

**BRIGHTON & HOVE CITY COUNCIL****PLANNING COMMITTEE****2.00pm 12 OCTOBER 2016****COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ****MINUTES**

**Present:** Councillors Cattell (Chair), Gilbey (Deputy Chair), C Theobald (Group Spokesperson), Mac Cafferty (Group Spokesperson), Allen, Bennett, Hyde, Littman, Miller, Morris, Moonan and Russell-Moyle.

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

**Officers in attendance:** Nicola Hurley (Planning Manager), Maria Seale (principal Planning Officer), Jonathon Puplett (Principal Planning Officer), Gareth Giles (Principal Planning Officer), Steven Shaw (Development and Transport Assessment Manager), Hilary Woodward (Solicitor), and Cliona May (Democratic Services Officer).

**PART ONE****51 PROCEDURAL BUSINESS****A. Declarations of substitutes**

51.1 Councillor Allen was present in substitution for Councillor Inkpin-Leissner.

**B. Declarations of interests**

51.2 The Chair declared a personal interest in respect of Items D and E) BH2016/00752 and BH2016/00753 - 101 Roundhill Crescent, Brighton as she knew the architects of the application; however, she had not discussed the application with them, was of an open mind and would therefore remain present for the discussion and vote on the application.

51.3 The Chair declared a personal interest in relation to Item I) BH2016/00862 - 28 and land rear of including 28B, 28C and 28D Crescent Rd, Brighton as she knew the objector, Chris Morley, having given him planning advice on the Certificate of Lawfulness in 2014 before she was elected whilst working a Planning Agent. She noted that she had not discussed the application with him, was of an open mind and would therefore remain present for the discussion and vote on the application.

**C. Exclusion of the press and public**

- 51.4 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.
- 51.5 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

**D. Use of mobile phones and tablets**

- 51.6 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 ‘aeroplane mode’.

**52 MINUTES OF THE PREVIOUS MEETING**

- 52.1 The Democratic Services Officer noted that there was a minor amendment to the resolution for application BH2015/03144 Site of Former William Moon Lodge, The Linkway, Brighton at 44.1. A reference to the £7,500 towards the Local Employment Scheme had been added as this had been agreed. The change had been made in the hard copy for the Chair to sign.
- 52.2 **RESOLVED** – That, with the above addition, the Chair be authorised to sign the minutes of the meeting held on 14 September 2016 as a correct record subject to the above amendment.

**53 CHAIR'S COMMUNICATIONS**

- 53.1 The Chair thanked and praised the Planning department for exceeding their target for clearing a record number of applications by the end of September.

**54 PUBLIC QUESTIONS**

- 54.1 Mr Jeremy Mustoe, Chairman of the Brighton Society, asked the following question:  
 “When will the Planning Investigations and Enforcement Team present its Yearly Report for the year ending March 2016?”
- 54.2 The Chair gave the following response:  
 “The yearly report on Enforcement Activity in the City will be presented to Planning Committee in January 2017.”
- 54.3 Mr Mustoe asked the following supplementary question:

“If there were office delays, would it be worth considering, since the Government is discussing the Housing and Planning Bill 2016 and proposing that planning applications could be processed; if the approved providers be looked at in terms of enforcements as well?”

54.4 The Chair gave the following response:

“The Planning Department and Enforcement Team had been working hard for the past 9-10 months to avoid designation and this could now be avoided. There was a lot of stress in the system but measures had been put in place for these.”

**55 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**

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

**56 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**

**A BH2015/04536 - Preston Park Hotel, 216 Preston Road, Brighton - Full Planning**  
Change of use of hotel (C1) to residential (C3) comprising conversion of main hotel building into 13no self-contained open market flats, demolition and redevelopment of north wing to provide 9no affordable flats, alterations to front façade, retention of 27 car parking spaces and provision of new cycle and refuse facilities.

1) It was noted that this application had been the subject of a site visit prior to the meeting.

**Officer Presentation**

2) Jonathan Puplett, Principal Planning Officer, introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. The site included parking spaces, cycle spaces, as well as pedestrian access. The proposed rear units had patio areas and the units on the west side had balconies. The proposed balconies at first floor level would be a metre deep; therefore would not be usable for seating, and they would be set back from the neighbouring property to prevent overlooking. It was noted that the Officer recommendation was minded to grant and the s106 requirements were outlined in the report.

**Questions for Officers**

3) In response to Councillor Morris it was clarified that the proposed balconies would be one metre deep and approximately 2.5 metres wide and would be restricted further when the doors were open; therefore, would not be big enough for a seating area. It was added that the angle of the balconies would help prevent overlooking.

4) It was confirmed to Councillor Moonan that 9 of the units would be affordable housing, which was over 40%, and the application had been amended to include larger units. Officers believed the mix of units was acceptable.

- 5) In response to Councillor Littman the Officer explained there had been no objection received regarding the loss of visitor accommodation, employment and the loss of the hotel accommodation met City Plan Part One policies.
- 6) In response to Councillor C. Theobald it was confirmed there would be 23 car parking spaces, including three disabled spaces. Councillor C. Theobald noted that it was difficult to park in the area; however, the Case Officer explained that Officers were of the view that the impact would not be significant.
- 7) It was noted that the hotel was currently in operation; however, the applicant had informed the Planning Department that the business was struggling.
- 8) Councillor C. Theobald noted concern for the windows on the north elevation being fixed shut because of ventilation problems that might occur. The Officer noted that the windows could be opened if above 1.7 metres from the floor.
- 9) In response to Councillor Gilbey the Case Officer explained that he was unsure about access to the storage room through the garden; however, noted that this would be a consideration.

**Debate and Decision Making Process**

- 10) Councillor C. Theobald noted that it would be a shame to lose the hotel; however, it was an attractive scheme and additional housing for the city; therefore, she would be supporting the Officer recommendation.
  - 11) Councillor Russell-Moyle agreed with Councillor C. Theobald that the loss of the hotel would be a shame. He added that there should be more car parking spaces on site as there are problems in the area with street parking; however, he would be supporting the Officer recommendation.
  - 12) Councillor Moonan stated that the building had been designed well; however she had concerns for the mix of the units and thought the scheme could hold larger family units.
  - 13) The Chair noted that it was shame that a hotel was being lost; however, there was another hotel near. She added that it was a positive application.
  - 14) The Committee agreed that an additional condition should be added requiring a site waste management plan if the Planning Manager considered it necessary.
  - 15) A vote was taken by the 12 Members present and the Officer recommendation that the Committee be minded to grant planning permission was carried unanimously.
- 56.1 **RESOLVED** – That the Committee resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement, the conditions and informative set out in section 1 and to a condition requiring a site waste management plan should the Planning Manager consider it necessary.

