

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 7 MARCH 2018

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Cattell (Chair), Gilbey (Deputy Chair), C Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bennett, Hyde, Daniel, Inkpin-Leissner, Littman, Miller, Moonan and Morris

Officers in attendance: Paul Vidler, Planning Manager, Major Applications; Gareth Giles, Principal Planning Officer; Liz Arnold, Principal Planning Officer; Andrew Renault, Head of Transport Policy and Strategy; David Farnham, Development and Transport Assessment Manager; Hilary Woodward, Senior Lawyer and Penny Jennings, Democratic Services Officer

PART ONE

104 PROCEDURAL BUSINESS

104a Declarations of substitutes

104.1 Councillor Daniel declared that she was in attendance in substitution for Councillor Platts.

104b Declarations of interests

104.2 Councillor Littman stated that he had been contacted both by the applicant and by objectors in respect of Application A, BH2017/04186, Land to rear of 62-64 Preston Road. The application site was located in his ward. He had not expressed a view to any party, remained of a neutral mind and would remain present at the meeting during consideration and determination of the application.

104c Exclusion of the press and public

104.3 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.

104.4 **RESOLVED** - That the public are not excluded from any item of business on the agenda with the exception of Item 115 consideration of the Non-Public Minutes of the meeting held on 7 February 2018. The Committee would go into closed session in order to consider whether or not the minutes and any other documents considered should be released as public documents either as they stood or redacted.

104d Use of mobile phones and tablets

104.5 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'.

105 MINUTES OF THE PREVIOUS MEETING

105.1 **RESOLVED** – That the Chair be authorised to sign the public minutes of the meeting held on 7 February 2018 as a correct record.

106 CHAIR'S COMMUNICATIONS

106.1 The Chair welcomed David Farnham who had recently been appointed as Development and Transport Assessment Manager.

107 PUBLIC QUESTIONS

107.1 There were none.

108 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

108.1 There were none.

109 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2017/04186, Land to Rear of 62-64 Preston Road, Brighton - Full Planning
Erection of 5no storey extension to rear of existing building incorporating excavations for basement enlargement and alterations to provide 4no flats (C3) and bin store.

Officers Introduction

- (1) The Principal Planning Officer, Gareth Giles, introduced the application and gave a presentation by reference to plans, elevational drawings, photographs and floor plans.
- (2) It was explained that the main considerations in determining this application related to the effect on the street scene as well as the impact on the host building, the residential amenity of the neighbouring residents, the residents within the proposed development and the well-being of the residents in the host buildings in the upper levels. Two similar developments had been considered recently by the Committee in April and November 2017 respectively, both of which had been refused. Whilst the principle of development was not rejected when both of these applications had been determined, there had

been concerns regarding the appearance of the development and the impact on amenity of existing and future residents.

- (3) The key differences between the two recently refused schemes were highlighted and included, revisions to the fifth floor "pod" storey including installation of a larger window on the northern side and introduction of a zinc fascia with 200mm roof overhang, replacement of the balconies to the eastern elevation with Juliet Balconies and obscure glazing to the upper floor windows on the southern elevation. It was considered that the revisions to the 'pod' did not mitigate the overall harm caused by the mass and scale of the extension and which formed grounds for refusal on the previous proposals. The roof form, described as a 'pod' within the submission, appeared as an additional storey with a large expanse of flat roof, which failed to relate to the main dwelling and characteristics of the surrounding properties, which predominantly had traditional hipped roofs, and therefore jarred with the main dwelling. Whilst this design solution could sometimes be acceptable, it was considered that in this instance it would be a highly noticeable and incongruous feature of the extension which would be exacerbated by the use of the zinc cladding.
- (4) Given the proximity of the extension to the adjoining property No 60, coupled with its excessive height and bulk, the proposal was still considered to cause significant harm to the main rear windows and rear amenity area of that property. It was also considered that the proposed extension which would be sited approximately 1.7m from the shared boundary with the ground floor residential property within 60 Preston Road would have a significantly harmful impact on the ground floor units and the rear garden and, would be overbearing and oppressive to the residential occupiers of the ground floor, including the rear amenity space and would result in loss of light and outlook. Notwithstanding the amendments made to the scheme it was considered that the proposed five storey extension, by reason of its excessive height, depth, roof form, detailing and materials represented an excessive addition that was bulky, unduly dominant and represented an overdevelopment of the site which failed to respond to the surrounding context and did not relate to the main building and adjoining development and for those reasons refusal was recommended.

