

<b>PLANNING COMMITTEE</b>	<b>Agenda Item 92</b>  Brighton & Hove City Council
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**BRIGHTON & HOVE CITY COUNCIL**

**PLANNING COMMITTEE**

**2.00pm 2 NOVEMBER 2011**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors , MacCafferty (Chair) Hyde (Deputy Chair), Carden (Opposition Spokesperson), Cobb, Davey, Farrow, Hamilton, Hawtree, Kennedy, Summers, C Theobald and Wells

**Officers in attendance:** Paul Vidler, Deputy Development Control Manager; Pete Tolson, Principal Transport Planner; Claire Burnett, Area Planning Manager (East); Hilary Woodward, Senior Lawyer and Penny Jennings, Democratic Services Officer

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**PART ONE**

**80. PRODECURAL BUSINESS**

**80a Declarations of substitutes**

80.1 There were none.

**80b Declarations of interests**

80.2 There were none.

**80c Exclusion of the press and public**

80.3 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.

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

## 81. MINUTES OF THE PREVIOUS MEETING

- 81.1 Councillor Summers referred to the following amendment to the minutes which had been notified in advance of the meeting. It was noted that this amendment had been made both to the set of minutes for signature by the Chair and in relation to those appearing on the Council's website:

Under Rosaz House application, page 6 item (8) - Councillor Cobb did not support her suggestion of an informative about food composting not because the report indicated there was insufficient space on site for such facilities but because it states (on page 101 of the Plans List):

*The scheme does not provide composting facilities. There could be uncooked food waste from the cafe'. However, this waste is likely to be small in scale and therefore it is not considered necessary to provide composting facilities.*

Following this reason from Cllr Cobb, Cllr Hawtree had then said that such reasoning would imply that all household food waste collection, being relatively small in scale, would not be considered necessary either.

- 81.2 In addition Councillor Hawtree referred to his comments made in Paragraph 5 in relation to Application BH2011/02034, 11 Ainsworth Avenue stating that he had also stated that he hoped that the planning officer could discuss a way forward with the applicant.
- 81.3 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 12 October 2011 as a correct record subject to the amendments set out above.

## 82. CHAIR'S COMMUNICATIONS

- 82.1 There were none.

## 83. APPEAL DECISIONS

- 83.1 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.

## 84. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

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

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

**86. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS**

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

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

87.1 **RESOLVED** – That the following site visit(s) be agreed:

<b>Application:</b>	<b>Address</b>	<b>Requested by</b>
BH2011/02857	“Aldi”, Carlton Terrace, Portslade	Deputy Development Control Manager

**88. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST**

**(i) MINOR APPLICATIONS**

**A. Application BH2011/02231, 15 Bishopstone Drive, Saltdean** – Erection of single storey rear extension with raised terrace, glazed balustrading and steps to garden. Loft conversion incorporating raised ridge height, hip to barn end roof extensions, rear dormer, rooflights and associated works.

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

(2) The Area Planning Manager (East), Ms Burnett gave a presentation detailing the scheme by reference to elevational drawings and plans. It was noted that the main considerations in determining the application related to its design and appearance and its impact on residential amenity. Amended plans had been received on 23 September which had corrected inaccuracies on the existing plans. Reference was made to the letters of support and objection received and to the letter received from Councillors Mears and Smith, two of the local Ward Councillors.

- (3) It was considered that the proposal by virtue of its size, proportions and design would result in a bulky and overly dominant alteration, which in conjunction with the existing unsympathetic roof alterations would result in a cluttered and visually discordant appearance to the front roofscape which would detract from the appearance and character of the building and the surrounding area, contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on Roof Alterations and Extensions. The proposed rear dormer window, by virtue of its excessive size and design, which included large areas of cladding, was considered to be overly bulky, oversized, poorly designed and poorly related to the existing building and therefore of detriment to the character and appearance of the existing property and the wider area. Refusal was therefore recommended.

