

**BRIGHTON & HOVE CITY COUNCIL**

**PLANNING COMMITTEE**

**2.00pm 19 FEBRUARY 2014**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Duncan, Gilbey, Hamilton, Littman, C Theobald and Wells

**Co-opted Members:** Jim Gowans (Conservation Advisory Group)

**Officers in attendance:** Jeanette Walsh (Head of Development Control); Guy Everest (Senior Planning Officer); Pete Tolson (Principal Transport Officer); Steven Shaw (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Ross Keatley (Acting Democratic Services Manager).

**PART ONE**

**149. PROCEDURAL BUSINESS**

**149a Declarations of substitutes**

149.1 There were no substitutes.

**149b Declarations of interests**

149.2 There were no declarations of interest in matters listed on the agenda.

**149c Exclusion of the press and public**

149.3 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.

149.4 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

**149d Use of mobile phones and tablets**

149.5 The Chair requested Members ensure that their mobile phones were switched off, and where Members were using tablets to access agenda papers electronically ensure that these were switched to 'airplane mode'.

**150. MINUTES OF THE PREVIOUS MEETING**

150.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 29 January 2014 as a correct record.

**151. CHAIR'S COMMUNICATIONS**

151.1 There were no Chair's Communications.

**152. PUBLIC QUESTIONS**

152.2 The Chair stated that he had received notification of one public question and invited Ms Valerie Paynter to put her question to the Committee.

152.3 Ms Paynter asked:

"What percentage of the costs of processing planning applications is covered by charges levied and what percentage calls on council tax or other revenue streams?"

152.4 The Chair responded that the costs were complex, and not simply about expenditure through the Development Control Section. A full and thorough response was currently being drafted and it would be sent to Ms Paynter in due course.

152.5 The Chair invited Ms Paynter to ask a supplementary question, and she asked for a comment on the size of the fee in relation to the total cost of determining a planning application.

152.6 The Chair responded that there were a number of different costs involved in a planning application, and the fee did not cover the full cost of determining an application.

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

153.1 There no requests for site visits in relation to matters listed on the agenda.

**154. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**

**Major Applications**

**A. BH2013/03391 - Royal York Buildings 41-42 Old Steine, Brighton - Full Planning - Change of use from hotel (C1) to youth hostel (Sui Generis).**

(1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans and elevational drawings. The application related to the Royal York Buildings on the Old Steine, and it was noted that

there was an additional condition in relation to the use of the building. The building had permitted use as a hotel, but was not in operation, and permission was sought for change of use to become a youth hostel. The application sought no changes or alterations to the internal layout of the listed building, but it was noted these matters formed part of a separate application currently under consideration. The building was located in the core hotel area, and the applicant had submitted marketing information which, despite some gaps, evidenced that the premises had been advertised as a hotel. It was considered the continued use of the building would help to preserve the character of the listed building. The application was minded to grant subject to a S106 agreement and the conditions in the report.

### Questions for Officers

- (2) In response to Councillor C. Theobald it was noted that the provider would be targeting the business at both individuals and families and be able to accommodate both.
- (3) Following a question from Councillor Davey the Committee discussed the use of S106 monies in relation to improvements at the adjacent Pool Valley Coach Park; in particular to include the provision of toilet facilities at this site. Both the Head of Development Control and the Senior Solicitor noted that any S106 monies had to be used to mitigate the activities in relation to the change of use of the building. Following on from a comment made by Councillor Carden it was noted that there was an existing permission for Pool Valley; this provision could be considered together with the S106 agreement, and the Committee agreed to delegate the final agreement of these matters to the Head of Development in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- (4) Councillor C. Theobald went on to state that she felt the level of S106 contribution was low given the size of the application, and noted that a previous permission at the site several years ago had included S106 monies in relation to Pool Valley. The Senior Planning Officer explained that this money had been spent on an area of pavement and uplighters; it was envisaged the paved area would allow for a ticket office on the highway.
- (5) In response to Councillor Duncan it was noted that the condition sought to provide 26 cycle spaces at the site. Following a further question it was explained that the additional condition sought to protect the use for tourism rather than other types of more permanent accommodation.
- (6) Councillor Jones noted that the operator provided budget accommodation for all ages and would need the 26 spaces linked to the type of customers they might expect. Officers clarified that during the life of the application the Local Planning Authority had sought to negotiate this higher number due to the increased provision of local cycle facilities.
- (7) Councillor Mac Cafferty asked about the highway on the northern side of the application, and the Principal Transport Planner explained that this would be a potential area to use the S106 funds as there was data in relation to the number of accidents around the location.