**B BH2016/01766 - 76-79 and 80 Buckingham Road, Brighton - Full Planning**

Conversion of nos 76-79 Buckingham Road to provide four residential dwellings (C3). Demolition of no 80 Buckingham Road and the erection of a five storey building to provide 20 residential units (C3) and a community use unit (D1). Associated car parking, cycle parking, landscaping and servicing provision.

- 1) It was noted that this application had been the subject of a site visit prior to the meeting.

### **Officer Presentation**

- 2) The Case Officer, Gareth Giles, introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. The site was former offices that would be converted to housing units. It was explained that there would be 24 residential units in total, 22 net as there are two existing units on site and 9 of these would be affordable housing. The scheme proposed a community use unit at lower ground level. The blue plaque that was currently on 74 Buckingham Road would be relocated to 80 Buckingham Road during construction. The final location of the blue plaque would be determined by the Council.
- 3) The underground parking would be retained and would have six spaces and two disabled spaces, alongside 42 cycle spaces and six on street parking spaces that will be provided through the on street parking scheme.
- 4) It was noted that the roof had been amended due to concerns raised by Members and the material proposed was metal. It was noted that Members could agree to add a condition that the materials would be approved by Officers in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- 5) The Officer explained that there were some recommended amendments to the conditions in the report. These were: to remove condition 4 as it had been combined in condition 25; the opening hours for the community use unit, outlined in condition 5, to be changed to 0800 hours – 2200 hours; to add the wording “No developments above ground floor slab level” to condition 7; to add the wording “No developments above ground slab level” to condition 9; to remove condition 15 as it was a duplicate of condition 10; to add the wording “No development above ground floor slab level of any part of the development hereby permitted shall take place” to condition 16; amend the wording of condition 17 to “refuse and recycling facilities shall be implemented in accordance with the details hereby approved” as the change had already been submitted and approved; and a fourth informative to be added reading “The commemorative E. Marshall plaque on the ramp adjoining 79 Buckingham Road shall be relocated to 80 Buckingham following completion of the new build construction at No. 80. The future location of the plaque should be agreed with the Council.”.

### **Questions for Officers**

- 6) In response to Councillor Morris it was explained that the roof would be metal; however, the metal had not been specified at this time. It was noted that all the materials were conditioned and would be approved by Officers in consultation with the Chair, Deputy Chair and Opposition Spokespersons.

- 7) In response to Councillor Miller it was explained that Frederick Place was an office development; however, the health care facilities had not been lost,
- 8) In response to Councillor Mac Cafferty it was noted that there had been interest from a local health care clinic to use the community space. Officers had not conditioned the space as this could be restrictive, and it was hoped the space would be used by a range of groups. It was added that the opening times had been amended to accommodate different uses.
- 9) Councillor Russell-Moyle questioned whether the building could be set back from the pavement as the sharp edge did not reflect the neighbouring properties. The Planning Officer explained that there had been discussions with the applicant regarding this; however, a Design and Review Panel had praised the building being in line with the pavement as rest of neighbouring properties were and it would follow the character of Upper Gloucester Road.
- 10) In response to Councillor Hyde it was clarified that there would be set in balconies under the windows which would be sculpted into a 'wave' pattern and this would likely be made in render or cast concrete.
- 11) It was noted to Councillor Moonan that there would be six one-bedroom, 13 two-bedroom, one three-bedroom and two four-bedroom units and nine units would be affordable housing.
- 12) In response to Councillor Gilbey it was confirmed that the space on the ground floor could include a kitchen and toilet facilities. Once the community space had been established, this would be decided.

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

- 13) The CAG representative, Mr Gowans, noted that the set in balconies should be the same material as the roof. He added that the Conservation Area Group were grateful for the work that had been done to improve the application.
- 14) Councillor Morris noted that the proposed roofs were not aesthetically pleasing.
- 15) Councillor Russell-Moyle noted that he thought the roof would be attractive as long as the applicant ensured the material aged well. He noted concerns regarding the design of the hard corner on Buckingham Street and wished to propose a condition for a diagonal cut corner to match the neighbouring properties. The Planning Manager advised Councillor Russell-Moyle that Members could not condition elevational changes as the application should be determined as submitted.
- 16) Councillor Littman stated that he was pleased with the scheme and that the Victorian building was being restored. He also welcomed the proposal that the blue plaque be moved to 80 Buckingham Road, as this was the site of the hospital.
- 17) Councillor Miller agreed with Councillor Littman and stated that it was a vast improvement on the current site. He noted that he agreed with Councillor Russell-Moyle that the roof should be a durable material and that the material for this and the

balconies should be approved by Officers in consultation with the Chair, Deputy Chair and Opposition Spokespersons.

- 18) Councillor Hyde noted that she was pleased that the Victorian buildings would be restored and back in use. She explained that she initially had concerns for the design of the roof; however, since seeing a 3D visual she was not as concerned but noted that the materials needed to be considered carefully, as they could be inappropriate for the area. She noted that she would be supporting the Officer recommendation.
- 19) Councillor C. Theobald noted that it would improve the current street scene and was pleased that the blue plaque was to be relocated when construction was taking place. She added that it was a good location near Brighton station and within the city centre.
- 20) Councillor Moonan noted that it was a significant improvement to the existing buildings and would provide additional housing in the city centre. She noted that the mix of unit sizes was positive and as a Member of Planning, she wished to ensure a balance was being reached.
- 21) The CAG representative explained that the design of the building being extended to pavement level followed the original building pattern.
- 22) The Chair thanked the Officers for the input into the application and explained that there had been ongoing negotiation regarding the design and balance of affordable housing. She noted that she would be supporting the Officer recommendation.
- 23) A vote was taken by the 12 Members present and the Officer recommendation that the Committee be minded to grant planning permission was carried unanimously.