Public Speakers

- (5) Mr Sheridan spoke on behalf of neighbouring residents setting out their objections to the scheme. He stated that his dwelling to the rear and those of his immediate neighbours would be detrimentally impacted by the proposed development which would completely dominate and overshadow their homes and result in significant harm and loss of amenity, also that the on-street parking issues which would arise from the scheme also needed to be addressed. He therefore urged the Committee to refuse this application.
- (6) Mr Little, the applicant, spoke in support of his scheme. This was the third time that he had stood before the Committee and he considered that he had done all that he could to address the previous grounds for refusal whilst providing much needed housing, the YMCA had already expressed interest in the proposed development. He considered that this scheme would not result in a significantly different height and bulk to other development nearby and that it was now acceptable. The on-street parking situation would not in his view be adversely impacted in consequence of the proposed

development and it should be noted that objectors had actually sought to have the existing disabled on-street parking space removed.

Questions for Officers

- (7) Councillor C Theobald sought clarification of arrangements for storage and removal of waste from the site.
- (8) Councillor Morris enquired regarding proposed removal of an adjacent disabled parking space and Councillor Gilbey enquired whether there was information available regarding any expression of interest shown by the YMCA in respect of the site. It was explained that the potential end user was not germane to consideration of the planning application in this instance and that it would be unreasonable to require any specified occupier.
- (9) Councillor Mac Cafferty enquired whether a specialist technical survey had been undertaken, given that it was considered that significant harm due to loss of light and aspect would result from the scheme. Councillor Hyde considered that given the degree of overlooking/loss of light which was envisaged that should have been required. The Principal Planning Officer responded that this had not been required as the application represented overdevelopment in officers view on the grounds of its massing and bulk alone, notwithstanding amendments which had been made to the earlier schemes.
- (10) Councillor Mac Cafferty noted the points made but considered that it would have been beneficial if the report relating to loss of light had been scientifically evidence based.
- (11) Councillor Littman enquired whether there had been further discussions between the applicant and officers following the earlier refusals for instance in relation to removal of the balconies and the provision of obscure glazing.
- (12) Councillor Daniel sought further information regarding the roof slope of the proposed form of development and details of the roof slope of nearby development. Photographs indicating this were displayed and it was explained that given the location of the site the proposed changes would be very prominent when viewed within the neighbouring street scene.
- (13) Councillor Bennett asked for details of those dwellings to which it was considered there would be the greatest detriment and whether those properties had been sub-divided into flats and it was confirmed that they were.
- (14) The Chair, Councillor Cattell also sought confirmation regarding potential overlooking from side and rear windows currently and anticipated as a result of the proposed development.

Debate and Decision Making Process

- (15) Councillor Miller stated that in his view the previous reasons for refusal had not been overcome and the application should be refused.

