2007/04074, Land Adjoining 24 Tower Road, Brighton –
Construction of one new dwelling house attached to 24 Tower Road.

- (1) The Area Planning Manager (East), Mr Ellwood gave a detailed presentation in respect of the application, showing photomontages of the proposed development in relation to the neighbouring dwellings, within the conservation area and its relationship to and impact on the listed building. The scheme was considered to be acceptable and the earlier reasons for refusal to have been overcome.

Questions/Matters on Which Clarification was Sought

- (2) The Chairman, Councillor Hyde, requested to see views taken from the south showing the site's relationship with the listed building.
- (3) Councillor Smart referred to the tree located immediately beyond the curtilage of the site requesting confirmation as to its species and enquiring whether it could be protected. Councillor McCaffery echoed those concerns. It was confirmed that the tree was a bay and that a condition could be added to seek to ensure its protection.
- (4) Councillor Kennedy referred to the concerns raised requesting that as the proposed development would now be set further down into the site whether it could be ensured that the tree's roots were protected during the excavation works to create the basement level. Councillor Cobb raised the same matter. It was confirmed that this could be done and that the comments received from the arboriculturist did relate to the current application.

Debate and Decision Making Process

- (5) Councillor Hyde, the Chairman sought confirmation whether Members required a site visit prior to determining the application and they agreed that they did not.
- (6) Mr Small, CAG referred to the comments received from CAG that the proposed development would have a detrimental effect on views of the only surviving Barry Villa (the listed building) and that in view of that impact it would be inappropriate in principle to develop this site.

- (7) Councillor Kennedy whilst noting CAG's comments considered that the setting of the listed building had already been damaged by the existing 1970's terrace. In her view the proposed development would not exacerbate the existing situation.
- (8) Councillor Davey commended the scheme which he considered was a bold architectural statement which would provide a positive contribution to the street scene.
- (9) Councillor Wells considered the proposed scheme to be acceptable although he would have preferred it if "curved" corner treatments had been used.
- (10) In response to the points raised the Area Planning Manager (East) suggested that additional conditions could be added in order to seek to ensure protection of all relevant on site-trees. Members indicated that they were minded to do so.
- (11) A vote was taken and Members voted unanimously that they were minded to grant planning permission subject to additional condition(s) in the terms discussed.

195.9 **RESOLVED-** That the Committee has taken into consideration and agrees with the reasons for the recommendation and resolves that it is minded to grant planning permission subject to the applicant entering into a Section 106 Obligation, in the terms set out in the report, to the conditions and informatives also set out in the report and to the deletion of condition 13 as set out in the report and to two additional conditions and an informative as follows:

Condition 13: No development shall commence until there is agreement in writing from the Local Planning Authority in relation to the trees to be protected or removed on or adjacent to the site. a tree protection scheme (which meets the standards in BS5837 [2005]) shall be submitted which identifies tree protection measures for those trees to be retained including the elm trees and Bay tree located on and adjacent to the site.

Reason: To protect two elms and a Bay located on or adjacent to the site, in the interests of visual amenity of the area and to comply with policies QD1, QD16 and QD27 of the Brighton & Hove Local Plan.

Condition 14: The tree protection measures agreed under condition 13 shall be implemented in accordance with the approved scheme and shall be retained until the completion of the development.

Reason: To protect the trees which are to be retained on the site and in the interest of the visual amenities of the area and to comply with policies QD1, QD16, and QD27 of the Brighton & Hove Local Plan.

Informative 7

Members of Planning Committee were very concerned that the Bay tree on the frontage of the site should be protected during construction if possible. Conditions 13 and 14 have been attached to allow the issue to be considered when the protection measures are submitted.

J. Application BH2009/01058, Land Adjacent to 10 Ainsworth Avenue, Brighton –
Erection of a new family dwelling.

- (1) The Area Planning Manager (East), Mr Walke gave a presentation detailing the constituent elements of the scheme. Views were shown indicating the relationship between the site and neighbouring properties. Floor plans and elevational drawings were also shown.

Questions/Matters on Which Clarification was Sought

- (2) Councillor Smart sought clarification regarding protection of the hedge surrounding the site. It was confirmed that it was understood that both the hedge and a number of on-site trees would be retained.
- (3) Councillor Cobb enquired regarding how the sum requested towards sustainable transport would be spent. The Principal Transport Planning Officer, Mr Reeves explained that it was not possible to determine precisely how such monies would be spent in advance of a scheme being agreed. Monies had to be spent within five years having been agreed by the Cabinet Member for Environment. Ward Councillors were consulted regarding where they would want such monies to be spent.
- (4) Councillor Wells sought confirmation that any monies agreed would be spent within the area and it was confirmed that they would.
- (5) The Development Control Manager concurred with the explanation given by the Principal Transport Planning Officer and explained that in future it was intended that reports would indicate the type of schemes to which such monies would be allocated. Councillor McCaffery stated that this was welcomed.
- (6) A vote was taken and Members voted unanimously that they were minded to grant planning permission.

195.10 **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 the applicant entering into a Section 106 Obligation and to the conditions and informatives set out in the report.

K. Application BH2009/02228, 28 Marine Drive, Rottingdean – Demolition of existing dwelling and erection of a block of six flats and two town houses (8 units in total) together with associated parking and bin store.

- (1) Councillor Hyde, The Chairman explained that representatives on behalf of the applicant were unable to attend that days meeting due to a family bereavement and that exceptionally therefore it had been agreed that consideration of the application would be deferred until the next meeting of the Committee.

195.11 **RESOLVED** - That consideration of the above application be deferred for consideration at the next scheduled meeting of the Committee.

L. Application BH2009/02231, Land R/o 21-22 Queen’s Road, Brighton - Erection of 2 three storey semi detached dwellings with new ironwork entrance gates (part retrospective).

(1) Members agreed that it would be beneficial to carry out a site visit prior to determining the application.

195.12 **RESOLVED** – That consideration of the above application be deferred pending a site visit.

196. 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

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

Application:	Site Visit requested by:
BH2009/02331, Land East of West Pier, Esplanade, King’s Road (Brighton O Wheel)	Development Control Manager
BH2009/01722, Cardinal Newman School, The Upper Drive, Hove	Development Control Manager
BH2009/01746, Land R/o 43-45 Norway Street, Portslade	Councillor Hyde (Chairman)/Councillor Hamilton
BH2009/02231, Land R/0 21-22 Queen’s Road, Brighton	Councillor Davey

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

197.1 **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 List reports had been submitted for printing was circulated by Members on the Friday preceding the meeting (for copy see minute book). Where representations are 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 2006.

The meeting concluded at 4.55pm

Signed

Chairman

Dated this

day of