

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

12.30pm 5 OCTOBER 2022

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Littman (Chair), Ebel (Deputy Chair), Barnett, Hills, Moonan (Group Spokesperson), Shanks and C Theobald

Apologies: Councillors Yates and Appich

Co-opted Members: None were in attendance

Officers in attendance: Nicola Hurley (Planning Manager), Katie Kam (Senior Lawyer), Mike Anson (Principal Planning Officer), Russell Brown (Principal Planning Officer), Paul Davey (Arboriculturist), Joanne Doyle (Senior Planning Officer), Kirsten Firth (Sustainability Officer), Sonia Gillam (Senior Planning Officer), Tim Jefferies (Heritage Team Leader), Wayne Nee (Principal Planning Officer), Robert Davidson, Principal Planning Officer, Jack Summers (Planning Officer) and Shaun Hughes (Democratic Services Officer)

PART ONE

41 PROCEDURAL BUSINESS

a) Declarations of substitutes

41.1 There were none for this meeting.

b) Declarations of interests

41.2 Councillor Ebel stated they had objected to item A in a previous application, however, they remained of an open mind. Councillor Ebel stated they would be speaking against item F and would withdraw from the meeting and not take part in the discussion or decision making process. All Councillors has been lobbied regarding item L – 9 Dyke Road Avenue.

c) Exclusion of the press and public

41.3 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.

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

42 MINUTES OF THE PREVIOUS MEETING

- 42.1 **RESOLVED:** That the minutes of the meeting held on 10 August 2022 were agreed as a correct record of the meeting. (The 07 September 2022 meeting was abandoned due to technical issues, there are therefore no minutes of that meeting).

43 CHAIR'S COMMUNICATIONS

- 43.1 The Chair: When the last meeting of this Committee had to be abandoned, I hadn't quite got as far as my Chair's Comms. So, this time I'm going to have to cover a lot of ground.

Firstly, I'm happy to report that the Planning Department has a newly appointed officer who is tasked with discovering why certain development sites in the city seem to be blocked and work out ways of unblocking them. The work appears to be going very well and I hope that applications for some of these sites will be coming our way in the not-too-distant future.

We also received the Quarter 1 planning performance update. Among the most significant headlines are the fact that the average time taken to determine applications is continuing to reduce as are the number of appeals against decisions and the percentage of those appeals which are granted. Many thanks to all the planning officers whose hard work has helped lead to these significant service improvements.

Perhaps most significantly, we are getting close to the final signoff of City Plan Part II. I was at TECC Committee on 15th September where we passed the recommendation to Full Council by eight votes for to a single abstention. CPP2 is not perfect. However, it will give those of us on this Committee and the Planning Department in general, a great deal more ability to control what development does and does not occur in our city. It will allow us to give full weight to our local policies, allowing greater protection for our local shopping areas, and our heritage assets, and ensure that developments help us counter the existential threats represented by the ongoing climate and biodiversity crises. In exchange for this increase in our local powers, we have had to provide the Government appointed inspectors with plans for 7% of our urban fringe sites for development. This is far from ideal, but what it means in effect is that 93% of our urban fringe is protected in the long term, whereas if we did not adopt the plan, there would be no protection for 100% of our urban fringe. I am very much looking forward to Full Council on the 20th of this month, where we

will, I hope, finally back this massive step in the direction of successful sustainable planning for our city.

44 PUBLIC QUESTIONS

44.1 There were none for this meeting.

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

45.1 **RESOLVED:** There were none for this meeting.

46 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2021/02014 - Palmer and Harvey House, 106-112 Davigdor Road, Hove - Full Planning

1. The Planning Manager introduced the application to the committee. The Principal Planning officer also updated the committee.

Answers to Committee Member Questions

2. Councillor Moonan was informed by the Planning policy officer that there was not a masterplan for the entire site which includes a number of different owners. It was noted that Policy criteria covers the whole site and has been used across all the developments. The case officer stated that other areas of the site are still being developed and each is considered on its own merits under policies. It was confirmed that the site under consideration at this meeting was a car park with prior approval as the car park was not in use.
3. Councillor Theobald was informed by the case officer that the disabled car parking spaces were to be retained on the north side of the larger site. The scheme has been amended following concerns raised regarding the outlook from the proposed units, which was carefully considered. The Highway Agreements Officer stated the guiding principles for parking were in the parking policy.
4. Councillor Shanks was informed by the Planning manager that the whole site could not be considered at one time with regards to affordable housing and there was no affordable housing in the prior approval. The Housing Enabling Officer noted there was a large amount of affordable housing across the larger site, with some 150 shared ownership properties.
5. Councillor Shanks was informed that if the application was successful the applicant could choose either the one approved here or the one under appeal.