- (16) Councillor Gilbey considered that overall the development was still too bulky and Councillor C Theobald also concurred in that view. In her view the roof in particular was very bulky and she also had concerns regarding the loss of light to neighbouring properties.
 - (17) Councillor Littman stated that for him whilst recognising that the site would benefit from further development he considered that the current proposal remained overly dominant, consequentially he supported the officer recommendation. Councillor Morris was in agreement with that view.
 - (18) Councillor Daniel considered that the frontage of the building would not be dominant and that the rear extension would be subservient to the host building and considered that the proposed form of development was therefore acceptable.
 - (19) Councillor Moonan stated that she wanted to support development of the site but she remained of the view that the upper storey remained too bulky and in consequence she was unable to support the proposed form of development. Councillor Hyde concurred.
 - (20) Councillor Cattell, the Chair, stated whilst supporting the principle of development of the site she considered that the form of development remained un-neighbourly and that the proposed scheme was disappointing in that it was not subservient to the main building and was therefore not acceptable.
 - (21) A vote was taken and on a vote of 7 to 4 with 1 abstention planning permission was refused.
- 109.1 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **REFUSE** planning permission for the reasons set out in the report.

B BH2017/02771, Pavilion and Avenue Lawn Tennis Club, 19 The Droveaway, Hove - Full Planning
Installation of 8no eight metre high floodlights to courts 6, 7 and 8.

- (1) It was noted that this application had been withdrawn at the request of the applicants.

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

C BH2018/00099, 45 The Droveaway, Hove - Householder Consent
Demolition of existing conservatory and erection of two storey side extension, with Juliet balcony and 2no front rooflights. Roof alterations incorporating 3 no. rooflights, alterations to fenestration.

Officer Presentation

- (1) The Principal Planning Officer, Gareth Giles, introduced the proposed scheme and gave a presentation by reference to plans, photographs, elevational drawings and floor plans.

- (2) It was noted that the previous application had been refused on design grounds, by reason of its overall height, scale and bulk in conjunction with a flat roof design which it had been considered would result in an unsympathetic, incongruous and bulky addition which related poorly to the host building. The proposed extension as now submitted would measure the same height and depth as the previous scheme but would however have a dummy pitched roof with a cat slide roof to the north elevation which had reduced the overall visual bulk of the extension. Whilst the extension would be of a contemporary design and would have a squat appearance it would be subordinate to the main dwelling house and it was considered that it had overcome the previous reasons for refusal and that refusal was not warranted on design grounds. The extension would also be set back from the Drove way Streetscene and would be highly screened by the existing mature vegetation along the boundary of the site adjacent to the Drove way and approval was therefore recommended.

Questions for Officers

- (3) Councillor Morris sought clarification regarding the design and extent of the proposed roof slope and in respect of the potential for overlooking of the neighbouring dwelling.
- (4) In response to further questions it was explained that although sizeable the proposed extension would remain subordinate to the main dwelling and as such was considered acceptable.

Debate and Decision Making Process

- (5) Councillor Hyde stated that she considered that the proposed form of development was acceptable and would not result in an unacceptable degree of overlooking to neighbouring properties.
- (6) A vote was taken and on a vote of 11 with 1 abstention planning permission was granted.

109.3 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendations set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

D BH2017/03712, 13 Park Rise, Hove - Householder Consent
Erection of single storey rear extension and associated works.

Officer Presentation

- (1) The Principal Planning Officer, Gareth Giles, introduced the application and gave a presentation by reference to plans, floorplans, elevational drawings and photographs. It was noted that the main considerations in determining the application related to the impact of the proposed development on the appearance and character of the building, the wider street scene and the amenities of adjacent occupiers.
- (2) It was considered that the proposal would have an acceptable impact on the character and appearance of the building and would not cause significant harm to the

neighbouring properties; it was therefore considered a suitable addition to the property in accordance with policy QD14 of the Brighton and Hove Local Plan and approval was therefore recommended.

Questions for Officers

- (3) It was explained in answer to questions by Councillor Miller that the report had been brought forward for determination by the Committee as the applicant was related to one of the planning officers.

Debate and Decision Making Process

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

109.4 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

E BH2017/03299, 82 Southover Street, Brighton - Full Planning

Change of use from three bedroom dwelling (C3) to five bedroom small house in multiple occupation (C4) (Retrospective).

- (1) It was noted that it had been found that the application was no longer policy compliant. It had therefore been withdrawn and consideration would be given to further action being taken as appropriate.