56.2 **RESOLVED** – That the Committee resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement, the conditions and informatives set out in section 1 and to a condition requiring a site waste management plan should the Planning Manager consider it necessary.

**C BH2016/01719 - Daltons Bastion (site of former Wheel), Madeira Drive, Brighton - Full Planning**

Erection of 22.5m high tower (D2) with zip wire to a landing area along Madeira Drive opposite the entrance to Atlingworth Street with ancillary storage and changing facilities and erection of a café (A3). Retention of existing base plinth.

- 1) It was noted that this application had been the subject of a site visit prior to the meeting.

**Officer Presentation**

- 2) The Case Officer, Maria Seale, introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. The site for the high tower was within the East Cliff Conservation Area where the former Brighton Wheel had been located. The tower would be approximately half the height of the former Brighton Wheel and the two proposed zip wires would be 35 metres. The application

included a café area with seating and an area for locker space at the base of the tower, and an objection had been received from the neighbouring café.

- 3) There was a proposed landing stage on the beach along Madeira Drive at the end of the residential pavement. It would be a large structure designed to replicate a boat.
- 4) It was explained that since the late list was published a further 26 objection letters had been received; however, these had not raised any new material objections. The Planning Department believed that the application complied with policy and would be publically beneficial, as well as providing an attraction for the city. The heritage team were satisfied with the application and there was a condition that detailed that the original railings would be reinstated. The application was recommended for approval for the reasons set out in the report.

**Public Speaker(s) and Questions**

- 5) Mr Scoble spoke in his capacity as a local resident and noted that the attraction should be moved further down the beach towards the Marina where it would not affect the local residents in the area.
- 6) Mr Egleton spoke on behalf of the 'crazy golf' and café outlet and explained that the business had concerns for the noise disturbance. He noted that the application sought a closure hour of 2300 hours and this would encourage groups of intoxicated customers into the area. The report detailed that there would be a maximum of 24 riders per hour at peak times; however, he felt that this would not be restricted. The location was a quieter area of the beach and the café outlet would be affected by the noise from the zip wire itself and the users.
- 7) In response to Councillor C. Theobald, Mr Egleton confirmed that he was uncertain of the café's opening hours; however, he believed that it was not open beyond 2300 hours.
- 8) Mr Coomber, and his colleagues spoke on behalf of the applicant. They explained that the tower, zip wire, landing stage and café area were a replacement of the Brighton Wheel and it would be an additional family attraction to the city. They had consulted with local residents and explained that the attraction would be part of city regeneration and were not aware of any existing problems in the area that the zip wire could contribute to. The objectors had raised concerns regarding the noise; however, it was explained that the attraction was set away from the residential properties, and situated in a busier area on the beach that was near the pier which had a music licence. The design had been the subject of considerable amendments.
- 9) In response to the Chair it was explained that they would not recommend anyone using the zip wire whilst under the influence of alcohol, and the operators would be made fully aware of this suggestion.
- 10) In response to Councillor Gilbey it was clarified that realistically having 24 users per hour would be the maximum due to the need to carry out safety checks and the time it would take for the customer to put on the harness could be lengthy.



- 11) Mr Coomber confirmed to Councillor Moonan that he was uncertain whether the café was planning to sell alcohol but confirmed that this would be the subject of the separate Licensing regime.
- 12) In response to Councillor Miller it was noted that the agent was unaware how customers would get back from the landing stage to the tower; however, it was assumed they would walk.
- 13) In response to Councillor Russell-Moyle it was noted that there would be lockers at the tower to ensure safe storage for customer's belongings, and loose items would have to be removed before using the attraction.
- 14) In response to Councillor C. Theobald, Mr Coomber noted that the scheme proposed provided for 75 covers on the ground floor level and 100 covers on the first floor level.
- 15) In response to Councillor Hyde it was noted that there had not been any reported noise disturbance from a similar zip wire in Bournemouth, and it was added that that zip wire was positioned directly above cafes.

**Questions for Officers**

- 16) In response to Councillor Moonan the Case Officer explained that the Committee could agree a condition to only sell alcohol to seated customers; however, the Planning Authority was unable to restrict alcohol sales completely.
- 17) It was clarified that the tower would be white painted metal.
- 18) In response to Councillor Miller it was noted that the proposal for customers walking back to the tower to collect belongings had not been detailed by the applicant and would be part of the management plan. The Development and Transport Assessment Manager added that it was likely that customers would walk back from the landing stage.
- 19) In response to Councillor Morris it was stated that the highest point of the landing stage would be 6.2 metres and the main platform would be approximately 3 metres high. Councillor Morris noted concerns for ensuring it was secure at night and proposed a condition be added for CCTV to be provided at the site.
- 20) The Case Officer clarified to Councillor Hyde that the material for the landing stage would be conditioned and approved by Officers in consultation with the Chair, Deputy Chair and Opposition Spokespersons. She added that it was likely to be a new, durable metal that has a rusty appearance.
- 21) In response to Councillor Russell-Moyle it was noted that if Members felt it was an important to have the walk back from the landing zone to lit, this could be added as a condition.
- 22) The Case Officer explained to Councillor Mac Cafferty that development on the beach had not been raised as an issue; however, it was felt the area needed a new

development. It was clarified that the development on the beach would be the landing stage, as the tower was not on the beach.

- 23) It was confirmed to Councillor Morris that the site would have a 25 year lease.
- 24) In response to Councillor Miller it was explained that a detailed acoustic report had been completed and included the noise disturbance from the zip wire in Bournemouth. The noise that would be caused from the zip wire would be a lot less frequent and disturbing than the background noise in the area.