- (8) Councillor Mac Cafferty asked about Condition 4) in relation to sustainability, and the Senior Planning Officer clarified that the last sentence should read “The measures shall be fully implemented prior to use as a youth hostel and thereafter retained as such”.

**Debate and Decision Making Process**

- (9) Councillor Wells stated that nearby Marlborough House had been empty for many years before being bought back into use, and this application sought to secure the future use of the building, and would allow it to continue contributing to the local economy.
- (10) Councillor C. Theobald stated that she had reservations in relation to the marketing data, and noted concerns in relation to the historic nature of the building. She added that the youth hostel at Patcham Place had been left in a poor state after it was vacated.
- (11) Councillor Cox noted that the operator had an excellent global reputation, and this type of tourist accommodation would contribute positively to the city.
- (12) Councillor Duncan agreed with the comments from Councillor Cox and added that the youth hostel would allow access to cheaper accommodation for people visiting to undertake the South Downs Walk. He stated he would support the Officer recommendation.
- (13) Councillor Jones echoed these positive comments and noted that the operator normally provided a range of accommodation within its sites, and he would support the Officer recommendation.
- (14) Councillor Littman noted that the building had changed use several times during its existence, and this was an appropriate application which he would support.
- (15) Councillor Hyde noted she would be supporting the Officer recommendation, but queried if there was anything that could be done in relation to enforcement of the maintenance. In response the Head of Development Control noted that the building was listed and there was active enforcement in the city.
- (16) Councillor Mac Cafferty noted that he agreed with the other positive comments made by the Committee Members, and stated that he would support the Officer recommendation.
- (17) A vote was taken and the Officer recommendation that permission be minded to grant was approved on a vote of 11 in support with 1 abstention.

154.1 **RESOLVED** - That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **MINDED TO GRANT** planning permission subject to conditions and a s106 agreement, and the amended Condition 4 (as above) and the additional Condition set out below:

- i. The building shall only be used for tourism purposes in the manner of a youth hostel and for no other purpose.

**Reason:** To ensure that a flexible range of accommodation is available within the core area to meet the current needs and demands of all visitors, and to comply with policy SR15 of the Brighton & Hove Local Plan, and policy CP6 of the Brighton & Hove Submission City Plan (Part One).

### **Minor Applications**

- B. BH2013/03524 - 2 Barn Rise, Brighton - Full Planning** - Demolition of existing bungalow and erection of two storey five bedroom dwelling with garage incorporating installation of solar panels, revised access and driveway, boundary wall and associated works.
- (1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans, elevational drawings and matters on the late list. The application site related to a detached bungalow that formed part of a group of four properties with open space at the front. The proposed new house would have a hipped roof and gabled sections. The proposed scale and form was considered acceptable, and it was felt that the loss of symmetry to the existing group of four properties would not cause harm. Landscaping was proposed on the site to mitigate the loss of the trees, and the level of separation from the neighbouring property was considered acceptable. It was noted the house would reach code level 3 for sustainability and there would no off street parking. For the reasons outlined in the report the application was recommended for approval.

### **Public Speaker(s) and Questions**

- (2) Mr Ian Wright spoke in opposition to the application and stated that his home formed one of the four houses in the group, and the bungalow formed part of a symmetrical row of properties onto the open space in front which had a 'village green feeling to it.' The replacement of the bungalow would change the character which was worth preserving. It was noted that a previous application for a new property had been refused for reasons relating to the bulk and siting and loss of the character of the four properties. Mr Wright considered that the changes made since the refusal of the previous application had not been so significant as to grant the application, and he referenced small changes to the height and the footprint. In summary Mr Wright reiterated the current symmetrical layout and noted the number of local people that objected to the scheme.
- (3) In response to Councillor Gilbey it was confirmed by Mr Wright that one of the properties in the group of four had a substantial dormer window.
- (4) Ms Kathryn Mansi spoke in support of the application in her capacity as the agent; she stated that following the refusal of the first scheme changes had been made to the scale and the orientation, and it was noted many of the objections in relation to this application had been about matters that only related to the previously refused application. The removal of the large trees would be replaced with three fruit trees, and there were no objections from technical consultees. In relation to the existing dormer

on the neighbouring house it was noted that this overlooked the plot significantly, and the proposed house did not have any issues with overlooking. In relation to the symmetry there was a very limited point at which this could be appreciated; the view was also obscured by a tree and had been altered by the dormer and the addition of a garage. Careful consideration had been given to the materials in consultation with the Local Planning Authority, and the property would be energy efficient.