Debate

6. Councillor Theobald considered that 8 storeys was too high as this would have a detrimental effect on the area. Some more car parking would be preferred, and it was considered there was a lack of three bed units in the development and not enough

affordable housing. The councillor preferred a previous scheme, considered 6 storeys to be better and did not support the application.

7. Councillor Moonan considered the officers responses regarding the consideration of the larger site in the context of this application to be disappointing and felt challenged as to which way to vote.
8. Councillor Littman considered the bio diversity net gain and the parking were good reasons to support the application.

Vote

9. A vote was taken, and by 3 to 2, with 1 abstention the committee agreed to grant planning permission. (Councillor Hills was not present to take part in the discussion or the decision making process).

10. **RESOVLED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement and the Conditions and Informatives as set out in the report, **SAVE THAT** should the s106 Planning Obligation not be completed on or before the 30 November 2022 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in Section 14 of the report.

B BH2022/00552 - 113 - 119 Davigdor Road, Hove - Removal or Variation of Condition

1. The Planning Manager introduced the application to the committee.

Answers to Committee Member Questions

2. Councillor Ebel was informed by the Sustainability Officer that the condition 18 of the 2018 planning permission stated the BREEAM rating, which will reviewed at the end of the build. It was noted that the excellent category was difficult to achieve.
3. Councillor Shanks was informed by the case officer that the application would not change anything, only the rating would change.
4. Councillor Moonan was informed by the Planning Manager that the applicant had the right to appeal if the committee did not agree the application.
5. Councillor Littman was informed by the Planning Manager that the condition was an error. The Sustainability Officer noted that the developer had a list of credits to achieve in order to reach the rating and the council would not accept less than a Very Good rating.

Debate

6. Councillor Moonan stated they were concerned at lowering standards, and they always wanted 'excellent' and a strong signal should be sent to state this is an exception.

7. Councillor Ebel considered the application would be won should it go to appeal as the condition was a mistake. The councillor supported the application.
8. Councillor Littman agreed that the council must stick to policy.

Vote

9. A vote was taken, and the committee agreed unanimously to grant permission.
10. **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 in the report.

C BH2022/00456 - Former Dairy, 35-39 The Droveaway, Hove - Removal or Variation of Condition

1. This application was withdrawn from the agenda before the meeting.

D BH2021/04508 - Saltdean United Football Club and Playing Fields, Saltdean Vale, Saltdean - Full Planning

1. The Planning Manager introduced the application to the committee. The case officer informed the committee of updates including the removal of condition 25, the amendment to condition 27 and the additional representation received.

Answers to Committee Member Questions

2. Councillor Shanks was informed by the case officer that the floodlighting was already in place and had been since 1980s. An ecology assessment has been carried out and noted that a grass pitch was of low ecological value and the wildlife site impact assessment was acceptable. It was noted that the plastic pitch would allow more uses and thereby alleviate over use of other grass pitches.
3. Councillor Ebel was informed by the case officer that artificial pitches allow more intensive usage relieving other grass pitches. It was noted that the club had volunteer workers and the plastic pitch would require less maintenance. It was also considered unlikely that particles from the pitch would spread to surrounding area.
4. Councillor Theobald was informed by the case officer that the club may need a new alcohol licence, the closest residents were 150 metres away, the floodlights were already in place and any sprinklers would need to comply with fire regulations.
5. Councillor Moonan was informed by the case officer that the opening hours condition was to be amended to allow the use of the club house balcony to continue till the end of a match should that exceed 9.30pm, the usual time for the balcony to be closed. Six beech trees are to be removed and two saved, and the hedge row north of the club is to be retained. 26 new trees are to be planted in the north west of the site.

