

**BRIGHTON & HOVE CITY COUNCIL****PLANNING COMMITTEE****2.00pm 4 SEPTEMBER 2019****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

**Present:** Councillors Hill (Chair), Williams (Deputy Chair), Littman (Opposition Spokesperson), C Theobald (Group Spokesperson), Fishleigh, Mac Cafferty, Miller, Shanks, Simson and Yates

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

**Officers in attendance:** Paul Vidler, Planning Manager; Liz Arnold, Principal Planning Officer; Eimear Murphy, Principal Planning Officer; Robin Hodgetts, Principal Planning Officer, Enforcement; Nicola Hurley, Planning Manager; Chris Jones, Project Manager, Shoreham Harbour Regeneration Partnership; David Farnham, Traffic and Transport Engineer; Sam Rouse, Senior Technical Officer, Transport; Hilary Woodward, Senior Lawyer and Penny Jennings, Democratic Services Officer

**PART ONE****29 PROCEDURAL BUSINESS****29a Declarations of substitutes**

29.1 There were none.

**29b Declarations of interests**

29.2 Councillor Simson stated that she had been lobbied in respect of Application A, BH2018/03629, Belgrave Training Centre, Clarendon Place, Portslade but that not had expressed a view and remained of a neutral mind It was noted that a number of other Members had also been lobbied in respect of Application A, BH2018/03629, Belgrave Training Centre, Clarendon Place, Portslade but that none had expressed a view. Councillor Miller referred to Application C, BH2019/01183, 44 the Cliff, Rottingdean stating that he had been approached in relation to land ownership issues in respect of

the site but remained of a neutral mind and would remain present during consideration and determination of the application. Councillor Yates referred to Applications A, BH2018/03629, Belgrave Training Centre, Clarendon Place, Portslade and C, BH2019/01183, 44 The Cliff, Rottingdean stating that he had knowledge of these sites in his former role as leader of the Council. He had not been involved with the applications before committee, nor expressed a view in respect of them, he remained of a neutral mind and would remain present during their consideration and determination. The Chair, Councillor Hill referred to Application A, BH2018/03629, Belgrave Training Centre, Clarendon Place, Portslade, stating that had knowledge of this site in her former role as Chair of the Housing Committee but had not expressed a view in respect of the application before committee, she remained of a neutral mind and would remain present during its consideration and determination.

### **29c Exclusion of the press and public**

29.3 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.

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

### **29d Use of mobile phones and tablets**

29.5 The Chair requested Members ensure that their mobile phones were switched to ‘silent mode’.

## **30 MINUTES OF THE PREVIOUS MEETING**

30.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meetings held on 10 July and 7 August respectively as a correct record.

## **31 CHAIR'S COMMUNICATIONS**

31.1 There were none.

## **32 PUBLIC QUESTIONS**

32.1 There were none.

## **33 PLANNING ENFORCEMENT ANNUAL REPORT 2018/19**

33.1 The Committee considered a report of the Principal Planning Officer, Enforcement, Robin Hodgetts, which detailed the performance statistics and other projects of note carried out by the Enforcement Team for the period 1 April 2018 – 31 March 2019 and the ongoing projects being undertaken.

- 33.2 In answer to questions it was confirmed that since the Field Officer team had come on line they had taken on a number of areas of work to assist the team including undertaking site visits.
- 33.3 Councillor Theobald noted that there appeared to be a remaining backlog enquiring regarding measures being undertaken to address that.
- 33.4 Councillor Miller welcomed the report which was very helpful for Members as it indicated the issues considered when investigating and taking enforcement action. Councillor Miller cited instances in his own ward where action had been taken successfully. Councillor Miller also referred to Section 215 notices and it was that such breaches were investigated pro-actively and action was taken where it was appropriate to do so. Action was also being considered to seek to deal proactively rather than re-actively in respect of advertising.
- 33.5 Councillors Littman and Mac Cafferty also considered that the report provided useful information with comparitors for past years and indicators as to future direction of travel.
- 33.6 **RESOLVED** – That the contents of the report be received and noted.