### Questions, Debate and Decision Making Process

- (4) Councillor Hyde sought clarification regarding issues relating to the planning officers objections in relation to the rear dormers which did not align with the windows below them. The Area Planning Manager (East) explained that the cill was considered too large, it did not sit just above the roofslope and the dormers were considered too large and bulky.
- (5) Councillor Hyde stated that whilst she was in agreement that the proposed rear extension did not represent an attractive addition to the property she had observed a number of similar extensions in the immediate vicinity, as close as three doors away from the application site. She considered that on balance the extension would be acceptable as it would not be visible except from the rear and its appearance would be relieved by the front dormers. Councillor C Theobald considered that whilst it was regrettable that the rear dormers were not smaller, there were many others which were similar nearby.
- (6) Councillor Hawtree stated that whilst supportive of sympathetic extensions to buildings, he considered the proposed extensions would be bulky and would overwhelm the existing building, he therefore supported the officers recommendation
- (7) A vote was taken and on a vote of 10 to 2 planning permission was refused on the grounds set out below.
- 88.1 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to refuse planning permission for the following reasons:

1. The proposed new roof form, by virtue of its appearance and the resulting bulk is considered to be incongruous within the Bishopstone Drive street scene and a development which adversely affects the appearance and character of the host building, the Bishopstone Drive street scene and the wider street scene. The development is therefore contrary to policies QD1, QD2 and QD14 of the Brighton &

Hove Local Plan and Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1); and

2. The proposed rear dormer window, by virtue of its excessive size and design, which includes large areas of cladding, is considered to be overly bulky, oversized, poorly designed and poorly related to the existing building and therefore of detriment to the character and appearance of the existing property and the wider area. The proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

Informative:

1. This decision is based on drawing nos. 2567 – 2 and 2567/6 RevB received on 27 July 2011.

B. **Application BH2011/01773, 68-70 High Street, Rottingdean** – Erection of 8, 3 bedroom 3 storey town houses with gardens, new entrance gate to site and off road parking.

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager (East), Ms Burnett gave a presentation detailing the proposed scheme by reference to photographs (showing the juxtaposition between the application site and the neighbouring school), elevational drawings and plans. Since publication of the report a letter had been received from Environmental Health indicating that they did not wish to comment in respect of the application. A further letter of objection had been received from the Headmaster of the neighbouring St Aubyns school.
- (3) It was considered that this application represented an improvement on the previously approved scheme for 9 three bedroom houses. Although the proposed development was of a scale and height not characteristic of the surrounding area, it was considered that in comparison to the scheme approved in 2007, to which weight needed to be given, the proposal would not be detrimental to the visual amenities of the High Street, the surrounding Rottingdean Conservation Area or the setting of the adjacent Listed Buildings. The proposed development would provide adequate family accommodation without being detrimental to the amenities of neighbouring properties. Approval was therefore recommended.

**Public Speakers**

- (3) Mr S Hitchins spoke on behalf of neighbouring objectors to the scheme setting out their objections to it. He stated that the school had grave concerns in relation to overlooking which could arise from the development, both of a school play area which was in constant use and of a dormitory and other accommodation to the rear of the school

buildings. It was considered that the amended plans did not sufficiently address the schools concerns.

- (4) Mr Mayhew spoke on behalf of the applicants in support of their application. He explained that the applicant had used the extant permission as their starting point. That development could still be built and represented a more intensive form of development than that now proposed. In order to address concerns expressed in relation to overlooking the number of windows to be provided to the rear had been reduced and additionally obscure glazed top opening windows would be installed.

### **Questions, Debate and Decision Making Process**

- (5) Councillor Wells requested to see plans of the site showing the location of the rear windows in relation to the school. Councillor Kennedy sought confirmation as to whether or not the development would be gated. Councillor Hyde also sought clarification as to whether officers had requested the applicants provide obscure glazing to the rear windows of the development or whether this had been offered by the applicant. The Area Planning Manager (East) confirmed that this had been offered.
- (6) Councillor Hawtree referred to arrangements to be put into place to ensure that access/egress arrangements did not result in congestion bearing in mind the proximity of traffic lights in the High Street and bearing in mind that the number 2 bus also travelled along that street. The Principal Transport Planner, Mr Tolson confirmed that "Keep Clear" markings would be provided. Councillor Davey enquired whether it would be possible to provide a crossover driveway/ pavement markings in order to improve pedestrian safety. The Principal Transport Planner explained that there had been no injury accidents over the past three years. In answer to questions as to whether it would be possible to require additional traffic safety measures, the Legal Adviser to the Committee explained that as this had not been required as a condition of the earlier extant permission it would be necessary to demonstrate that this was necessary.
- (7) Councillor Wells stated that access/egress from the site had not proved problematic in the past. When the premises had operated as a garage there had been considerably more vehicle movements than would be generated by the proposed residential development. Councillor Hyde concurred in that view stating that local residents were used to exercising caution when crossing the entrance to the site on foot. Councillor Cobb sought confirmation that when the site had operated as a garage it had generated between 60-70 vehicle movements per day and it was confirmed that had been the case.
- (8) Councillor Summers sought clarification of the arrangements which would be put into place for removal of refuse from the site on collection days. It was explained that this would be collected from the High Street entrance to the site.
- (9) Councillor Mrs Theobald sought clarification of the distances from the neighbouring dwelling houses and from the school and was satisfied that they were sufficient. It was