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

F BH2017/00201, 14 Eaton Gardens, Hove - Full Planning

Change of use from Nursing Home (C2) to 15no bedroom House in Multiple Occupation (HMO)(Sui generis) incorporating internal alterations to layout and rationalising of existing pipework (Part retrospective)

Officer Presentation

- (1) The Principal Planning Officer, Liz Arnold, introduced the report by reference to site plans, floor plans, elevational drawings and photographs. The application site was a Grade II late Victorian detached villa which fell within the Willett Estate Conservation Area and had been subject over the years to a number of internal and external alterations which had resulted in loss/damage to some of the historic fabric of the building. Permission was sought to convert the property to a large house in multiple occupation (HMO) and would result in the removal of a number of the unauthorised works which had taken place at the property. The most recently amended plans received would reinstate some of the original features and layout of the listed building.
- (2) The change to a Sui Generis HMO would result in a more intensive use of the property and a greater impact on the immediate and surrounding area. It was acknowledged that the level of activity that would occur from unconnected adults living together would be more intensive and might result in different patterns of behaviour and frequent

comings and goings. However, given that the predominant character of Eaton Gardens was flatted developments, containing up to 40 units it was considered that the resultant occupancy and associated level of activity was comparable to that of neighbouring properties. The layout of the proposed shared kitchen/dining areas was such that it could reasonably accommodate the furniture necessary for occupiers to cook and eat meals. Each habitable room would have acceptable levels of light, outlook and ventilation to provide an acceptable standard of living and each bedroom measured above the minimum standards contained in the Governments National Space Standards and were acceptable in accordance with the council's own Policy QD27, approval of the scheme was therefore recommended.

Questions for Officers

- (3) Councillor C Theobald sought clarification regarding the proposed internal layout expressing concern that it appeared that some of the existing bathroom facilities were to be removed. It was explained that the proposed changes were considered to be acceptable as an acceptable standard of accommodation and room sizes would result as well as improvements to the internal layout of the listed building.
- (4) Councillor Morris sought clarification that planning permission would be required in order for any other works to be undertaken and it was confirmed that was so.
- (5) Councillor Daniel sought clarification regarding the requirements of the proposed management plan and the intended end user(s), expressing the view that she did not consider that the quality of accommodation proposed i.e., shared bathroom and cooking facilities should be encouraged.
- (6) Councillor Moonan enquired regarding parking arrangements for future occupiers and it was confirmed that would be controlled by proposed Condition 7.
- (7) Councillor Miller referred to the need to restrict the number of individuals living in the development and it was confirmed that was restricted to 20 and was specified in Condition 3.

Debate and Decision Making Process

- (8) Councillor Daniel she had concerns regarding the type of accommodation proposed and would therefore abstain.
- (9) Councillor Miller stated that he had concerns regarding the internal changes proposed notwithstanding that they would have the benefit of reinstating some of the fabric of the listed building and addressing earlier unauthorised works.
- (10) Councillor Inkpin-Leissner stated that he considered that the application was acceptable and would therefore be voting in support of the officer recommendation.
- (11) A vote was taken and on a vote of 7 to 2 with 3 abstentions planning permission was granted.

109.6 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

G BH2017/00202, 14 Eaton Gardens, Hove - Listed Building Consent

Change of use from nursing home (C2) to 15no bedroom House in Multiple Occupation (Sui generis) incorporating internal alterations to layout and rationalising of existing pipework (Part retrospective).

Officer Presentation

- (1) The Principal Planning Officer, Liz Arnold, gave a presentation by reference to plans, floor plans and photographs. It was explained that the proposal now included the removal of all of the existing fire lobbies which divided the existing main rooms into irregular and ill-proportioned sizes. Additionally, the unauthorised en-suite bathrooms within the larger rooms were to be removed to re-instate the proportions of these rooms at ground and first floor levels. The works to be undertaken would include reinstatement of some of the historic fabric of the building which had previously been covered up including fireplaces and to remove modern partitions including partition walls to the main staircase. Amended plans had also been received which sought to remove unauthorised works and to reinstate some of the original architectural features; approval was therefore recommended.
- (2) A vote was taken and on a vote of 11 with 1 abstention Listed Building Consent was granted.