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

- 34.1 There were none.

**35 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**

**CALLOVER**

- 35a The Democratic Services, read out items 35A – G and as it was noted that Major application and any minor applications on which there were speakers were automatically reserved for discussion. It was noted that applications, 35B, BH2019/01976 – 38 Carden Crescent, Brighton and 35F, BH2019/01591 – 27 Baxter Street, Brighton had been withdrawn.
- 35b The Chair, Councillor Hill, explained that this measure was intended to expedite the business of Committee and to avoid the necessity of those who had an interest in applications on which there were no speakers spending hours waiting for the Committee to get to their application(s). She wished to re-assure the public however, that in any instances where an application was not called for discussion members had read the officer report and any supporting information in advance of the meeting. However, having given the officer recommendations their due consideration they had no questions nor required further clarification on any aspect of the application before moving to their decision.
- 35c It was noted that the following item was not called for discussion and it was therefore deemed that the officer recommendations were agreed including the proposed Conditions and Informatives:
  - Item G: BH2019/01462 - 83 Centurion Road, Brighton – Full Planning

35d **RESOLVED** – That the position be noted.

**A BH2018/03629 - Belgrave Training Centre, Clarendon Place, Portslade - Full Planning**

Demolition of existing building (D1) and erection of one part 4, 5 and 6 storey building and one part 5 and 7 storey building with solar arrays and lift overruns, comprising 104 apartments incorporating, 11 studios, 50no one-bedroom, 39no two-bedroom, and 4no three-bedroom apartments (C3) with vehicle and cycle parking.

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

**Officer Presentation**

(2) The Principal Planning Officer, Eimear Murphy, introduced the application and gave a detailed presentation in respect of the proposed scheme by reference to site plans, floor plans, elevational drawings and photographs showing the site from various perspectives. Reference was also made to the amendments set out in the Late/ Additional Representations List.

(3) It was explained that the main considerations in the determination of this application related to:

- Principle of residential development on the site
- Housing mix, tenure and space standards
- Design and Appearance
- Amenity Space Provision
- Access Movement and Parking
- Sustainability
- Landscaping
- Neighbour Impacts
- Tall Building Statement
- Environmental Impacts
- Viability

(4) Paragraph 11 of the NPPF made it clear that planning application decisions should apply a presumption in favour of sustainable development and set out that where relevant development policies were out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The Council was currently unable to demonstrate a 5-year housing supply as well as a 20% buffer year-on-year and as such the relevant planning policies relating to housing delivery were considered to be out-of-date and the tilted balance of paragraph 11 therefore applied. Consideration had been given to the acceptability of the principle of development with a substantial uplift in the indicated units numbers as set out in Policy DA8, SHJAAP Policy CA3 and emerging Policy H1 of CPP2. In the current climate, this scheme would make a significant contribution to the housing shortfall and the provision of affordable housing for the city. There is also a realistic opportunity for its delivery through the Joint Venture and with funding mechanisms that are in place. As a result, and in applying the tilted balance, it was considered that there

is considerable public benefit to be gained from the proposed 100% affordable housing provision. This position would therefore demonstrably act to outweigh or counterbalance any harm that was identified. The issues identified and addressed were set out in the report. The proposed development would make a significant contribution towards sustainable development in the City and complied with the NPPF and contributed towards meeting the objectives of City Plan Part One Policy CP1 and approval of planning permission was therefore recommended subject to the completion of a s106 planning agreement.