Debate

6. Councillor Theobald considered the facility to be excellent and a great improvement with disabled access. The councillor supported the application.
7. Councillor Ebel considered good quality sports facilities were much needed and supported the application.

Vote

8. A vote was taken, and the committee agreed unanimously to grant planning permission.
9. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives as set out in the report.
1. hereunder.

E **BH2022/01281 - 22 The Cliff Brighton - Full Planning**

1. The Planning Manager introduced the application to the committee. The case officer updated the committee stating that condition 17 had been removed.

Speakers

2. Luke Carter addressed the committee as an objector's representative and stated that the development was considered to be over development, out of character and to have overlooking issues. Over development: the four storey would be next to two storey homes, the taller buildings in the road are not nearby. Overlooking: the development will be next to adjacent gardens, with second floors overlooking. It is considered that the planting between the two proposed dwellings is better than that to the existing neighbours, the development will be seen from far reaching views of the site and there will be a loss of light to the side windows at 24a. It is considered that the boundary is not correct on the application. The committee were requested to refuse the application.
3. Luke Torres, the agent acting on behalf of the applicant addressed the committee and stated that the existing dwelling was poor and awkward. The proposal is for two 5 bed dwellings with the top storey set back reflecting the change of levels to the rear. The set back is considered to lessen the impact on the street scene. The scheme has been amended following consultation with the case officer with developments stepping away from side boundaries to mitigate the impact on the neighbouring properties and privacy screens on rear terraces. The Cliff has various styles, and the Art Deco style is considered to be in keeping. Parking and Ecology standards have been met, as well as the planting to environmental bio-diversity standards. Heat pump sources are to be included in the development. The committee were requested to support the application and grant planning permission.

Answers to Committee Member Questions

4. Councillor Theobald was informed by the agent that each plot would be 6 meters wide, which the councillor considered narrow.

5. Councillor Moonan was informed by the case officer that the first floor side windows would have obscured glazing, with the second floor terraces having obscured privacy screens. The officer confirmed there was a condition covering the boundary treatments and the rear patio would be the same as the existing.
6. Councillor Hills was informed by the case officer that all the existing boundaries were correct on the application and there was a boundary condition which would allow the boundaries to be looked at a later stage.

Debate

7. Councillor Theobald stated they did not like the design as it appeared out of character, the development was overbearing and out of keeping with the area, dwarfing other houses. The councillor considered the development to be a 'blot on the landscape'.
8. Councillor Ebel liked the Art Deco design and supported the application.
9. Councillor Moonan liked the design and considered that two homes were better than one and they were proportionate to the street, with long gardens. The councillor supported the application.

Vote

10. A vote was taken, and by 5 to 2 the committee agreed to grant planning permission.
11. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

F BH2022/01629 - 64, 66, 68 & 68A Old Shoreham Road, Hove - Full Planning

1. The Planning Manager introduced the application to the committee.

Speakers

2. Councillor Ebel addressed the committee and stated that this was the third application for 68 Old Shoreham Road within a relatively short period of time and ward councillors are objecting. The first was rejected in 2021 and then appealed and subsequently withdrawn. The second was withdrawn. The owners of 64, 66 and 68a objected to the previous applications but now include themselves as part of this application. In the first application the owner of 66 commented that the extra storeys would impact on the local amenity, privacy and be highly controversial and hugely damaging to the area. However, this application has magnified the impact by four. The proposal is similar to previous applications which were refused. The remodelling will result in complete alteration in appearance, changing their character to box shaped dull structures. If the committee is minded to grant planning permission can an additional condition be included to state that the remodelled buildings shall not be occupied by any new occupants until the works on all four buildings have been completed.