106.7 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** Listed Building Consent subject to the Conditions and Informatives also set out in the report.

H BH2017/03397, 69 Saltdean Drive, Saltdean, Brighton - Full Planning

Erection of a single storey rear extension with associated roof extension. Side passageway roof alteration. Replacement white UPVC windows and doors to match existing (Retrospective).

Officer Presentation

- (1) It was noted that although two separate schemes were to be considered as they related to the same application site the a joint presentation would be made covering both schemes and the Committee would ask questions and consider both on their planning merits and would vote on each scheme separately. Speakers would have the opportunity to speak separately on both schemes.
- (2) The Principal Planning Officer, Liz Arnold, introduced both schemes and gave a presentation in relation to both by reference to site plans elevational drawings and photographs. It was noted that the main considerations in determining the application were the impact of the proposals on the appearance of the property on amenity and on parking in the area around the application site. The application was retrospective as the works had largely been constructed at the time of the officer site visit.

- (3) An assessment of the transport and parking issues associated with both applications had concluded that there would be only a slight increase on the trips generated and that the additional parking demand would not result in a severe impact on the highways network, the additional parking would not be likely to be at the busiest times for other parking demands in the area and impact would be reduced in that way. In light of transport comments received and the commitment made by the applicant to reduce the numbers of trips generated, the issue of parking was not considered to be severe enough to merit refusal. Residents had physical or learning difficulties which prevented them from driving and staff would be encouraged to use public transport and received subsidised bus passes from their employer.
- (4) The impact on the adjacent properties had been fully considered in terms of daylight, sunlight, outlook and privacy following a site visit and no significant harm had been identified, approval was therefore recommended.

Public Speakers

- (5) Mrs Gallagher spoke in her capacity as Chair of the Saltdean Residents Association setting out their objections to the scheme and those of local residents. It was considered that use of the car park by those visiting the site was completely unacceptable, this was already used by those living in the adjacent blocks and meant that for large periods of time it was unavailable to those using the local shops. This created greater congestion on the neighbouring streets and gave rise to additional traffic/road safety hazards. Residents had been seeking to address this issue via their ward councillors in concert with the council and it was hoped that the car park could have a barrier fitted and be converted to pay and display in order to address and alleviate this problem. The applicants already had two other units in the area and these did not give rise to problems whereas this use at this location would. Residents were also very concerned that the works had been carried out without consultation and had been completed without the necessary permissions being in place.
- (6) Councillor Mears spoke in her capacity as a Local Ward Councillor setting out her objections to the scheme. Councillor Mears stated that residents were very disappointed that such a scheme had been completed without their prior knowledge, without consultation and without the necessary permissions being in place. Use of the car park was already very problematic and this use at this location would simply worsen that situation which was already serious. In her view both applications were out of keeping with the street scene by virtue of the size and bulk of the changes to the existing bungalow and it was totally unrealistic to consider that staff would arrive by bus given the limited service nearby the site. Nor was it acceptable to consider that visiting the site should use the adjacent car park in view of the problems outlined. Interestingly, when extension of Saltdean Primary School had been agreed that had been with a condition that Lustrells Vale Car Park could not be used. Parking was an on-going problem in Saltdean and at the last Local Action Team meeting which had been attended by the Police and the council's transport officer these concerns had been raised and means by which the car park's designation and use could be changed were in the process of being explored.
- (7) Mr Macalister and Mr Hodjaev spoke on behalf of the applicants in support of their application. They both outlined the low scale use to which the units would be put

confirming that when they visited the site themselves they parked at the applicant's other site(s) nearby, where parking was not a problem and walked to this one. None of those residing at the site could drive due to the nature of their disabilities and traffic movements associated with them leaving the site to attend various activities would not generate a significant number of additional traffic movements. The staff employed mainly lived locally and were provided with passes towards their travel costs via public transport. In answer to questions of Councillor Hyde regarding why planning permission had not been sought for this development it was explained that notwithstanding that this had been sought at their other two sites in the area, the applicants did not realise that the scale of works proposed in relation to this application could not be carried out as permitted development. Councillor Moonan also sought clarification in relation to this matter.