**Debate and Decision Making Process**

- 25) Councillor Russell-Moyle noted that the concrete structure and shuttering currently in place needed to be renovated to improve the area. He added that he would be proposing that lighting between the landing stage and the starting tower should be conditioned. Overall he was of the view it was a good use of the beach and that developing on the beach would be restoring and improving it. He stated that he would be minded to grant if lighting was secured through condition.
- 26) Councillor Moonan noted that it was a fun development and would improve the beach; however, she had major concerns regarding the sale of alcohol and wished for the Committee to try and restrict this as much as possible. She added that she was pleased that the proposed material of the landing stage would appear aged.
- 27) Councillor Hyde stated that she was happy with the application and noted that it was good to see that companies were prepared to invest in the city. She added that she was pleased it would encourage day-trippers to the area, and the starting stage would be white as this would be an improvement as well as being appropriate for the area.
- 28) Councillor Miller noted that the tower was considerably smaller and slimmer than the previous Brighton Wheel and thought that white was appropriate; however, he queried if the structure could be made more iconic. He noted concerns for developing on the beach; however, the regeneration would be positive and would create jobs. He added that he would have concerns if the management proposed vehicles to take people back from the landing stage to the tower.
- 29) Councillor Bennett noted that it would be good for tourism and was pleased the historic railings were to be restored.
- 30) Councillor Morris noted that he welcomed the attraction and it was positive that the local hotels in the area and Visit Brighton supported the application.
- 31) The Chair noted that she was pleased with the appearance of the landing stage and hoped it would be the first of many schemes in the area. She added that she would be supporting the Officer recommendation.
- 32) Councillor C. Theobald hoped the scheme would not affect the café and would have preferred the zip wire to cease operation at 2200 hours, rather than 2300 hours.

- 33) Councillor Moonan proposed a condition that alcohol could only be sold at the premises to seated customers eating food on the premises. Councillor Russell-Moyle seconded this, this was **carried**.
- 34) Councillor Hyde proposed a condition to restrict the landing stage from being made in a metal that had a rusty appearance and recommended wood as an alternative. Councillor Bennett seconded the proposal, this was **not carried**.
- 35) Councillor Russell-Moyle proposed an additional condition to restrict development until details of a lighting scheme between the landing area and the tower were submitted and approved by the Local Planning Authority. Councillor Allen seconded the proposal, this was **carried**.
- 36) A vote was taken by the 12 Members present and the Officer recommendation that the Committee be minded to grant planning permission was carried unanimously.
- 56.3 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement and informatives set out in section 1 of the report and the additional conditions set out below:

**Additional condition 24:**

Alcohol can only be sold at the premises to seated customers eating food on the premises.

Reason: To safeguard the amenities of the locality and to comply with policy QD27 of the Brighton and Hove Local Plan.

**Additional condition 25:**

No development shall take place until details of a lighting scheme between the landing area and the tower have been submitted to and approved to writing by the Local Planning Authority. The proposal shall be implemented in accordance with the agreed details and shall be thereafter retained as such.

Reason: To safeguard the amenities of the locality and users of the zip wire and to comply with policy QD27 of the Brighton and Hove Local Plan.

**D BH2016/00752 - 101 Roundhill Crescent, Brighton - Full Planning**

Erection of 1no three bedroom dwelling (C3) incorporating alterations to boundary wall and external alterations to existing building including repair works, alterations to fenestration and associated works.

- 1) It was noted that this application had been the subject of a site visit prior to the meeting.

**Officer Presentation**

- 2) The Principle Planning Officer, Gareth Giles, introduced the application and gave a presentation in respect of application BH2016/00752 for full planning permission and

application BH2016/00753 for listed building consent by reference to plans, photographs and elevational drawings. The boundary wall that joined to the side of the building was listed and was in front of the proposed dwelling; therefore, it would have to be partially removed for the installation of a new gate to gain access.

- 3) The proposed three bedroom dwelling would be 0.6 metres lower than the neighbouring property and would protrude by 0.75 metres at the rear. The first floor would have two bedrooms and a bathroom and the second floor in the roof would have the third bedroom. The application included improvements and repair works to 101 Roundhill Crescent. Both applications were recommended for approval as set out in the reports.

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

- 4) Ms Light spoke in her capacity as a local resident and noted that the application had previously been brought to Committee and refused due to overcrowding in the area and the loss of amenity for local residents. She explained that there was only one change to the application and this was the material; however, this would not solve the previous concerns. She stated that she would lose light into her living room and the morning light to the terrace area. The property would overlook her kitchen, bedroom and other neighbouring properties. She concluded by stating that the building did not uphold good design, was situated in a conservation area and would affect the quality of life for neighbours.
- 5) Councillor Greenbaum spoke in her capacity as a Ward Councillor and expressed her support for the residents who had objected. She noted that she had received a lot of communication regarding this application; this had mainly expressed concern for the loss of light to neighbouring properties and overcrowding in the area. The proposed property would have a significant impact on the character of the area for visitors, as well as local residents, and the gap between the houses would be lost causing the street scene to feel dense.
- 6) Ms Jamieson-Franks spoke in her capacity as the applicant and explained that the previous application that came to Planning Committee in November 2015 had the support of the Committee Members; however, they had suggestions regarding the materials which had been amended. She explained that during the site visit prior to the November 2015 Committee Members felt having the proposed property in the gap of the street scene would not have a negative impact as it would restrict the view of the multi-storey Sainsbury's building. The position and measurements, apart from the height of the building, had not changed since the previous planning application and all the previous objections had been addressed and agreed. She noted that if the proposed property was agreed she would be able to restore the historic features on the adjoining property that the Heritage Officers had suggested and the property would then be worthy of a blue plaque.

### **Questions for Officers**

- 7) In response to Councillor Mac Cafferty the Planning Manager stated that there were ecology comments in the report, and there had been no indication received that identified protected toads species being present on the site.

- 8) The Case Officer clarified to Councillor C. Theobald that the distance between the rear door of the proposed dwelling and 101 Roundhill Crescent would be 13.1 metres.
- 9) In response to Councillor Moonan it was confirmed that the Committee could agree to add a condition to ensure the listed wall was renovated.