explained in answer to further questions that the development would not be higher than its neighbours by virtue of differing levels across the site, the fourth storey would be set within the roof space. Councillor Theobald considered that the proposed development was attractive and welcomed the fact that the houses would have amenity space and on site parking and therefore supported the officers recommendation that planning permission be granted.

- (10) Councillors Hyde and Wells supported the application. Councillor Hyde stated that she considered the current application represented a considerable improvement on the previous scheme
- (11) Councillor Hawtree stated that he remained undecided regarding the proposals, notwithstanding the improvements made to the previous scheme and the need for housing in this part of the city.
- (12) A vote was taken and on a vote of 9 with 3 abstentions planning permission was granted in the terms set out below.

88.2 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Section 7 of the report in relation to policies and guidance and to the recommendations set out elsewhere in the report and resolves to grant planning permission subject to the conditions and informatives also set out in the report, the statement “new entrance gates to site” to be deleted from the description”.

**Note:** Councillors Davey and Kennedy explained that as they had voted to refuse the earlier application, they felt unable to vote on this occasion and would therefore abstain from voting. Councillor Hawtree also abstained.

**C. Application BH2011/02016, 42 & 43 George Street, Brighton –** Erection of new building at 43 George Street to replace existing and second floor extension at 42 George Street development comprised of retail/financial and professional services/offices (A1/A2/B1) on part ground floor and 34 student rooms on part ground and upper floors incorporating cycle parking and bin storage.

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager (East), Ms Burnett gave a presentation by reference to photographs showing the neighbouring street scene and by reference to indicative drawings and plans. The main considerations in determining the application related to the impact on the character and appearance of the East Cliff Conservation Area, the impact on the amenity of surrounding residents/occupiers and future occupants, traffic issues, sustainability and contaminated land.

- (3) The principle of loss of part of the retail floor space at the rear of no 42 was considered acceptable as two reasonable sized retail units would remain. Whilst the lower part of George Street fell within the St James' Street district shopping centre, but outside of the prime frontage, the site itself was in the upper part of George Street which lay outside of the district centre. The principle of student accommodation within no 42 and residential within no 43 had been accepted by the applications approved in 2010. Whilst this proposal amended the residential use within no 43 to student accommodation, this did not raise concern in view of the comprehensive provision and effective site use offered by this proposal and was not in conflict with policies EM3 and EM4.
- (4) In conclusion, it was not considered that the proposal would be detrimental to the character and appearance of the street scene or the conservation area and would not materially harm the amenity of surrounding residents. The standard of accommodation was acceptable and the scheme would not jeopardise highway safety or lead to parking problems. Approval was therefore recommended.

### **Public Speakers**

- (5) Mr Durairaj spoke as an objector to the scheme. He explained that he lived in one of the properties located to the rear of the site and was very concerned in relation to the level of overlooking and loss of amenity and un-neighbourliness which could result from the development. The design and scale of the development was completely out of keeping with that of the neighbouring properties.
- (6) Mr Dowsett spoke on behalf of the applicants in support of their application. He stated that the current application had sought to amalgamate use of the two buildings and to improve on the previous planning approvals and to address previous concerns. He confirmed that Brighton Institute of Modern Music (BIMM) had supported the application and were interested in the site for their students. Members of their staff would hold keys to the buildings and instances of misbehaviour would be addressed directly.