- (5) Councillor Davey asked about the reasons for refusal in relation to the symmetry, and in response Ms Mansi stated that this had been addressed through the re-siting of the property, and the property now read as part of Eldridge Avenue with similar building heights.
- (6) In relation to sustainability in response to Councillor Mac Cafferty it was explained by Ms Mansi that whilst the property would be energy efficient increasing this level would create higher development costs.

### **Questions for Officers**

- (7) In response to Councillor C. Theobald comparisons were provided between the proposed scheme and the previously refused one. It was also noted that the reduction in height was significant as it allowed the height of the property to read with Elridge Avenue rather than Barn Rise, and it would be difficult to argue that the proposed property was not in keeping with those on Elridge Avenue.
- (8) In response to Councillor Cox the Senior Planning Officer stated that it was likely the large dormer had been constructed under permitted development rights.
- (9) Councillor Hyde asked about the loss of the symmetry and the Senior Planning Officer explained that it was felt this had already been undermined with the addition of the dormer, and the area was predominantly two-storey houses and was not protected as part of a conservation area.
- (10) In response to Councillor Gilbey it was explained that the dormer would look onto a blank wall of the proposed house; there was a condition to prevent future occupiers adding windows to this aspect.

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

- (11) Councillor Duncan noted he was in support of the scheme, but he would have preferred a higher level of sustainability. He went on to add that in general he was in support of this type of development to protect the urban fringe in the city through more efficient use of existing sites.
- (12) Councillor Hyde stated that she liked the appearance and design of the building, but she felt it was bulky and had concerns about the close proximity of the dormer windows. She added that the loss of symmetry was not mitigated by the gains at the site and for these reasons she would not support the Officer recommendation.
- (13) Councillor C. Theobald noted that it was still important to have a supply of bungalows in the city's housing stock. She felt that the scale was not too different from the

previously refused scheme and had concerns about the loss of symmetry and the outlook for the dormer of the neighbouring property. She stated her preference would have been for a less bulky design.

(14) Councillor Littman stated that the symmetry had been lost, and he felt it would be wrong to refuse permission for a two storey building given that the properties on either side were two-storey.

(15) A vote was taken and the Officer recommendation to grant planning permission was approved on a vote of 10 in support with 2 against.

154.2 **RESOLVED** - That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **GRANT** planning permission subject to conditions.

**C. BH2013/03886 - 16 Waldegrave Road, Brighton - Householder Planning Consent -**  
Erection of a single storey rear infill extension.

(1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans and elevational drawings. The application site related to a two storey semi-detached building with a staggered footprint. Permission was sought for a single storey rear infill extension, and it was noted that the property sat at a greater height than the neighbouring house due to the change in ground levels. The application was recommended for refusal for the reasons set out in the report.

**Public Speaker(s)**

(2) Ms Carol Grant spoke in support of the application in her capacity as the agent; she stated that the main concerns in the report related to the design and the impact on the conservation area and neighbouring property. She referenced SPD12 and stated that often where this policy had been challenged at appeal the inspector had been ruling in favour of applicants. The glazed bi-folding doors sought to adhere with policy by creating a modern lightweight approach that allowed the original form of the house to remain legible. It was considered that the form was in compliance, and to refuse would be contrary to policy. The extension would have a neutral impact on the conservation area as it could not be seen from the street. In relation to the difference in ground level it was explained that if the fence were reinstated the only part visible to the neighbouring property would be the high level glazing, creating a different, but not oppressive, outlook.

**Questions for Officers**

(3) In response to Councillor Wells the difference in ground level and the proposed distance to the boundary was confirmed.

(4) In response to Councillor Davey the Senior Planning Officer explained that the impact on the conservation area related to the changes to the form of the building which this type of extension would erode. In relation to the fence it was noted that this could still create a harmful impact.

- (5) Councillor Jones asked about an approval on the same street for a similar type of extension; in response it was explained that the circumstances were different as this property had a neighbouring extension and there was no impact on amenity as the extension was built up to the boundary.
- (6) It was also noted, in response to Councillor Mac Cafferty, that where this type of scheme had been allowed at appeal the issues often related to design, not amenity, and many had been before the adoption of the SPD.