### **Public Speakers**

- (5) Councillor Hamilton spoke in his capacity as a Local Ward Councillor setting out his objections to the proposed scheme. Councillor Hamilton stressed his strong opposition to the scheme which in his view represented massive overdevelopment and would set a precedent for further overdevelopment, was premature as consultation in respect of implementation of a controlled parking zone had yet to commence later in the year, the scheme should be deferred pending the outcome of that. Parking in the vicinity already represented a serious problem and would be further exacerbated by the proposed development and was premature in that in his view the appropriate consultation had not taken place.
- (6) Mr Hobson and Mrs Coulter spoke on behalf of neighbouring objectors stating that whilst the area was in dire need of development and affordable homes for local people the proposed scheme would result in total overdevelopment to the detriment of the local community and future residents themselves. There was a lack of parking and there would be a dramatic increase in traffic which would represent a road safety hazard and would result in cramped accommodation.
- (7) Mr Dixon, spoke on behalf of the applicants in support of their application. He explained that the site provided an opportunity to develop a brown-field site. The scheme represented a joint venture and the scheme put forward that day had been amended significantly during the course of the application process in order to address issues raised. The development had been set back in order to preserve the existing green corridor and in terms of parking a balance had been sought between the need to provide parking and to address sustainable transport and air quality concerns and so a compromise had been sought.
- (8) Councillor Theobald sought clarification regarding how the 10 parking spaces on site had been allocated and how they would be managed.
- (9) Councillor Simson enquired regarding the tenure arrangements and the manner in which the dwellings would be arranged. It was explained that development would remain in the ownership of the Brighton and Hove Partnership and that the parking on site would be subject to a management scheme. Accommodation would be made available to those who had a local connection and were on the living wage. Rent would not exceed 37.5% of income for a household earning a living wage.

### **Questions to Officers**

- (10) Councillor Littman sought clarification of the rationale for the density proposed and any impact that it would have in the context of the Joint Shoreham Action Plan, also the arrangements which would be put into place to ensure that the trees on site would be properly protected and maintained. It was confirmed that although acknowledged as being of high density, the development was considered to be appropriate to the neighbouring urban grain. The County Ecologist had been consulted and had given advice with regard to the proposed planting scheme.
- (11) Councillor Yates referred to the comments that had been made in respect of parking and in respect of the controlled parking zone consultation. As discussions on this had yet to take place he wondered whether/how this could be carried forward and whether it would be possible to future proof the scheme. The Legal Adviser to the Committee stated that a condition could not be included in any permission granted at this stage which took account of this as it was not possible to mitigate with something which might not take place.
- (12) Councillor Simson sought asked regarding location of the 10 on-site parking spaces and whether it was proposed to provide electrical charging points, also, the layout of the scheme to seek to avoid noise nuisance and potential overlooking and location of the bin storage area and arrangements for collection of refuse from the site.
- (13) Councillor Theobald enquired regarding servicing/ delivery arrangements and measures undertaken to minimise loss of daylight to properties situated in Clarendon Place. Notwithstanding that the building had been set back and cantilevered on that frontage, which would be of five storeys in height.
- (14) Councillor Hill, the Chair, sought further clarification of measures to ensure adequate air quality control, as clearly this was a sensitive and important issue in this part of the city. Clearly it was an issue of balance and parking/vehicular movements needed to be factored into that.

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

- (15) Councillor Simson stated that she had some concerns in respect of parking and in respect of vehicular movements, the potential impact on existing neighbours and in terms of the public/play space available for future occupiers a number of whom would have children.
- (16) Councillor Theobald stated that whilst recognising the need for housing, she considered the provision of 10 parking spaces to be inadequate and the density of the proposed development to be too great and was also concerned about the impact on daylight to neighbouring development.
- (17) Councillor Littman considered that having balanced the concerns expressed against the benefits which would arise from the scheme he considered it acceptable. Unless larger schemes were permitted on appropriate sites the city would never be able to meet its housing needs.

- (18) Councillor Williams considered the scheme to be acceptable overall but considered that the option of providing more benches should be explored and thought also needed to be given to the treatment used for the children's play areas.
- (19) Councillor Miller considered that it was important to maximise use of brown field sites that became available and that in this instance the scheme was acceptable.
- (20) A vote was taken and on a vote of 8 to 2 minded to grant planning permission was granted.

35.1 **RESOLVED** –That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves that it is **MINDED TO GRANT** planning permission subject to a s106 Agreement and the following Conditions and Informatives also set out in the report, **SAVE THAT** should the s106 Planning Obligation not be completed on or before **8<sup>th</sup> January 2020** the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in Section 11 of the report.