**Debate and Decision Making Process**

- 10) Councillor Hyde stated that she found the site visit very useful and noted concern that the application was recommended to grant. She explained that, if agreed, the property would have a significant impact on the neighbouring properties due to the loss of daylight and it would be overbearing in the Roundhill Conservation Area. She noted that there were beautiful, historic views of the downs and the racecourse that had not been shown in the Officers presentation and these would be a loss to the residents. She added that she was unhappy that the report linked the new dwelling to the restoration of 101 Roundhill Crescent as it had to be maintained to a decent standard as it was a listed building. She noted that she would not be supporting the Officer recommendation.
- 11) Councillor Gilbey agreed with Councillor Hyde and explained that similar applications had been refused due to the loss of a gap in the street scene as it would affect the residents. She noted her view that the applicant was contrary to the aims of the recently adopted City Plan.
- 12) Councillors Hyde and Gilbey highlighted their view that the proposal was contrary to several policies, by way of response Officers noted that some of the policies mentioned were no longer relevant and had been superseded by policies in the City Plan, published earlier in the year.
- 13) Councillor Moonan noted that it was useful to have a site visit. She explained that she disagreed with Councillors Hyde and Gilbey and believed that the property would screen the multi-storey Sainsbury's and would maintain the view of the downs. She noted that the neighbouring properties would still receive daylight and would therefore be agreeing with the Officer recommendations.
- 14) Councillor Littman praised the applicant for the work and amendments they had completed; however, he agreed with Councillor Hyde and Gilbey. He explained that he knew the area well and believed the damage to the amenity of the area would outweigh the advantages of the scheme.
- 15) Councillor Miller agreed with Councillor Moonan; he noted that the view of the multi-storey Sainsbury's was prominent and the proposed property would block this and frame the view of the Downs. He noted that he was undecided if he would be supporting the Officer recommendations.
- 16) Councillor C. Theobald noted that it was important to retain the gap on the street scene for residents and essential to note the 30 letters of objection that had been received. She stated that she would not be supporting the Officer recommendations.

- 17) Councillor Gilbey noted that there was not any public green space in the area; therefore, the views would provide relief for residents and a break in the urban form.
  - 18) The Conservation Advisory Group representative, Mr Gowans, noted that the Group did not have an objection to the application.
  - 19) Councillor Mac Cafferty stated that it was a difficult decision as a lot of residents would be affected. He noted that he disagreed with the objections and thought the proposed building was attractive.
  - 20) The Chair agreed with Councillor Mac Cafferty and noted that the dwelling was sensitively designed for the area and explained that there would still be a gap between the proposed building and the neighbouring properties. She stated that if the internal design was altered, it could potentially resolve the problems of overlooking into neighbouring properties.
  - 21) Councillor Hyde proposed an alternative to the Officer recommendation to grant the application on the grounds that the proposal would have an overbearing and unneighbourly impact on neighbours, would have an impact on the Listed Building and Conservation Area, would result in the loss of the gap and would represent a cramped form of development and that the final form of wording for the reason for refusal, based on those reasons, should be delegated to the Planning Manager in consultation with Councillor Hyde and the seconder. Councillor Hyde's alternative recommendation was seconded by Councillor Theobald.
  - 22) A recorded vote was taken on the proposed alternative recommendation by the 10 Members present. This was **carried** with Councillors Allen, Gilbey, C. Theobald, Mac Cafferty, Hyde and Littman in support, Councillors Moonan, Morris and Cattell against and Councillor Miller abstaining.
- 56.4 **RESOLVED** – That the Committee had taken into consideration the recommendation set out in section 1 of the report but resolves to **REFUSE** planning permission for the reasons outlined by Councillor Hyde set out in paragraph 21 above.

**Note:** Councillors Bennett and Russell Moyle were not present for the consideration and vote on the application.

**E BH2016/00753 - 101 Roundhill Crescent, Brighton - Listed Building Consent**

External alterations including repair works, alterations to boundary wall including installation of a new gate, reinstatement of cast iron window guards to second floor windows, alterations to fenestration and associated works.

- 1) It was noted that this application had been the subject of a site visit prior to the meeting.
- 2) The presentation and consideration of this application is listed under minute 56D.
- 3) The application was recommended for approval, however, following the determination of item D an alternative recommendation was put forward by the Planning Manager to refuse Listed Building Consent on the grounds that in the absence of a suitable

scheme that would redevelop the site the proposed alterations to the boundary wall were considered unacceptable.

- 56.4 **RESOLVED** – That the Committee had taken into consideration the recommendation set out in section 1 of the report but resolves to **REFUSE** planning permission on the grounds outlined by the Planning Manager in paragraph 3) above.

**Note:** Councillors Bennett and Russell Moyle were not present for the consideration and vote on the application.

**F BH2016/02229 - 34 Walmer Crescent, Brighton - Full Planning**

Change of use from single dwelling (Class C3) to small house in multiple occupation (Class C4)

**Officer Presentation**

- 1) The Principle Planning Officer, Jonathan Puplett, introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. The site had one bedroom on the ground floor and had three bedrooms on the first floor. The property had permission granted for HMO use in 29 March 2016, permission was not sought for the change of use from four bedroom single dwelling to four bedroom small house in multiple occupation. There was a proposed condition detailed in the report that would secure the kitchen and lounge as communal use. The Officer recommendation was to grant as there were no HMOs in the 50 metre radius area. The application was recommendation for approval for the reasons set out in the report.

**Public Speaker(s) and Questions**

- 2) Ms Howell spoke in her capacity as a local resident and a member of the Bevendean Local Action Team. She explained that there were currently problems with parking and traffic congestion which would be made worse if the application was agreed. She noted that over 800 family homes had been lost in the area and this had a significant impact on the schools. There was an HMO at 46 Walmer Crescent and an unlicensed HMO at 38 Walmer Crescent; therefore, the Members should consider the impact on residents in Bevendean and refuse the application.
- 3) Councillor Marsh spoke in her capacity as a Ward Councillor and explained that it used to be unusual for Local Councillors to speak on behalf of residents at Planning Committee; however, a higher number of residents were contacting their Local Councillors with concerns regarding HMOs in their area. She explained the additional HMOs were causing: extra traffic in the area; parking problems; antisocial behaviour; and rubbish. Some residents found the HMOs in the Bevendean area distressing and it was destroying the peaceful area that residents often chose to live in, as it was away from the city centre. She explained that the area had approximately 800 licensed HMOs, which was 18% of the properties in the Bevendean area and therefore; the Planning Committee needed to consider the significant impact the additional HMOs would have on the long-term residents.
- 4) Ms Simpson spoke in her capacity as the applicant and noted that she lived in Bevendean and cared about the community. She explained that she had previously

intended for the property to be a four bedroom house, but the plans had not been submitted properly; therefore, this was the second application. She noted that no changes to the existing exterior were proposed and she had improved the house since living there. She believed that it was unfair to her as an applicant as she had followed the government procedures when applying for the HMO whereas she believed there was an unlicensed 7 bedroom HMO in the area that had not sought planning permission and; therefore, did not receive any objections.