Questions for Officers

- (8) The Principal Planning Officer, Liz Arnold explained that the issues raised in relation to a retrospective application being made were not germane to determination of the application itself which must be judged on its planning merits. It was confirmed that planning permission had not been required for the change of use.
- (9) Councillor Moonan sought clarification regarding pre-existing parking arrangements in the area and whether limitations had been placed on any potential use by the school and whether parking arrangements could be tightened up.
- (10) Councillor C Theobald referred to the current use of the car park and it was explained by the Traffic Engineer, David Farnham, that was no barrier in operation currently nor was there any facility for payment to be taken for use of the car park or for its use to be time limited.
- (11) Councillor Gilbey asked for confirmation as to whether any of those living on site would have mobility vehicles and if so how and where they would be stored.
- (12) Councillor Bennett sought confirmation regarding use of the front driveway and whether vehicles could be parked there.
- (13) Councillor Miller sought clarification regarding access to the bedroom located to the side of the property when the driveway was in use.

Debate and Decision Making Process

- (14) Councillor Daniel noted that the comments made regarding traffic movements generated by the site and their potential impact on the car park and in the locality and was in agreement that they would not result in a significant increase.
- (15) Councillor Littman considered that the proposals were out of keeping with the area or would have a detrimental impact on parking.
- (16) Councillor Inkipin-Leissner stated that he considered the proposals to be acceptable and that the traffic implications had been addressed.

- (17) Councillor C Theobald considered it regrettable that the application was retrospective and considered that the proposals would have a detrimental impact on local parking.
 - (18) Councillor Gilbey considered that the scheme was acceptable and supported the officer recommendation.
 - (19) Councillor Hyde stated that whilst she was a supporter of supported housing she had concerns that in this instance it was not appropriate at this location.
 - (20) A vote was taken and on a vote of 9 with 3 abstentions planning permission was granted.
- 109.8 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to GRANT planning permission subject to the Conditions and Informatives also set out in the report.

I BH2017/03400, 69 Saltdean Drive, Saltdean, Brighton- Full Planning

Conversion of existing garage into habitable space with revised fenestration (Retrospective).

- (1) The Principal Planning Officer, Liz Arnold, introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. It was explained that the main considerations in determining the application related to their impact on amenity and their potential impact on parking in the area around the application site. The application was retrospective as construction had been largely completed at the time of the officer site visit.
- (2) It was noted that whilst the original front elevation had been altered and the loss of the balcony did cause detriment to the appearance of the building it was not considered that they caused such significant harm to the building to merit refusal. An assessment of the transport and parking issues associated with this application had concluded that there would be only a slight increase in the number of trips generated and any additional parking demand would not result in a severe impact on the highways network. Additional parking would not be likely at the busiest times for other parking demands in the area and it was considered that the impact would be reduced in that way. In the light of the transport comments received and the commitment made by the applicant to reduce the numbers of trips generated, the issue of parking was also not considered to be sufficient to merit refusal and approval was therefore recommended.

Public Speakers

- (3) Mrs Gallagher spoke on behalf of the Saltdean Residents Association setting out their objections and those of local residents in respect of the scheme. Notwithstanding that this was a different application Mrs Gallagher reiterated that the concerns of local residents remained the same.
- (4) Councillor Mears spoke in her capacity as a Local Ward Councillor setting out her objections to the scheme. Councillor Mears reiterated that she considered

that both of the proposed schemes would exacerbate existing parking problems in the vicinity of the site especially in relation to Lustrells Vale Car Park and the fact that the number 69 bus via which it was indicated staff would access the site was a very limited and infrequent service.