**B BH2019/01976- 38 Carden Crescent, Brighton - Householder Planning Consent**  
Erection of a first floor rear extension.

35.2 It was noted that this application had been deferred at the applicant's request to allow the submission of amendments.

**C BH2019/01183 - 44 The Cliff, Rottingdean, Brighton - Full Planning**  
Hard landscaping for the creation of a sunken garden. The proposals also incorporate: the extension of an existing decked area and retaining walls; and associated works. (Part Retrospective).

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

### **Officer Presentation**

- (2) The Principal Planning Officer, Liz Arnold introduced the application and gave a detailed presentation by reference to site plans, photographs and elevational drawings detailing the proposals. It was important that notwithstanding enforcement investigations in respect of other units and their use on-site, that the application before committee that day, which was part retrospective, was for engineering operations including the excavation of the rear garden to enable the creation of a sunken garden, as well as enlargement of the existing terrace area. The excavation had already been carried out, whilst the terrace was yet to be completed. The main considerations in determining the application related to the design and appearance of the proposed works, the impact of the proposal on neighbouring amenity and the archaeological implications of the proposed excavation.
- (3) The area that had been excavated was located at the southern half of the elongated rear garden, separated from the main house by a considerable distance. A roughly rectangular area of approx. 400sqm had been excavated to a depth of approx. 1.9m to create a sunken garden. Due to the high boundary treatments, the excavated area was

not visible from neighbouring properties, the pitch-and-putt course or the A259 and as such it was not considered that harmful visual impact would arise. Works proposed to the extended terrace area had been amended since initial submission of the application, with the proposed terrace reduced in area and altered in layout to better reflect the pre-existing layout. As amended, the proposal involved the southwards extension of the upper-tier terrace adjacent to the existing outbuilding by 3m for a width of 6.5m. The extended terrace was in brickwork with a glass balustrade and was considered not to have a harmful visual impact on the appearance of the site or the wider area.

- (4) A number of issues had been raised regarding these works and the manner in which the works had been carried out and whilst they were of considerable importance they fell outside the remit of the planning regime and as such had not been considered in assessment of this application. Additionally, two new outbuildings had been constructed adjacent to the existing shaped outbuildings. These buildings did not form part of this application and had not therefore been assessed. The outbuildings were currently under investigation as part of the open Planning Enforcement case. The main considerations in determining this application related to the design and appearance of the proposed works, the impact of the proposal on neighbouring amenity and the archaeological implications of the proposed excavation. For the reasons set out in the report the application before the committee was recommended for approval.

### **Public Speakers**

- (5) Mr Jones spoke in his capacity as Chair of Roedean Residents Association on behalf of neighbouring objectors. Mr Jones stated that this application represented the latest in a series of flagrant abuses of the planning process by the applicant who had sought to carry out significant works to the site by stealth for their own profit. This application was not as it appeared and represented a veiled damage control tactic. Existing covenants had not been respected. The council itself had obstructed access to the site via the Council owned side passage through the placement of concrete blocks and the spoil that had been dumped on council land adjacent to the pitch and putt site, earth had been removed and trees had been hacked away. Deliberate and unlawful action had occurred. In view of all these concerns the committee were invited to refuse the application.
- (6) Councillor Fishleigh asked whether the measures referred to and erection of the concrete barrier had been undertaken in response to damage caused and Mr Jones confirmed that it was his understanding that they had.
- (7) Councillor Shanks sought further clarification on this point and it was confirmed that the pitch and putt facility was situated on land leased from the council.
- (8) Councillor Yates stated that it was his understanding that a licence had been required in order to have access across the council's land in order to bring building materials onto the application site. As the conditions of that licence had been breached and damage had been caused, it had been revoked and measures to prevent access undertaken.



- (9) Ms Sheath spoke on behalf of the applicants in support of their application. The application before committee for determination related simply to the provision of the sunken garden and its retaining walls as set out. The enforcement investigations and other matters cited fell outside the area of the site which was covered by this application and should not form part of its consideration. The site was enclosed and the sunken garden did not overlook neighbouring properties and would not be visible from outside of the site.