- 5) The applicant clarified that an extension had been built to increase the kitchen size; however, the original rooms on the ground floor had not changed in size.
- 6) In response to Councillor Miller the applicant stated that the unlicensed HMO was a co-operative house at 38 Walmer Crescent and there had not been any disturbance from this property.

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

- 7) The Planning Manager noted that the speakers had mentioned an HMO at 38 Walmer Crescent which would be in the 50 metre radius and a re-assessment of the numbers would have to be carried out which could change the Officers recommendation. She recommended to the Committee that the application was deferred to a future Planning Committee to allow this matter to be investigated further.

56.6 **RESOLVED** – That the Committee agreed to defer the application on a vote of 9 for with 1 abstention.

**Note:** Councillors Bennett and Littman were not present for the consideration and vote on the application.

### **G BH2016/02278 - 2 Highview Way, Brighton- Full Planning**

Erection of single storey extensions to south and north elevations. Landscaping works including raised decking and new driveway, alterations to front boundary and other associated works.

- 1) It was noted that this application had been the subject of a site visit prior to the meeting.

### **Officer Presentation**

- 2) The Principal Planning Officer, Maria Seale, introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. The large extension was to provide a small garage, a utility room and a large bedroom with an en suite and there was a smaller extension for a dining room. The site was located in a residential area of Patcham and was made up of a mixture of bungalows and houses. The Officer concerns were due to the scale of the proposal, the unusual shaped roof, it would relate poorly to the existing dwelling and would impact poorly on the visual amenity of the street scene. She added that Officers believed it did not comply with the adopted supplementary planning document regarding extensions. A previous application had been refused and the Officer explained that the footprint was the same as the original application. She did; however, highlight the following amendments: the



previously proposed decking area had been reduced; and the roof design had been altered. The application was recommended for refusal for the reasons set out in the report.

**Public Speaker(s) and Questions**

- 3) Mr Wade spoke in his capacity as the agent and explained that there had been no objections received from Officers or local residents. The existing side elevation was well screened with trees and shrubbery and the proposal would not overlook neighbouring properties or dominate the street scene. The designs of the extensions were sympathetic to the area.
- 4) Councillor Wares spoke in his capacity as a Ward Councillor and noted that both he and Councillor G. Theobald were in support of the application and had consulted on behalf of the applicant with local residents during which time they had not received any negative comments or objections. He explained that the proposed extension was designed to be sympathetic with the existing dwelling and surroundings and it would improve the area. He added that the report exaggerated the concerns with the dominance of the dwelling and it would create a better family home.
- 5) In response to Councillor Gilbey, Councillor Wares noted that he considered the side of the property that faced Highview Way to be the primary front; therefore, the extension would be at the rear facing Highview Road.

**Questions for Officers**

- 6) In response to Councillor Moonan the Development and Transport Assessment Manager clarified that a standard parking space size was 4.8 metres in length, whereas the proposed garage was approximately 4.5 metres; therefore, not all vehicles would fit. The Planning Manager explained to Councillor Moonan that the applicant would have to seek agreement from a future Planning Committee if the Members agreed to condition the use of the garage and restricted any changes; however, she advised Members that this was not deemed necessary nor would meet the other tests for the use of conditions.
- 7) In response to Councillor Gilbey the Planning Officer noted that it was a prominent extension and the Committee needed to determine whether it would be detrimental to the street scene.

**Debate and Decision Making Process**

- 8) Councillor Hyde noted that no objections had been received and it would be well screened by trees and bushes; therefore, she would not be supporting the Officer recommendation.
- 9) Councillor Littman stated that he would be supporting the Officer recommendation as he felt the extension was not essential to the existing dwelling.

- 10) Councillor Mac Cafferty explained that the previous application, and similar applications in the past, had been refused and it was important to follow the policy and remain consistent. He noted that he would be supporting the Officer recommendation.
  - 11) Councillor Morris noted that he agreed with Councillors Littman and Mac Cafferty and had concerns that the applicant could potentially change the use of the garage to an additional bedroom. He therefore stated that he would be supporting the Officer recommendation to refuse.
  - 12) Councillor C. Theobald noted that the proposed extension would not be intrusive to neighbouring properties and residents had not objected to the proposal. She explained that she would not support the application if it was two storeys; however, one storey would not be detrimental to the street scene.
  - 13) The Chair noted that the extension was large and would be essentially doubling the footprint of the existing dwelling. She stated that it had not been designed well and appeared to be an additional house, rather than an extension.
  - 14) Councillor C. Theobald proposed an alternative recommendation to the Officer recommendation to grant the application on the grounds that the extension would not overlook the neighbouring properties and was not overbearing. The proposed alternative recommendation was seconded by Councillor Hyde.
  - 15) A recorded vote was taken on the proposed alternative recommendation by the 9 Members present. This was **not carried** with Councillors Hyde and C. Theobald in support, Councillors Gilbey, Littman, Mac Cafferty, Moonan, Morris and Cattell against and Councillor Allen abstaining.
  - 16) A vote was taken by the 9 Members present on the substantive Officer recommendation that the Committee refuse planning permission; this was **carried** with 6 in support, 2 objections and 1 abstention.
- 56.7 **RESOLVED** – That the Committee resolves to **REFUSE** planning permission for the reasons set out in paragraph 1.2 of the report.

**Note:** Councillor Bennett, Miller and Russell-Moyle were not present for the consideration and vote on the application.

- H BH2016/01740 - 4 Plymouth Avenue, Brighton - Full Planning**  
Change of use from four bedroom single dwelling (C3) to four bedroom house in multiple occupation (C4).

#### **Officer Presentation**

- 1) The Principal Planning Officer, Jonathan Puplett, introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. The Officer noted that a letter of objection had been received from Councillor Yates that was circulated to Members in the late list, which incorrectly referred to it as a letter of support. It was explained that there were two properties licensed as HMOs within the radius, which was 7.4% and there was one property at the application stage for an

HMO; therefore, if the permission for 4 Plymouth Avenue was granted, the next HMO would have the recommendation for refusal.