3. Phillipa Payne addressed the committee as an objector stating that 5 local councillors and the Hove MP have strongly opposed the application, along with 18 objectors. The plans for 66 clearly show second floor rear balconies to each of the properties, which will allow residents to look directly into family homes and the care home at 108 The Drive. The raised roof heights, plus additional windows will result in four overbearing structures, dominating the street scene and lead to overlooking and an invasion of privacy. The proposals are not sympathetic to the surroundings. Site visits have not been made to neighbouring properties by the case officer. If approved the properties have a strong possibility of not being executed in full, with the HMO developer at 68 reverting back to original four storey modification. Duncan Hedges also shared the time as an objector and stated that they were speaking on behalf of neighbours. The loss of amenity to the neighbours will be lost forever if the proposal is granted. The proposal is incongruous, overbearing and not suitable for the location, and does not fit into the streetscene or local plan. The proposals add another storey to the existing buildings that will affect all the neighbouring homes. The proposals adds a second floor balconies that overlook bedrooms, homes and gardens, taking away privacy. Overlooking the care home was missed in the report. None of the neighbours spoken to have liked or approve the application. The neighbours rely upon and trust their elected representatives to safeguard their views.
4. Colm McKee addressed the committee as agent acting on behalf of the applicant and showed a scheme that could be constructed under permitted development the planning permission would not be required, however the proposals are better. There is only a 42cm increase in the ridge heights. The scheme has evolved and is policy compliant. The committee were requested to keep this in mind when considering any overlooking. There is no intensification of impact on amenities. The scheme is a good design in line with others in the street. The front build line has been increased by 65cms. Overshadowing will be the same as existing and numerous properties in the street have accommodation in the roof space.

Answers to Committee Member Questions

5. Councillor Hills was informed that the supporting letters were not from the immediate vicinity.

Debate

6. Councillor Theobald considered that the three red brick houses need remodelling, however, they were not keen on the design. The councillor considered the proposals to be too close to the boundaries and out of keeping with the area. The councillor requested that the applicant come back to committee with a better design.
7. Councillor Moonan considered that all four buildings were coherent and however, they wanted assurance that the proposals would be built out. The councillor supported the application.
8. Councillor Shanks considered the proposals reasonable and supported the application.
9. Councillor Littman was informed that the condition requested by ward councillor Ebel was unreasonable.

Vote

10. A vote was taken, and by 3 to 2, with 2 abstentions, and the Chair having a casting vote, the committee agreed to grant planning permission. (Councillor Ebel took no part in the discussions or vote).
11. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

G BH2022/01630 - 55 Auckland Drive, Brighton - Full Planning

1. This application was not called for discussion and the officer recommendation was therefore taken as having been agreed unanimously.
2. **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 set out in the report.

H BH2021/03357 - Cinch Self-Storage, South Road, Brighton - Full Planning

1. The Planning Manager introduced the application to the committee.

Speakers

2. Ward Councillor Nield addressed the committee and stated that application was in a conservation area defined by small low properties with some barns, farm buildings and cottages. The extensions proposed would increase the impact on these buildings. The extra storey will dominate the small buildings and the area. There will be a small loss of light to the neighbouring cottages, it is considered that any loss is not good. The proposals will increase the height and thereby increase business where access to the car park is already too small. The development is ignoring the dignity of the small cottages. There is a responsibility to protect these properties from this over development.
3. Don Dingle addressed the committee as the agent acting on behalf of the applicant and stated that the existing building was considered unattractive, and the application would improve the appearance. The proposals would be 2 feet taller than the neighbour to the rear and 72 feet from the nearest residential property. It was noted that the daylight survey found the proposals to be policy compliant. Around 120 business support the business, which is 24 hours, 7 days a week. The proposals reduce the opening hours to 8am to 8pm and reduced at the weekends. The mature planting will be retained, and the development will improve the area. The committee were requested to support the application.

Answers to Committee Member Questions

4. Councillor Moonan was informed by the Principal Planning officer that the materials facing the listed building had been changed to brick. The case officer stated that under

policy the materials did not need to match the surrounding buildings and the heritage officer has raised no objections.

Debate

5. Councillor Shanks considered the existing cottages to be an important asset to the area and the site receives a lot of traffic already. The councillor was against the application.
6. Councillor Theobald considered the levelling up to the bowling green ground level makes the development very high. Three storeys are too much, however, the materials are better than the existing. The councillor was against the application.
7. Councillor Hills supported the application as there were no strong reasons for refusal.

Vote

8. A vote was taken, and by 4 to 3, the committee agreed to grant planning permission.
9. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to GRANT planning permission subject to the Conditions and Informatives as set out in the report.