### **Questions, Debate and Decision Making Process**

- (7) Councillor Mrs Theobald enquired regarding the size of the units, whether they would have en-suite facilities. It was confirmed that the size of the units would be consistent with that agreed by the earlier permissions.
- (8) Councillor Kennedy enquired regarding the current status of negotiations with BIMM and it was confirmed that subject to planning approval they would be taking on the



student accommodation on site. The retail units would be offered up on the open market.

- (9) Councillor Wells expressed grave concern regarding use of the site for student accommodation as this could give rise to anti-social behaviour and other nuisance to local residents. Councillor Kennedy stated it was a generalisation to imply that all students behaved in an anti-social or inappropriate way. It was confirmed in answer to further questions that all key holders would live in close proximity to the site.
- (10) Councillor Mrs Theobald enquired whether students would be practising music on site but it was explained that professional quality soundproofed studios were available on site at the nearby BIMM buildings and purely residential accommodation was to be provided on this site. Councillor Theobald stated that the proposals represented improvements on the previous schemes and supported them provided the residential element could be properly managed.
- (11) Councillor Hawtree considered that the proposals would improve the current appearance of the site, although he noted the objectors concerns in relation to potential overlooking.
- (12) Councillor Davey proposed that a formal Management Plan be put into place to include key holders details and other relevant information which should be made available to immediate neighbours, with that proviso he considered the scheme to be acceptable. Councillor Kennedy concurred in that view and seconded his proposal. A vote was taken and members voted unanimously that a Management Plan should be put into place.
- (12) A vote was taken and on a vote of 11 to 1 minded to grant planning permission was granted in the terms set out below.

88.3 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the policies and guidance at Section 7 of the report and elsewhere in the report and resolves that it is minded to grant planning permission subject to the applicant entering into a Section 106 legal agreement with the Heads of Terms Conditions and informatives also set out in the report and to the following amendments set out in the Late Representations List:

Informative 3 to be amended to read ....Condition 16;

**Additional Condition:**

18. None of the student accommodation hereby approved shall be occupied until a site management plan has been submitted to and approved in writing by the Local Planning Authority. The student accommodation shall be operated in accordance with the site management plan as approved.

Reason: To safeguard the amenities of the locality and to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

**Additional Informative:**

4. The applicant is advised that the site management plan required to be submitted by Condition 18 should include details of the management arrangements of the property, how noise, disturbance and nuisance are to be dealt with if they occur and measures for the future review and amendment of the site management plan.

**Note:** Councillor Wells voted that the application be refused.

**D. Application BH2011/02017, 42 & 43 George Street, Brighton – Demolition of 43 George Street.**

(1) A vote was taken and on a vote of 11 to 1 the Committee resolved to grant conservation area consent in the terms set out below.

88.4 **RESOLVED** – That the Committee has taken into consideration and agrees to the reasons for the recommendation set out in policies and guidance at Section 7 of the report and resolves to grant conservation area consent subject to the conditions and informatives also set out in the report.

**Note:** Councillor Wells voted that conservation area consent be refused.

**E. Application BH2011/02440, Garages 53 & 54, 14 Church Place, Brighton - Demolition of existing double garage and erection of new 2 storey two bed dwelling house.**

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

(2) The Area Planning Manager (East), Ms Burnett gave a presentation detailing the scheme by reference to photographs and plans. It was explained that 10 letters of objection had been received including one from the Kemptown Society. The application related to an existing double garage located on the eastern side of Church Place. The site was located within the Kemp Town Conservation Area and within the setting of a number of Listed Buildings located in Sussex Square and close to St. Mark's Church which was located on the corner of Church Place and Eastern Road.

(3) It was considered that the design of the development now proposed was more sympathetic to the character of the area than the development approved under the earlier application BH2007/03493 and as such it was considered that the proposed development would not be detrimental to the character of the immediate vicinity or the wider area, including the surrounding Conservation Area and the setting of the adjacent Listed Buildings. Furthermore it was deemed that the proposed development, would provide adequate accommodation and would not have a significant adverse impact upon the amenities of the neighbouring properties. Approval was therefore

recommended. The current extant approval was also a relevant planning consideration.