- 2) The dwelling would comprise of three bedrooms on ground floor level and one bedroom with an en suite at lower ground level. It was recommended that the Committee condition the communal space to ensure it was retained. The application was recommended for approval for the reasons set out in the report.

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

- 3) Ms Howell spoke in her capacity as a local resident and a member of the Bevendean Local Action Team. She explained that 32 letters of objection had been received and within the 50 metre radius there was a licenced HMO and an unauthorised HMO that had already caused disturbance in the area. There was increased traffic in the area which had caused parking problems and wheelchairs and pushchairs had to walk in the road due to cars parking on the pavement. She added that the traffic statistics in the report were from five years ago and the problems had got worse since then. The loss of family homes were having detrimental effects on the area which had resulted in the closure of a doctor's surgery, the youth centre reducing their hours and was impacting on the schools.
- 4) In response to Councillor C. Theobald Ms Howell confirmed that there was not any off street parking.
- 5) Councillor Marsh spoke in her capacity as a Ward Councillor and explained that the heart of Bevendean community was being ruined and the HMOs in the area had caused the loss of the doctors surgery. An urgent review on the existing policy regarding HMOs was needed and this had support from other Councillors. She added that there had been a planning application granted for an HMO at 31 Plymouth Avenue and this was not displayed on the map in the report.
- 6) In response to Councillor Morris, Councillor Marsh agreed that increasing the radius, in relation to policy calculation, from 50 metres would help improve the situation.
- 7) Mr Mackintosh spoke in his capacity as the applicant and thanked the Bevendean Local Action Team (LAT) for speaking. He noted that the views of the community could differ from the LAT and the Ward Councillor as residents with HMOs would have different views. He explained that he had listened to the concerns raised by local residents and made amendment to the application. He noted that it would not necessarily be students moving in, but could be young professionals that could not afford one bedroom properties. There was a need in the city for good quality, reasonably priced HMOs to help young individuals. He added that if the Members had attended a site visit, they would have had the opportunity to see that it was a positive application and would not increase parking problems in the area.
- 8) In response to Councillor Russell-Moyle, Mr Mackintosh confirmed that the proposed third bedroom would be part of the existing living room.

### **Questions for Officers**

- 9) The Development and Transport Assessment Manager confirmed to Councillor Mac Cafferty that the traffic data in the report was the most up to date, and there would not be a significant difference in the area since the data was taken in 2011. Councillor Mac Cafferty requested that work be undertaken to determine the additional parking and traffic impacts HMOs were having.
- 10) In response to Councillor Miller it was explained that restricting the number of occupants would prevent properties being extended after being granted planning permission. To extend the number of occupants the applicant would need to submit a new application and Officers would consider the impact this may have on local services.
- 11) It was confirmed to Councillor Miller that the map highlighting the 50 metre radius of other registered HMOs from the property showed No. 1 Plymouth Avenue as just outside the radius.
- 12) In response to Councillor Morris the Officer confirmed that if the applicant did not comply with the conditions, it would be a breach of the permission; however, the Committee could not condition an inspection of the property at a later date.
- 13) In response to Councillor Russell-Moyle the Officer clarified that not all of the communal rooms needed to be retained; however, enough communal space should be secured.
- 14) In response to Councillor Moonan it was confirmed that if the application were granted, the other application for an HMO under consideration in the area would be affected, and the Officer recommendation would likely be for refusal as the concentration in a 50 metre radius would be over 10%.

**Debate and Decision Making Process**

- 15) Councillor Miller noted that a review of the HMO section in the City Plan was needed immediately. He added that he would abstain from the vote on the application.
- 16) Councillor Allen noted that HMOs were not necessarily for students; however, there was evidence that Bevendean was under strain from HMOs and agreed with Councillor Miller that the policy needed to be looked at. He noted that he would not be supporting the Officer recommendation.
- 17) Councillor Russell-Moyle stated that it was important for Members to arrange site visits to HMOs and see the area and the inside of the properties. He noted that HMOs were important; however, they needed to be in an appropriate location. He would therefore be abstaining from voting on the application. The Chair commented that the internal layout was not something that could be controlled and explained that she was not of the view that having site visits was always necessary, as the Council had an updated City Plan that was agreed in March 2016.
- 18) Councillor Littman explained that he and Councillor Mac Cafferty were unhappy with the number of HMOs in the Bevendean area. He stated that the City Plan had set how the calculation was done in relation to the acceptable density for HMOs, and the

Committee should not refuse the application as it could cost the Council money were the Council to lose an appeal against the decision.

- 19) Councillor Moonan noted that she would be supporting the Officer recommendation as a refusal would likely be overturned at appeal.
- 20) Councillor Miller proposed a condition to remove permitted development rights to prevent the owner further extended the property. Councillor Moonan seconded the proposal, this was **carried**.
- 21) A vote was taken by the 12 Members present and the Officer recommendation that the Committee grant planning permission was carried with 4 votes in support, 2 against and 6 abstentions.

56.8 **RESOLVED** – That the Committee resolves to **GRANT** planning permission subject to the conditions and informative set out in section 1 of the report and the additional condition set out below:

**Additional condition 6:**

No extension, enlargement or other alteration of the dwellinghouse as provided for within Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties due to the intensification of the use that would occur as a result and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

**I BH2016/00862 - 28 and land rear of including 28B, 28C and 28D Crescent Road, Brighton - Full Planning**

Part demolition and conversion of existing commercial buildings and erection of two new buildings to provide 3no two bedroom houses and 1no three bedroom house (C3) with associated landscaping.

- 1) It was noted that this application had been the subject of a site visit prior to the meeting.

**Officer Presentation**

- 2) The Principal Planning Officer, Maria Seale introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. The site was located in the Roundhill Conservation Area and had had various historic uses; both residential and commercial. The site had been marketed over a 15 month period; however it was unsuccessful in attracting a buyer for its current use. The application included part demolition, conversion and new build.

- 3) The proposed dwellings would be set back from the existing property and had been designed to prevent overlooking and the high level windows would have obscured glazing. The view for local residents would not change significantly and the dimensions of the dwellings would be largely similar. There were no concerns from the Heritage Team and the Planning Department believed the proposed dwellings were making the most out of the space. The application was recommended for approval for the reasons set out in the report.