I **BH2022/00287 - Land Adjacent Hillside, Ovingdean Road, Brighton - Reserved Matters**

1. The Planning Manager introduced the application to the committee.

Speakers

2. Ward Councillor Fishleigh addressed the committee and stated that they considered that trees with Tree Preservation Orders (TPO) would be removed as a result of this application, and some have already been damaged. The proposed roofline would be visible from the nearby National Park. The councillor requested that the trees were saved, and the committee reject the application. It was noted that the TPOs were old, however, mature trees are valuable, and some 40 trees were to go. A plan for protecting the trees is needed. The committee were requested to condition a tree management and planting schedule and to refuse the current application.
3. Martin Blake addressed the committee as an objector and stated they were a neighbour to the site, and they wanted the concerns of some 40 residents to be addressed. The loss of trees and the position of the proposal are not right. The South Downs National Park has not been consulted and the roof will be visible from the park is built. The single storey neighbour's garden will be dominated by the new high roof. The proposed new driveway will be on a dangerous corner, which is difficult for traffic. The driveway would be better located at the top of the hill. It was considered that there had not been enough time to consider the drawings submitted in August 2022.
4. Umut Gedik Kilic addressed the committee as the agent acting on the behalf of the applicant and stated that the outline application had been approved and it was agreed that the old trees with low life expectancy could be removed. The Arboricultural survey

suggests new trees. The neighbour advised that tree works required a licence when tree works started and work was stopped. The application is far from the neighbour's house. The landscaping was agreed in the outline application. It was noted that some 100 metres below the site there is a development of 45 houses. The committee were requested to be fair and grant planning permission.

5. The Planning Manager noted that 7 trees had been felled unlawfully.

Answers to Committee Member Questions

6. Councillor Shanks was informed by the Planning Manager that this application was for reserved matters: layout, scale and appearance. Outline permission has already been granted.
7. Councillor Moonan was informed by the case officer that the South Downs National Park was not a statutory consultee. The total number of trees to be removed was not known at this stage, the figures would need to be provided later under the landscaping condition. It was noted that it is not possible to cut down trees with TPOs without consent. The proposed landscaping will need to be agreed. The Arboricultural officer noted that 8 sycamore trees were to go and possibly some others. The TPO covers a large area and no ash or elm have been found on the site.
8. Councillor Ebel was informed by the Planning Manager that the landscaping details could be refused, when they are submitted.
9. Councillor Theobald was informed by the Planning Manager that the application could be deferred to get more details and understand which trees have been removed and which are to be retained.
10. Councillor Shanks was informed by the Planning Manager that the applicant can decide the scheme to be submitted and not all information needs to be submitted as they have submitted an outline application. It was noted the application could be deferred to gain more tree information.
11. Councillor Hills was informed by the Planning Manager that it was not possible to say at this stage what would be considered satisfactory reasons to remove the trees.
12. Councillor Littman was informed by the Arboricultural officer that some trees with TPOs have been damaged. It was noted by the case officer that trees needed to be removed to build the proposal.
13. A motion to defer the application was presented by Councillor Theobald and seconded by Councillor Littman to gain more tree information.

Vote

14. A vote was taken, and by 6 to 1, the committee agreed to defer the application to gain more tree information.

J BH2022/01765 - The Pines, Furze Hill, Hove - Removal or Variation of Condition

3. This application was not called for discussion and the officer recommendation was therefore taken as having been agreed unanimously.
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 set out in the report.

K BH2022/01136 - Land to Rear of 40 Holmes Avenue, Hove - Full Planning

1. The Planning Manager introduced the application to the committee.

Answers to Committee Member Questions

2. Councillor Theobald was informed by the case officer that three trees would be impacted by the works, two holly and one Swedish white beam tree. It was noted there have been two recent refusals for two houses, which were considered too cramped on the small site which would impact on the amenities of future owners. This application has reduced the height and mass of the development to reduce the impact on the neighbours.
3. Councillor Littman was informed that the design officer has left the council but had confirmed verbally that all the previous issues have been addressed.

Debate

4. Councillor Theobald stated they visited the site and considered there was enough room for one house.

Vote

5. A vote was taken, and the committee agreed unanimously to grant planning permission.
6. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

L BH2022/01786 - 9 Dyke Road Avenue, Hove - Householder Planning Consent

1. The Planning Manager introduced the application to the committee.

Answers to Committee Member Questions

2. Councillor Theobald was informed by the case officer that the rear of the proposals extended by 4.3 metres for the two storey element and by 7.3 metres for the single storey. The councillor stated that neighbours wanted to address the committee but had not registered in time. The councillor requested that the application be deferred to allow the neighbours to speak to the committee.