### **Public Speakers**

- (4) Mr De Young spoke on behalf of the Kemptown Society and other neighbouring objectors. He stated that the proposed development within the curtilage of Grade 1 Listed Sussex Square would have a vast detrimental impact on the character of the adjacent Listed Buildings, many of them Georgian buildings and would destroy the symmetry of the existing rears of the buildings in Sussex Square. There would also be loss of privacy, aspect and amenity. The previous permission had “slipped through the net” and there was an opportunity to send a clear message to property developers who had purchased garages in this row that the site was important and deserved to be protected.

### **Questions, Debate and Decision Making Process**

- (5) Councillor Mrs Theobald enquired regarding the distance between the rear of the application site and properties in Sussex Square. It was confirmed that this was 6 metres at the closest point.
- (6) Councillor Davey enquired whether it would be appropriate to require obscure glazing to the window located at the side but was advised that as the property overlooked other garages that would not be considered proportionate. It was confirmed that the development would be car free.
- (7) Councillor Hawtree stated that the area was characterised by a number of fine buildings, although many of them had a less distinguished appearance when viewed from the rear. He was concerned however, that there would be overlooking and loss of privacy as a result of the proposed development.
- (8) Councillor Hyde also referred to the potential for overlooking and in answer to questions it was confirmed that permitted development rights had been removed and planning permission would need to be sought in relation prior to any further works being undertaken to the property.
- (9) Councillors Mrs Theobald and Cobb stated that they did not support the application as they were of the view that there would be overlooking of neighbouring properties and considered that if granted the application could set a precedent for further loss of garages on site and their replacement with housing.
- (10) A vote was taken and on a vote of 9 to 2 with 1 abstention the Committee resolved to grant planning permission in the terms set out below.

88.5 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in policies and guidance in Section 7 of the

report and resolves to grant planning permission subject to the conditions and informatives also set out in the report.

**Note:** Councillors Cobb and C Theobald voted that the application be refused. Councillor Hawtree abstained.

- F. Application BH2011/02251, 6 Cliff Approach, Rottingdean –** Demolition of existing four bedroom house and erection of 6 self-contained apartments comprising 2 three bedroom units at first and second floors and 4 two bedroom apartments at lower and upper ground floors with associated communal garden, car parking, refuse and cycle storage.
- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
  - (2) The Area Planning Officer (East), Ms Burnett gave a presentation by reference to photographs of the site, the neighbouring street scene and elevational drawings of the previously approved and current schemes. The previous planning history was relevant and the current scheme had been amended to seek to reduce the impact on the neighbouring properties. Only secondary or bathroom windows were to be provided within the west elevation and a condition was recommended to ensure that this was obscure glazed to avoid overlooking and loss of privacy.
  - (3) It was considered that the proposal would be of a design, scale, bulk and massing that would cause no harm to the character and appearance of the street scene or wider area. The proposal was not considered to give rise to any undue amenity or highways impacts and would achieve an acceptable level of sustainability. As such the proposal was considered to be in accordance with development plan policies and was therefore recommended for approval.

### **Public Speakers**

- (4) Mr Mower spoke on behalf of Roedean Residents Association and other local objectors to the scheme. It was considered that the building would be incongruous within the street scene and the scheme had failed to address the reasons for refusal of the 2010 application. The parking situation in the area was at breaking point and this development would exacerbate that as the number of on site parking spaces proposed was inadequate. There would also be overlooking and the level of amenity space provided for future residents of the development was inadequate and would result in an unsatisfactory residential environment.
- (5) Councillor Mears spoke in her capacity as a Local Ward Councillor setting out her objections to the scheme. This was the fourth application for development of the site following refusal of the previous ones. At four storeys high the development was considered to have an excessive size and bulk. Only minor amendments had been made to the previously refused scheme and the established building lines of The Cliff

and Cliff Approach had not been respected which would result in a structure which would be overly dominant in the street scene. In her view the development would be contrary to policies QD1, QD2, QD3 and QD5.

- (6) Mr S Bareham, spoke on behalf of the applicants in support of their application. He stated that the current proposals would be set further back than those put forward in the most recent previous application. The applicant had sought to address the previous reasons for refusal. The Planning Inspector's decision and the grounds on which the earlier appeal had been dismissed were relevant and the applicant considered that these had now been overcome.