**Public Speaker(s) and Questions**

- 4) Chris Morley spoke in his capacity as a local resident on behalf of the residents in the Roundhill Conservation Area. He explained that the applicant had made slight amendments to the application; however, the design of the proposed dwellings had not been changed significantly. The local residents would suffer from overlooking and the Conservation Area policy stated that proposed developments should enhance or promote the area; however, he stated that these buildings would do neither. He noted to the Committee that the existing commercial buildings provided employment opportunities and in 2015 there was a lack of commercial sites; therefore, this should be utilised.
- 5) Councillor Greenbaum spoke in her capacity as a Ward Councillor and explained that she believed that the proposed buildings were well-designed and interesting; however, it would be overbearing for the local residents. She explained that it would increase noise disturbance in the area. She noted that it is important for residents to have open spaces and views from their windows; therefore, she asked the Committee to refuse the application as it would overdevelop the site.
- 6) Mr Frisby spoke in his capacity as the agent, and explained that the existing dwellings had recently been used as office space and light industrial workshops. He noted that there were no restrictions on hours for the use, and the buildings had been empty for a significant amount of time. The application was finalised after consultation with the local residents and the Council; significant amendments had been made during this process. The proposed window locations had been altered to prevent overlooking and a part of the existing dwelling would be demolished to create two smaller buildings. He explained to the Committee that the proposed double gates would be a further benefit as it would reinstate the historical features.
- 7) In response to Councillor Hyde Mr Frisby clarified that the gates would be more contextually appropriate and the modern doors would also be replaced to replicate the historic features.
- 8) In response to Councillor Morris it was confirmed that the new doors would be pedestrian access only; however, in an emergency, they would be able to open for emergency vehicles.
- 9) In response to Councillor Gilbey it was confirmed that the access would be wheelchair accessible.

**Questions for Officers**

- 10) In response to Councillor Moonan the Planning Officer confirmed that the bins were shown on the plans and screening was conditioned; however, the Committee could agree to add further conditions specifying the material and height of the screening. Councillor Moonan noted that the trees and shrubbery would enhance the view of the properties and would be beneficial to the area.
- 11) The Planning Officer explained to Councillor Mac Cafferty that the applicant had expressed a willingness to install a sprinkler system.
- 12) In response to Councillor Littman the Planning Officer confirmed that the building had been empty for some time.

**Debate and Decision Making Process**

- 13) A vote was taken by the 9 Members present and the Officer recommendation that the Committee be minded to grant planning permission was carried with 7 votes in support, 1 against and 1 abstention.
- 56.9 **RESOLVED** – That the Committee resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 1 of the report.

**Note:** Councillors Bennett, Miller and Russell-Moyle were not present for the consideration and vote on the application.

- J BH2016/02201- 4 Harrington Road, Brighton - Full Planning**  
Creation of vehicle crossover, dropped kerb and hardstanding with associated alterations to front boundary wall.

**Officer Presentation**

- 1) The Principal Planning Officer, Gareth Giles introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. It was explained that the application was a resubmission of a previously refused scheme that had been to appeal and dismissed by the Inspector in August 2015. The site was in the Preston Park Conservation Area and this identified the front walls of the properties as features. There was a similar application for 29 Harrington Road in 2015 and this was granted; however, the property was not symmetrical as a semi-detached and it was a smaller front wall. The application was recommended for refusal for the reasons set out in the report.

**Public Speaker(s) and Questions**

- 2) Councillor K. Norman spoke in his capacity as a Ward Councillor and explained that the road was not symmetrical as the Case Officer had described. There had been no objections received from the transport department, the culture department or local residents. The resident had put their application in and had gathered support from the neighbours. He explained that the part of the garden that would be lost was in bad condition and the wall was in need of repairs; therefore, would be an improvement of

what currently in situ. Councillor K. Norman added that there had been a change in the application and it was not identical to the previous application.

**Questions for Officers**

- 3) The Development and Transport Assessment Manager clarified to Councillor Moonan that there would not be a loss of a parking space on the street.
- 4) In response to Councillor Hyde the Officer noted that he was unaware of a change from the previous application.
- 5) The Development and Transport Assessment Manager explained to Councillor Miller that there were not any highway safety concerns in the area and double yellow lines would not be needed if the application was agreed.
- 6) In response to the Chair, the Officer noted that there was not any planning history for the other properties in the area; therefore, they were either completed before the policy was brought in or were unauthorised.

**Debate and Decision Making Process**

- 7) A vote was taken by the 12 Members present and the Officer recommendation that the Committee refuse planning permission was carried with 8 votes in support, 2 against and 2 abstentions.

56.10 **RESOLVED** – That the Committee resolves to **REFUSE** planning permission for the reasons set out in section 1 of the report.

**K BH2016/00945 - 38 Upper St James Street, Brighton - Full Planning**  
Change of use from retail (A1) to café/restaurant (A3) (Retrospective).

**Questions for Officers**

- 1) In response to Councillor Morris the Planning Officer, Jonathan Puplett, confirmed that the Temporary Event Notice licences were one off events to serve alcohol beyond their licensing hours.
- 2) The Planning Officer confirmed to the Chair that Condition 2 could be as the works were retrospective if the Committee agreed the decision.

**Debate and Decision Making Process**

- 3) The Chair proposed that Condition 2 was removed from the application.
- 4) A vote was taken by the 8 Members present and the Officer recommendation that the Committee be minded to grant planning permission was carried on a vote of 6 in support with 1 against and 1 abstention.

56.11 **RESOLVED** – That the Committee resolves to **GRANT** planning permission subject to the conditions and informative set out in section 1 of the report.



**Note:** Councillors Bennett, Hyde, Miller and Russell-Moyle were not present for the consideration and vote on the application.

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

58.1 There were no further requests for site visits in relation to matters listed on the agenda.

**58 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS**

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

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

60.1 That the Committee notes the details of applications determined by the Executive Director Economy, Environment & Culture 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 Economy, Environment & Culture. 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 Chair and Deputy Chair 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.]

**60 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

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

**61 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

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

**62 APPEAL DECISIONS**

63.1 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 9.05pm

Signed

Chair

Dated this

day of