### Questions of Officers

- (10) Councillor Fishleigh asked further questions relating to the issues raised by the Chair of Roedean Residents Association on behalf of local objectors referring to removal of access rights and She also referred to the fact that this was a retrospective application and to current investigations.
- (11) The Legal Adviser to the Committee explained that it was not unlawful for an application to be submitted retrospectively and that the current investigations by the enforcement team fell outside the remit of the application before committee.
- (12) Councillor Miller referred to the fact that a large quantity of chalk appeared to have been removed from the site in connection with the sunken garden asking regarding arrangements out into place for its removal and seeking assurances that this had been undertaken appropriately and lawfully with the benefit and of the necessary licences. Officers confirmed that they did not have that information and that a condition could not be applied in respect of materials already removed from the site. Councillor Miller also asked whether the terracing which would result in consequence if the proposed treatment would be more visible in views to/from the sea and in the context of the adjacent national park and was advised that it was not considered that they would.
- (13) Councillor Yates asked why the applicant had chosen to build the retaining walls with painted pre-cast concrete panels and was advised that was the applicant's design preference.
- (14) Councillor Simson referred to the smashed glazing panels observed on site, also clearly visible on google earth. It had been asserted that their removal and destruction had exposed the neighbouring property to increased exposure to high winds, having removed the natural barrier which had previously existed, asking whether/what consideration could be given to that detrimental impact.
- (15) The Planning Manager, Paul Vidler stated that a lot of the points raised by the speaker and by members in response to them did not relate to the development application before them and the committee needed to determine that on its planning merits.
- (16) Councillor Yates noted all that had been said in respect of members determining the application before them but was concerned and frustrated by the inability to consider future prospects for developing the garden and the impact it could have.
- (17) Councillor Littman referred to the glass panels. He wished to know whether they formed part of this application and was concerned that they represented a safety hazard asking whether they could be considered to be contrary to policy CP12. The

Planning Manager, Paul Vidler confirmed that considerations would relate to the appearance rather than the structure itself. Arrangements needed to be in place to ensure that the structure was safe or disposed of safely but was covered by other legislation. Councillor Littman sought clarification as to whether a dangerous structure could of itself be considered to have an impact on amenity.

### Debate and Decision Making Process

- (18) Councillor Yates stated that he had concerns that the proposed scheme could have a negative impact and if the scheme was approved, he considered that stringent landscaping conditions should be applied. He considered the application to be the most perverse that he had had to consider. Councillor Shanks concurred in that view.
- (19) Councillor Miller stated that he considered the application to be laughable in that it showed a total disregard for the planning process and the local planning authority. He did not understand why the owners would want to eradicate a sea view that they had paid a premium for and was of the view that it would have a detrimental impact on the setting of the national park and street scene. He was unhappy that details were not available regarding removal of excavated materials from site.
- (20) Councillor Theobald had concerns about protection of neighbouring archaeology. It was confirmed however that the County Archaeologist had made an independent assessment and had raised no objection.
- (21) Councillor Williams stated that she shared other members concerns and did not feel able to support the application. A recommendation was proposed that should the application be granted landscaping had to be approved by condition. This was voted on and defeated.
- (22) A vote was taken on the officer recommendation to grant the application and this was lost on a vote of 6 to 3 with 1 abstention. Councillor Miller then proposed that the application be refused on the grounds of detrimental impact on landscape and the national park and street scene by virtue of its design, and detrimental impact on occupiers which would be contrary to policies QD27 and CP12 of the Brighton and Hove City Plan. The proposal was seconded by Councillor Simson and it was agreed that the final form of wording of the proposed reasons for refusal be agreed by the Planning Manager in consultation with Councillors Miller and Simson.
- (23) A recorded vote was then taken and Councillors Williams, Theobald, Fishleigh, Miller, Shanks and Simson voted that the application be refused. Councillors Hill, the Chair; Mac Cafferty and Yates voted that planning permission be granted and Councillor Littman abstained. Therefore planning permission was refused on a vote of 6 to 3 with 1 abstention.
- 35.3 **RESOLVED** – That the Committee has taken into consideration but resolves to **REFUSE** planning permission on the grounds proposed by Councillor Miller. The final wording to be used in the decision letter to be agreed by the Planning Manager in consultation with the proposer and seconder.