### **Questions, Debate and Decision Making Process**

- (7) Councillor Summers enquired regarding the principal differences between the most recently refused scheme and that currently before the Committee.
- (8) Councillor Hyde sought clarification as to whether the Inspector had taken account of the nearby development (not constructed when he visited the site) and the degree of overlooking to it which could result. It was explained that this had been referred to in the Inspector's decision. Councillor Hyde remained of the view however, that that significant overlooking would occur. She also considered that in view of the incline and height of the site, it would be visible from some distance away and would therefore be overly dominant in the street scene and would by virtue of its bulk and massing have a negative impact on the immediately neighbouring properties and would be harmful to the neighbouring streetscape. In addition she was aware of the on-street parking issues in the vicinity and in consequence considered the level of on-site parking proposed would be inadequate. Councillor Mrs Theobald concurred with those views.
- (9) Councillor Mrs Theobald sought further clarification regarding the level of parking proposed and this was in line with that set out in SPG 4. Councillor Theobald stated that in her view there was little difference between this and the previously refused scheme. Councillor Wells agreed.
- (10) Councillor Hawtree asked questions in relation to the height of the building when viewed in the context of the neighbouring street scene and also in relation to materials proposed. Whilst noting the improvements proposed he was not convinced that issues relating to its height and bulk had been overcome.
- (11) A vote was taken and on a vote of 6 to 3 with 3 abstentions the Committee voted that planning permission be refused the terms set out below.

88.6 **RESOLVED** - That the Committee refuses planning permission in respect of the above application on the grounds that:

- (1) The proposed development by reason of its mass, bulk (particularly in relation to 2 Cliff Road) and height of four storeys is out of keeping with and does not contribute

positively to the surrounding area and these concerns are particularly exacerbated when the proposed development is viewed from the public highway known as The Cliff. The proposed development is therefore contrary to policies QD1 and QD2 of the Brighton and Hove Local Plan 2005;

(2) The proposed amenity space is insufficient particularly as the proposed development would comprise 2 and 3 bedroom apartments which could be occupied by families. The proposed development is therefore contrary to policy HO5 of the Brighton and Hove Local Plan 2005; and

(3) The applicant has not demonstrated that the proposed development will not cause displaced parking into an area that already suffers from parking stress. The proposed development is therefore contrary to policy TR2 of the Brighton and Hove Local Plan 2005.

**Note 1:** A vote was taken and on a vote of 6 to 3 with 3 abstentions planning permission was refused.

**Note 2:** Councillor Hyde, the Deputy Chair proposed that planning permission be refused on the grounds set out above, this was seconded by Councillor Wells. A recorded vote was then taken. Councillors Cobb, Hyde, Farrow, Hawtree, C Theobald and Wells voted that planning permission be refused. Councillors MacCafferty (Chair), Carden and Davey voted that planning permission be granted. Councillors Hamilton, Kennedy and Summers abstained. Therefore on a vote of 6 to 3 with 3 abstentions planning permission was refused.

**89. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF ITEMS ON THE PLANS LIST**

89.1 **RESOLVED** – That the following site visit had been agreed:

Application	Address	Requested by
BH2011/02857	“Aldi”, Carlton Terrace, Portslade	Deputy Development Control Manager

**90. TO CONSIDER AND NOTE THE CONTENT OF THE REPORTS DETAILING DECISIONS DETERMINED BY THE LOCAL PLANNING AUTHORITY INCLUDING DELEGATED DECISIONS**

90.1 **RESOLVED** – That those details of applications determined by the Strategic Director of Place under delegated powers be noted.

[Note 1: All decisions recorded in this list are subject to certain conditions and reasons recorded in the planning register maintained by the Strategic Director of Place. The register complies with legislative requirements.]

[Note 2: A list of representations received by the Council after the Plans List reports had been submitted for printing was circulated to Members on the Friday preceding the meeting. Where representations are received after that time they should be reported to the Chairman and Deputy Chairman and it would be at their discretion whether they should in exceptional circumstances be reported to the Committee. This is in accordance with Resolution 147.2 of the then Sub Committee on 23 February 2006.]

The meeting concluded at 5.25pm

Signed

Chair

Dated this

day of