- (5) Mr Macalister and Mr Hodjaev spoke on behalf of the applicants in support of their application and re-iterated their earlier comments in relation to the manner in which the scheme would operate and the parking and traffic movements which it was anticipated it would generate.

Debate and Decision Making Process

- (6) Having received a joint presentation in respect of both applications and having raised questions and made their considerations in respect of both applications members proceeded to the vote in respect of this application.
- (7) A vote was taken and on a vote of 10 with 2 abstentions planning permission was granted.

109.9 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

J BH2017/03684, 50 Chailey Road, Brighton - Full Planning

Change of use from 3 bedroom single dwelling (C3) to a 5 bedroom House in Multiple Occupation (C4) including revised fenestration to the rear elevation.

Officer Presentation

- (1) The Principal Planning Officer, Gareth Giles introduced the application and gave a presentation by reference to plans, elevational drawings and photographs. It was noted that the main considerations in determining the application related to the principle of the change of use, the impact upon neighbouring amenity, the standard of accommodation to be provided, transport issues and the impact on the character and appearance of the property and the surrounding area. The proposal would allow occupation of the property as a small HMO providing accommodation for 5 unrelated individuals who would share basic amenities including a kitchen, living/dining room and bathroom.
- (2). A mapping exercise had been undertaken and had indicated that there were 33 properties within a 50m radius. One other property had been identified as being in either Class C4, mixed C3/C4 or other types of HMO in a sui generis use within the 50m radius. The percentage of existing HMO's within the designated area was therefore 3%. The existing layout of the property would be amended significantly in order to allow for a new kitchen/dining room, a separate living room, WC and a single bedroom at ground floor level. Four single bedrooms would be provided at first floor level. The provision of one bathroom was considered the minimum acceptable level for five occupants and on that basis occupancy would be secured by condition.

- (3) The proposed change of use would result in an increase in intensity of the use of the building due to more frequent comings and goings in addition to general movements and disturbance within the house. The applicant had proposed additional soundproofing to be installed on either party wall in order to alleviate some of the noise impact to neighbouring properties. The soundproofing measures were welcomed and would be secured by condition. Given the low proportion of other HMO's in the immediate vicinity the level of additional activity was considered acceptable and approval was recommended.

Questions for Officers

- (4) Councillor Miller asked to see floorplans showing the location of bedrooms and the bathroom, seeking confirmation that the living area could not be converted to use as a bedroom and it was confirmed that this would be controlled by condition.
- (5) Councillor Inkpin-Leissner sought confirmation that permitted development rights had been removed and that planning permission would need to be sought if further works were planned in future. It was confirmed that this would be controlled by proposed Condition 5.

Debate and Decision Making Process

- (6) A vote was taken and on a vote of 9 with 3 abstentions Planning permission was granted

109.8 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

K BH2017/03076, 2-4 Sackville Road, Hove - Full Planning

Conversion of care home (C2) into residential building comprising 4no flats at 2 Sackville Road and a nine bedroom house in multiple occupation (Sui Generis) at 4 Sackville Road with associated alterations.

It was noted that this application had been withdrawn and that it was anticipated that it would be brought to a future Committee meeting for determination.

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

L BH2017/03599, 17 Bampfild Street, Portslade - Removal or Variation of Planning Condition

Application for variation of condition 1 of BH2016/02846 (Demolition of existing (sui generis) mixed use garden machinery shop, servicing and repairs including workshop with offices (A1/B1) and erection of part two, part three storey building comprising of one studio flat, two no 1 bedroom flats and three 2 no bedroom houses including cycle store and associated works) to allow increased ground floor height, removal of parapet wall above flats and raised elevations.