### D BH2019/01577- 20 Rowan Close, Portslade - Full Planning

Demolition of existing dwelling and erection of 5no dwellings

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

### **Officer Presentation**

- (2) The Principal Planning Officer Liz Arnold, introduced the application and gave a presentation detailing the scheme by reference to plans, site plans, photographs elevational drawings and aerial views showing the site and its boundaries. It was explained that the main considerations in determining this application related to the principle of the development, the character and appearance of the development, impact on neighbouring amenity, the standard of accommodation proposed and highways and sustainability issues. The proposed development would result in 4 semi-detached three-bedroom houses and 1 detached four bedroom house. A condition removing permitted development rights was recommended as was any on-site parking as it was considered that intensified use of the vehicle access would cause unacceptable levels of harm due to the number of vehicular movements and associated noise disturbance in close proximity to residential gardens. It was deemed most appropriate for the site to be pedestrian access only. With that proviso approval was recommended.

### **Public Speakers**

- (3) Councillor Atkinson spoke in his capacity as a Local Ward Councillor setting out his objections to the application. He stated that the amended scheme which sought to provide no on-site parking would result in a cramped form of development exacerbating the parking in the immediate vicinity, there would also be issues relating to access which would be detrimental to neighbouring dwellings. Councillor Atkinson considered that these issues could be addressed in part by provision of traffic lights and that consideration should be given to this.
- (4) Mr Deller, the applicant spoke in support of his application. He explained that a number of pre-application meetings had taken place with officers and parking had been removed from the scheme as a result of those discussions. Access to the site was narrow and it was considered that it would therefore be more appropriate for that to be retained as pedestrian use only. It was also important to note that the site was well served by public transport, with bus stops located very close by.

### **Questions of Officers**

- (5) Councillor Theobald referred to the trees on site and sought confirmation whether any of them were to be retained. Although not subject to a TPO one was a fine specimen and she hoped it could be retained. It was confirmed that whilst a number trees would need to be removed a number would be retained (these were shown) and details of the landscaping treatment proposed had also been submitted. Councillor Theobald also enquired regarding arrangements for refuse collection from the site and it was confirmed that bins would need to be brought to the bottom of the access way for collection. Councillor Theobald considered that this would be onerous but was informed that was the case in respect of a number of developments across the city.

- (6) Councillor Miller enquired whether a mechanical bollard would be provided which would prevent vehicles from using the access way and it was confirmed that there would.
- (7) Councillor Yates referred to proposed Condition 9 querying whether the provision of the proposed bollards was necessary. It was confirmed that the access way was too narrow to permit two way access and a turning head but could be moved to provide access for emergency vehicles. In answer to questions of the Chair, it was explained that if members were minded to do so, that element of Condition 9 could be removed.

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

- (8) Councillor Theobald stated that she did not support the proposed form of development as she regarded the access arrangements as inadequate, considering that fewer dwellings should have been sought and parking provided on site; greater measures should also have been taken in order to protect the existing trees.
- (9) Councillor Littman considered that that the proposed scheme and access arrangements were acceptable in view of the size and configuration of the site.
- (10) Councillor Miller stated that whilst he considered the scheme to be acceptable overall, it would have been preferable if some on-site parking had been provided.
- (11) Councillor Yates considered the scheme to be acceptable but was not convinced of the need for bollards to be provided.
- (12) A vote was taken and the 9 Members present when the vote was taken voted by 8 to 1- planning permission be granted.

35.4 **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.