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

- (7) Councillor Duncan stated that he would not support the Officer recommendation, and felt the support from the neighbours was a compelling argument.
- (8) Councillor Hyde stated that the site visit had been very useful, and demonstrated the visual impact. The main issue related to the impact on neighbouring amenity, and there was a significant difference in ground levels. The proposal was very close to the boundary wall and would have a significant impact on the neighbouring property. She highlighted that the other example on the street represented an entirely different situation, and it was important to judge each application on its own merits.
- (9) Councillor Gilbey agreed with this comment and reiterated that the extension would be overbearing for the neighbour.
- (10) Councillor Mac Cafferty also concurred with these comments, and highlighted the difference in height; stating that he would support the Officer recommendation.
- (11) A vote was taken and the Officer recommendation to refuse was carried on a vote of 8 in support; with 2 against and 2 abstentions.

154.3 **RESOLVED** - That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **REFUSE** planning permission for the reasons set out below:

#### Reasons for Refusal:

- i. The proposed rear infill extension would wrap around the original rear wall of the outrigger forming an inappropriate addition which would be to the detriment of the character and appearance of the rear elevation and original plan form of the existing property. Furthermore the design would cause material harm to the surrounding Preston Park Conservation Area. The proposal would therefore be contrary to policies HE6, QD2 and QD14 of the Brighton & Hove Local Plan.
- ii. The proposed rear infill extension, by virtue of its depth in close proximity to the site boundary as well as its height, would result in an un-neighbourly form of development that would have an overbearing impact on the residents of the neighbouring property at no. 14 Waldegrave Road to the detriment of residential amenity. The scheme is therefore contrary to policies QD14 and QD27.



Informatives:

- i. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning.
- D. BH2013/03841 - Goldstone Retail Park, Newtown Road, Hove - Removal or Variation of Condition** - Application for variation and removal of conditions of application BH2013/02445 (Erection of single storey restaurant (A3) with external seating area and alterations to car park). Variation of condition 6 to allow deliveries and the collection of goods/refuse from the site between 08:00 - 18:00 Mondays to Saturdays and not at all on Sundays and Bank Holidays. Variation of condition 7 to read: All hard landscaping and means of enclosure shall be completed prior to occupation of the development. Variation of condition 12 to read: Within three months of a start on site, a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved an overall BREEAM rating of 'Good' shall be submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable. Variation of condition 17 to read: Within three months of the first occupation of the development hereby approved, a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the development built has achieved an overall BREEAM rating of 'Good' shall be submitted to, and approved in writing by, the Local Planning Authority.
- (1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans, elevational drawings and matters on the late list. The application sought permission for the variation of conditions in relation to the delivery hours, landscaping and sustainability. The delivery hours would be increase on Saturdays to give similar hours to those of the other retail units in the retail park. The condition in relation to landscaping would still ensure it was acceptable, and the sustainability code would be reduced from 'very good' to 'good'. For the reasons set out in the report the application was recommended for approval.

**Questions for Officers Debate and Decision Making Process**

- (2) It was confirmed for Councillor Duncan that the previous approval had been a delegated decision to Officers. It was also clarified that at the point of the previous application the reduced hours had been applied for; the landscaping condition made the provision more precise and the change in the level of sustainability was to address the changed circumstances of the applicant.
- (3) Councillor Mac Cafferty referenced concerns raised by neighbours in relation to increased hours of delivery and odours coming from the site, and asked what the local planning authority could do in relation to applications for increases to operational hours. In response the Head of Development Control explained that the local planning authority had a duty to consider applications for variations of conditions, and the applicant would need to evidence the proposed changes. It was also noted that the application was regularising the arrangements around the rest of the site.

- (4) A vote was taken and the Officer recommendation to approve planning permission was carried on a vote of 8 in support; 2 against and 2 abstentions.
- 154.4 **RESOLVED** - That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **GRANT** planning permission subject to conditions.
- E. BH2013/03247 - 11 Montpelier Villas, Brighton - Full Planning** - Demolition of annex adjoining existing maisonette and basement flat and reconstruction of annex to form a third residential unit on the site, along with associated works.
- (1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans and elevational drawings in respect of application BH2013/03247 for full planning permission and BH2013/03248 for listed building consent. He stated that the local amenity society had supported the application, and the site related to a two-storey semi-detached villa; the property was listed and in a conservation area. Permission was sought for the demolition of the rear extension and the reconstruction of the annex. The key changes were the creation of a new basement and the height of the extension. The proposal was considered appropriate, and would provide an acceptable standard of accommodation with off-street parking. The building would abut the shared boundary, but it was considered there would no greater harm to neighbouring amenity than with the existing arrangement. The building would meet code level 3 for sustainability, and was recommended for approval for the reasons set out in the report.