Officer Presentation

- (1) The Principal Planning Officer, Gareth Giles, introduced the application and gave a presentation by reference to site plans, elevational drawings and photographs. Samples of the proposed render were also shown.
- (2) It was explained that the application site related to the corner plot at the junction of Bampffield Street and Buckler Street. Much of the site had now been cleared although the existing building had been used for a mixture of retail (Class A1) with a shop forecourt to the front of the building and a light industrial workshop (Class B1) over the rest of the site. Permission had been granted in August 2017 for demolition of the existing building and the erection of a terrace of three two storey dwellings adjoined to a three storey block of two one bedroom flats and one studio flat. The current application sought to vary the original permission by way of increasing the ground floor height and removal of a parapet wall above the flats in addition to revisions to the elevations and finish.
- (3) In this case it was considered that the policy context had not changed substantially in regard to the principle of the development, uses proposed and design issues and therefore approval was recommended.

Questions for Officers

- (4) Councillor Morris enquired whether it would be possible for the render proposed to be brought before the Chair, Deputy and Opposition Spokespersons for final approval and it was confirmed that could be arranged.

Debate and Decision Making

- (5) The Chair, Councillor Cattell, Councillor Hyde and several other members expressed a preference that a smooth render be used and it was confirmed the applicant would be made aware that this was the Committee's preference.
- (6) A vote was taken and members voted unanimously that planning permission be granted.

109.11 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report

M BH2017/03021, The Excelsior, London Road, Brighton - Full Planning
Formation of additional storey comprising of 2 flats and the creation of 2 additional car parking spaces.

Officer Presentation

- (1) The Principal Planning Officer, Gareth Giles, introduced the application and gave a presentation by reference to plans, site plans, photographs and elevational drawings.
- (2) it was noted that the main considerations in determining the application were the planning history of the site, the impact of the proposal upon the character and

appearance of the area, amenity issues, transport and highway issues, sustainability and living accommodation standards. The principle of development within additional storeys was acceptable and there was a general presumption in favour of sustainable development and the most efficient use of sites was supported within local development plan policies. As such a residential redevelopment of the site would not be resisted in principle. The additional storey was considered to be acceptable in scale, height, materials, detailing and siting. The proposal would match the design of the existing block with projecting bays brick slips and aligned fenestration with a replacement lift overrun above. The additional height was considered to be acceptable and would not compromise the block form of the surrounding area. Overall the scheme was considered acceptable and approval was therefore recommended.

Questions for Officers

- (3) Councillor Inkpin-Leissner enquired regarding any changes to/additional parking arrangements and it was confirmed that none were proposed.

Debate and Decision Making Process

- (4) Councillor C Theobald stated that it was regrettable in her that an additional storey was to be added which would impact on those residents occupying what was currently the top floor, noting however, that this mirrored works undertaken to blocks nearby and the earlier previously expired permission.
- (5) Councillor Miller concurred in that view but considered that there were insufficient grounds for refusal. He hoped that the bathroom and kitchen facilities in the new flats would align with those of the existing units as he was aware that where was not so it could result in noise or odour problems.
- (6) A vote was taken and Members voted by 11 to 1 that planning permission be granted.

109.13 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

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

110.1 **RESOLVED** – There were none.

111 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

112 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

113 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

114 APPEAL DECISIONS

114.1 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.

115 CONFIDENTIAL MINUTES OF MEETING- 7 FEBRUARY 2018

115 CONFIDENTIAL MINUTES OF MEETING – 7 FEBRUARY 2018 – EXEMPT CATEGORY 5

115.1 The Committee resolved that the public would be excluded from the meeting during their deliberations as to whether or not the minutes of the meeting held on 7 February 2018 be released into the public domain.

115.2 Following discussion it was agreed that the minutes and the supporting documents considered by the Committee at that meeting be approved in redacted form and appended to the minutes of this meeting.

The meeting concluded at 6.00pm

Signed

Chair

Dated this

day of