**Note:** Councillor Simson was not present at the meeting during consideration of the above application.

**E BH2018/02054- Ditchling Court, 136 Ditchling Road, Brighton - Full Planning**  
Erection of two storey extension and the creation of 7no flats, revised fenestration and other associated works.

### **Officer Presentation**

- (1) The Principal Planning Officer, Liz Arnold, introduced the application and gave a detailed presentation by reference to photographs, photomontages indicating the resurfacing treatments proposed, site plans, floor plans and elevational drawings detailing the proposed scheme. The application proposed refurbishment works to seek to replace the existing brickwork and render which would result in a simpler and more cohesive appearance to the building. In addition the existing panel work to the building

would be re-clad to provide a more durable material and modern appearance. Where appropriate windows would be replaced across the building.

- (2) It was explained that the main considerations in determining the application related to the visual impact of the proposed extension, the standard of accommodation proposed, the impact upon neighbouring amenity and highway impacts. It was noted that amendments had been received during the lifetime of the application project to alter the proposed floor plans and these were considered acceptable. Overall it was considered that the proposed development would result in a suitable addition to the site and was in accordance with Policy CP12 of the Brighton and Hove City Plan Part One. Approval was therefore recommended.

### **Questions of Officers**

- (3) Councillor Theobald asked whether the existing green render was to be retained and it was confirmed that this would be replaced by white render.
- (4) Councillor Miller noted that the building would be re-rendered with white requesting that samples of the finish be agreed at a Chair's meeting. It was agreed that this was covered by proposed Condition 4.
- (5) Councillor Yates enquired regarding the figure for off-site affordable housing provision required in lieu of on-site provision and it was confirmed that this had been arrived at using an agreed formula.
- (6) The Chair, Councillor Hill, referred to objections which had been received relating to overshadowing enquiring regarding measures undertaken to address those concerns. It was explained that sunlighting and daylighting assessments had been taken and the terraces nearest to the neighbouring properties had been removed. Those amendments were considered acceptable. Councillor Hill also asked about overlooking and it was explained that the terraces on the northern elevation had been removed, that there were none to the east and no buildings nearby on the south.
- (7) Councillor Miller was concerned that if the proposed works were completed only in part that they would result in an unacceptable appearance. The Planning Manager, Paul Vidler explained that could not be conditioned. Councillor Yates asked whether it would be possible to condition that details of the final scheme be submitted and completed prior to occupation of the new units and it was confirmed that could be conditioned.

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

- (8) Councillor Miller stated that in this instance he considered that the proposed scheme and treatment would result in significant improvement to the existing building and therefore supported the officer recommendation.
- (9) Councillor Theobald concurred stating that generally she did not support the construction of additional storeys on top of existing buildings, however in this instance she considered that it was acceptable.

(10) A vote was taken and the 9 Members present when the vote was taken voted unanimously that planning permission be granted. Members also agreed that a condition be added that all rendering of the entire building should be completed before any of the new units were occupied.

35.7 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves that it is **MINDED TO GRANT** planning permission subject to a s106 agreement on the Heads of Terms set out and to the Conditions and Informatives also set out in the report **SAVE THAT** should the s106 Planning Obligation not be completed on or before 8 January 2020 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 11 of the report.

**Note:** Councillor Simson was not present at the meeting during consideration of the above application.

**F BH2019/01591- 27 Baxter Street, Brighton - Full Planning**

Change of use from 3 bedroom dwelling house (C3) to a 3 bedroom small house in Multiple Occupation (C4).

35.5 It was noted that this application had been deferred to allow for re-consultation following amendments received to the description of the development.

**G BH2019/01462 - 83 Centurion Road, Brighton - Full Planning**

Change of use from 5 bedroom dwelling house (C3) to 4 bedroom small House in Multiple Occupation (C4)

(1) This application was not called for discussion, the officer recommendation to GRANT was therefore taken as having been agreed unanimously.

35.7 **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** planning permission subject to the Conditions and Informatives also set out in the report.

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

36.1 There were none.

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

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

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

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

The meeting concluded at 5.50pm

Signed

Chair

Dated this

day of