3. The Planning Manager stated that neighbours had been sent the consultation letter from the planning department which states that if neighbours wish to speak, they need to advise of this in their representation. The agenda has been online from Tuesday, a week prior to the meeting, where residents can see which applications are to be discussed.
4. A vote was taken to defer the application, and by 6 to 1 the committee voted against the motion to defer.

Debate

5. Councillor Theobald stated they had visited the site and noted that the papers did not show the measurements for the rear extension. It was considered that there would be a loss of privacy and overshadowing for neighbours. The councillor felt sorry for the neighbours and was unable to support the application.

Vote

6. A vote was taken, and by 5 to 2, the committee agreed to grant planning permission.
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 in the report.

M BH2022/01927 - 3 Sunnydale Avenue, Brighton - Full Planning

2. This application was withdrawn from the agenda before the meeting.

N BH2022/00026 - Parkside Mansions, 34 Preston Park Avenue, Brighton - Removal or Variation of Condition

1. The Planning Manager introduced the application to the committee. It was noted that applications N and O would be discussed at the same time. The case officer updated the committee stating that a late representation stating that the red boundary line is incorrect. The Planning Manager stated that this was not the case.

Answers to Committee Member Questions

2. Councillor Theobald was informed by the case officer that the car spaces were the same as before, and the impact on the parking would therefore be the same.
3. Councillor Littman was informed that the condition for car parking stated three spaces and the committee were being asked to amend the condition.
4. Councillor Shanks was informed the objectors were from the immediate vicinity.
5. Councillor Moonan was informed by the case officer that the initial plans did not include cycle parking, these have now been amended to include cycle parking. The Planning Manager noted that condition 8 covered storage of cycles.

6. Councillor Shanks was informed by the Planning Manager that a breach of conditions notice has been issued. If the committee refuses the application to rectify the position, officers would need to consider the options.

Debate

7. Councillor Shanks considered the applicant should have full filled the conditions as set out in the planning permission. The councillor was against the application.
8. Councillor Moonan considered the parking to be difficult and considered this may be the result of the developer selling off spaces for profit. The councillor was against the application.
9. Councillor Littman agreed and they were against the application.

Vote on Item N

10. A vote was taken, and by 2 to 5 the committee voted against the officer recommendation.

Vote on item O

11. A vote was taken, and by 2 to 5 the committee voted against the officer recommendation.
12. Councillor Littman proposed an alternative recommendation, which was seconded by Councillor Shanks that the applications be refused for reasons of 'the impact on the amenity of residents of the flatted development'.

Vote for item N

13. A recorded vote was taken, and Councillors Barnett, Moonan, Shanks, Theobald and Littman voted for the new recommendation, and Councillors Ebel and Hills against.
14. **RESOLVED:** That the application be refused on the grounds that: *The car parking would have a negative impact on the amenity of residents of the flatted development and would therefore be contrary to policies QD27 of the Brighton and Hove Local Plan and DM20 of Brighton and Hove City Plan Part Two.*

Vote for item O

15. A recorded vote was taken, and Councillors Barnett, Moonan, Shanks, Theobald and Littman voted for the new recommendation, and Councillors Ebel and Hills against.
16. **RESOLVED:** That the application be refused on the grounds that: *The car parking would have a negative impact on the amenity of residents of the flatted development and would therefore be contrary to policies QD27 of the Brighton and Hove Local Plan and DM20 of Brighton and Hove City Plan Part Two.*

O BH2022/00027 - 34 Preston Park Avenue, Brighton - Removal or Variation of Condition

1. Applications N and O were discussed at the same time. For minutes, please see item N.

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

- 47.1 There were none from this meeting.

48 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

49 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

50 APPEAL DECISIONS

- 50.1 The Committee noted the content of the letters received from the Planning Inspectorate advising of the results of planning appeals which had been lodged as set out in the agenda.

The meeting concluded at 4.34pm

Signed

Chair

Dated this

day of