#### **Public Speaker(s) and Questions**

- (2) Ms Tazel Bahcehli spoke in opposition to the application in her capacity at the agent acting on behalf on one of the neighbours. She explained she represented the neighbour who shared the boundary wall, and highlighted that the application was for reconstruction rather than a conversion, and if granted there was concern in relation to the protection of the neighbour during the construction period. There was no evidence that the tree in the neighbour's garden would not be harmed, and the tree currently protected the amenity for the neighbour; as well as policy seeking to protect trees. The amount of amenity space had been considered inappropriate in a previous application, and it was felt other previous reasons for refusal had been overlooked. The new building would also have three households instead of one, and there would be harmful impact on the conservation area. The extension was considered 'clumsy' and contravened the local plan; nor did it protect living conditions for future occupiers.
- (3) Ms Bahcheli confirmed for Councillor Hyde that the previous reasons for refusal related to the poor standard of the accommodation and the amenity space at the front of the property.
- (4) Ms Bahcheli confirmed for Councillor C. Theobald that the tree on the neighbour plot was on the boundary and was not the subject of a tree preservation order.

**Questions for Officers and Decision Making Process**

- (5) In response to Councillors Carden and Duncan the Head of Development Control explained that conditions in relation to the hours of construction would not normally be attached to an application of this size as this type of activity was covered by separate legislation through environmental health.
- (6) Councillor Duncan also asked if conditions could be added in relation to the tree, and it was confirmed that this had not been considered necessary as no potential harmful impact on trees had been indentified.
- (7) Councillor Duncan stated he would like to support the application, but wanted to feel comfortable that it would not cause harm to the neighbours; in response the Head of Development Control confirmed whilst some other authorities had specific SPDs in relation to this it was felt locally that there were enough controls through other legislation.
- (8) Councillor C. Theobald noted that trees had been protected in the past on some smaller schemes, and in response the Senior Planning Officer highlighted that it was not considered necessary to protect as no harm had been identified by the arbourist.
- (9) A vote was taken and the Officer recommendation to grant planning permission was unanimously granted.

154.5 **RESOLVED** - That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **MINDED TO GRANT** planning permission following expiry of the neighbour notification period and subject to conditions.

**F. BH2013/03248 - 11 Montpelier Villas, Brighton - Listed Building Consent** - Demolition of annex adjoining existing maisonette and basement flat and reconstruction of annex to form a third residential unit on the site, along with associated works.

- (1) The application was presented and considered with Item (E).
- (2) A vote was taken and the Officer recommendation to grant listed building consent was unanimously granted.

154.6 **RESOLVED** - That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **MINDED TO GRANT** listed building consent following expiry of the neighbour notification period and subject to conditions.

**G. BH2013/03987 - Gladstone Court, Hartington Road, Brighton - Full Planning** - Erection of three storey side extension to form 6no one bedroom flats and 3no two bedroom flats.

- (1) The Senior Planning Officer, Guy Everest, introduced the report and gave a presentation by reference to photographs, plans and elevational drawings. The

application site related to a block of pursue built flats with a three-storey frontage that increased to four-storeys at the rear due to the change in land levels. The application sought consent for a three-storey side extension for six 1 bedroom flats and three 2 bedroom flats. It was considered that the proposed scale and design would have harmful impact on the neighbouring and surrounding area. Whilst there was no objection to the unit size it was considered that the angled windows created inadequate lighting and outlook for residents. It was also considered that the gardens of the neighbouring properties would suffer a loss of privacy and the proximity of the extension would be overbearing. For the reasons outlined in the report the application was recommended for refusal.

### **Public Speaker(s) and Questions**

- (2) Mr Paul Burgess spoke in support of the application in his capacity as the agent; he stated that the city was being forced to look at urban fringe sites to meet the housing allocation, and as such there was a need to look more closely of existing sites within the city. The extension would be set back and only marginally visible from the street, and built with matching materials. The three storey extension was modest when compared with the development of the wider site at Enterprise Point, and had been designed to avoid overlooking. It was also noted that there were evergreen trees on the neighbour plots which would further help to protect amenity. He also highlighted that the applicant would be happy to discuss financial contributions if the Committee were minded to grant the application. There were already potential rooms in the building that could be used for cycle storage for all the properties in the building.
- (3) Mr Burgess explained in response to Councillor Davey that the extension would be built against the external wall which currently had windows for the corridors; in the plans these would be internalised.

### **Questions for Officers**

- (4) In response to Councillor C. Theobald it was explained that the new extension would be approximately 3.2 metres from the rear of the properties on Shanklin Road.
- (5) It was confirmed for Councillor Gilbey that the proposed materials would match those of the existing building.

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

- (6) Councillor Duncan noted that he agreed with the applicant's comments in relation to looking at higher density on existing sites in the city; however, he felt the reasons for refusal in relation to the impact on amenity and the poor standard of accommodation were compelling. For these reasons he would be voting in support of the Officer recommendation.
- (7) Councillor C. Theobald stated that she agreed with these comments, and that she did not feel the development would not be fair on the existing residents; she also cited the close proximity to Shanklin Road and the loss of light and amenity.

- (8) Councillor Jones noted that the Mr Burgess had made a good argument; however, he agreed with the recommendation of the Officers and felt the scheme would overdevelop the site.
- (9) Councillor Davey noted he was sympathetic to the argument in relation to the necessity for increased density; however, he felt that the application was too much at this location.
- (10) Councillor Wells stated he would support the Officer recommendation as he felt the proposal was too much for the site and too high.
- (11) Councillor Hyde noted that she agreed with all the comments made in the debate, but noted that she felt the retention of the car park was a positive feature.
- (12) A vote was taken and the Officer recommendation to refuse planning permission was unanimously carried.

154.7 **RESOLVED** - That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolved to be **REFUSE** planning permission for the reasons set out below:

Reasons for Refusal:

- i. The proposed extension by reason of its bulk, scale, massing and design and detailing, would result in unsympathetic and overly dominant addition that would relate poorly to and detract from the appearance and character of the existing property, and the surround area. The proposals are thereby contrary to policies QD2, and QD14 of the Brighton & Hove Local Plan.
- ii. The proposed extension would result in an unacceptable impact upon the amenity of the occupiers in terms of increased building bulk, and increased sense of enclosure, and perceived and actual overlooking as such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.
- iii. The proposed development would provide an unsatisfactory residential environment for the future occupiers of the proposed dwellings by virtue of poor level of outlook, contrary to policy QD27 of the Brighton & Hove Local Plan.
- iv. The proposal fails to meet the travel demands that it creates or help to maximise the use of sustainable transport. The Local Planning Authority would expect the scheme to make an appropriate contribution towards local sustainable transport infrastructure. In the absence of an agreement in this respect, the scheme is contrary to policies TR1, TR7, TR19, and QD28 of the Brighton & Hove Local Plan and Supplementary Planning Guidance 04 Parking Standards.

Informatives:

- i. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of

sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

- H. **BH2013/04047 - 243 Hartington Road, Brighton - Removal or variation of condition** - Application for variation of condition 2 of application BH2012/00173 (Demolition of existing workshop and erection of a new 3no bed two storey dwelling house incorporating accommodation at lower ground floor and roof space and outbuilding to rear to be used as ancillary office) to allow for minor material amendments.

154.8 This application was deferred.

**Information Items**

- 155. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS**

155.1 There were no further applications requested to be the subject of site visits.

- 156. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS**

156.1 The Committee noted the position regarding pre application presentations and requests as set out in the agenda.

- 157. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS)**

157.1 That the Committee notes the details of applications determined by the Executive Director Environment, Development & Housing under delegated powers.

[Note 1: All decisions recorded in this list are subject to certain conditions and reasons recorded in the planning register maintained by the Executive Director Environment, Development & Housing. 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 to Members on the Friday preceding the meeting. 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 they should in exceptional circumstances be reported to the Committee. This is in accordance with Resolution 147.2 of the then Sub Committee on 23 February 2006.]

- 158. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

158.1 The Committee noted the new appeals that had been lodged as set out in the planning agenda.

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

159.1 The Committee noted the information regarding informal hearings and public inquiries as set out in the planning agenda.

**160. APPEAL DECISIONS**

160.1 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.

The meeting concluded at 4.00pm

Signed

Chair

Dated this

day of