

**BRIGHTON & HOVE CITY COUNCIL**

**PLANNING COMMITTEE**

**2.00pm 1 FEBRUARY 2012**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

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

**Co-opted Members:**

**Officers in attendance:** Guy Everest, Senior Planning Officer; Liz Arnold, Planning Officer; Claire Burnett, Area Planning Manager East; Francesca Iliffe, Sustainability Officer; Jeanette Walsh, Head of Development Control; Hilary Woodward, Senior Lawyer and Ross Keatley Democratic Services Officer.

**PART ONE**

**127. PROCEDURAL BUSINESS**

**127a Declarations of substitutes**

127.1 There were none.

**127b Declarations of interests**

127.2 Councillor Carol Theobald declared a personal but non prejudicial interest in application BH2011/03358 as she knew one of the neighbours of the site in the proposal.

**127c Exclusion of the press and public**

127.3 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.

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

**128. MINUTES OF THE PREVIOUS MEETING**

- 128.1 At item 121B, application BH2011/03093, point (8) Councillor Summers requested that the minutes reflect her specific question on ‘overlooking of the garden.’
- 128.2 **RESOLVED** – That, with the above amendment, the Chair be authorised to sign the minutes of the meeting held on 11 January 2012 as a correct record.

**129. CHAIR'S COMMUNICATIONS**

- 129.1 A pre-application presentation was expected to be agreed for development at Anston House. This would potentially be 21 February 2012 following site visits.

**130. APPEAL DECISIONS**

- 130.1 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.

**131. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

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

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

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

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

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

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

- 134.1 **RESOLVED** – That the following site visits be undertaken by the Committee prior to determination of the application:

Application:	Requested by:
BH2011/03398 Flat 4, 4 Montpelier Terrace	Councillor Wells
BH2011/03397 Flat 4, 4 Montpelier Terrace	Councillor Wells

**135. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST: 1 FEBRUARY 2012****(i) MAJOR APPLICATIONS****A. Application BH2011/03434, Mitre House, 149 Western Road, Brighton – change of use of North block and addition of fourth storey contained within mansard roof to form hotel (C1) with associated work.**

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Senior Planning Officer, Guy Everest, gave a presentation detailing the scheme as set out in the report by reference to plans, photographs and elevational drawings. In 2010 planning permission had been granted for a hotel with rendering and an additional storey, and this application was seeking consent for changes to elements of the existing permission. The application sought to realign the dormer windows and the addition of a fire escape; there were no objections to the design changes as it was considered they would enhance the design of the building without harming the amenity of neighbouring buildings.
- (3) The current planning permission restricted access to the hotel to the main entrance on Western Road only, unless in the case of emergency; however, the key change was the addition of the public house on the corner of Spring Street and Hampton Street into the scheme to become a café-bar used in association with the hotel. To mitigate any nuisance caused by the addition it was proposed that the café-bar only be accessible through the main Western Road entrance from 2000 to 0800 daily. It was recommended that the application be granted subject to the Conditions and Informatives set out in the report.

**Public Speakers**

- (4) Mr Hamer spoke in objection to aspects of the application. He stated he was representing the views of residents on Hampton Place, Hampton Street and Springer Street, and expressed concern that the proposed condition in relation to hours of access to the café-bar would not be sufficient to mitigate the potential nuisance caused. It was his opinion that the access to the café bar should be restricted for emergency use to ensure hotel guests could only use the main access on Western Road. Mr Hamer also requested that vehicles making deliveries to the hotel use Western Road for unloading, as the houses in Hampton Street were listed with cellars running under the road which were not able to take the additional weight of the large vehicles. Mr Hamer concluded that he believed residents' proposals were acceptable to the developer.
- (5) Councillor Jason Kitcat spoke in his capacity as the local Ward Councillor setting out his concerns in relation to the scheme. It was highlighted that there were houses very close to the site and a construction plan should be conditioned to reduce the potential impact. Additional conditions should also be added to ensure the render to the building was cleaned and maintained regularly, and the glazing at the western end of Hampton Street should be obscured to prevent overlooking of nearby properties.

- (6) Mr Deacon, the applicant, spoke in support of the application, and clarified that he agreed with the proposals put forward by Mr Hamer and Councillor Kitcat. He went on to note that issues in relation to skips blocking streets would be a matter for the Highway Authority, and the type of render proposed for the building would not require maintenance.

**Questions, Debate and Decision Making Process**

- (7) Councillor Davey asked if the pub was still trading, and Mr Hamer explained that it had not been in use since early 2011; following a further question it was also explained that although the pub had received deliveries to Spring Street, in the past, it was felt that this would be unsuitable for the hotel due to increased frequency. Councillor Hawtree also asked how Mr Hamer regarded the loss of the pub in the area, and Mr Hamer confirmed that there were a number of other pubs in very close proximity.
- (8) In response to a query from Councillor Hyde, Mr Hamer confirmed residents felt the deliveries should be made to Western Road only, where there was a dedicated delivery bay.
- (9) Councillor Hyde asked Councillor Kitcat if he agreed with Mr Hamer's comments in relation to the access to the café-bar being from Western Road only, and it was confirmed this was the case.
- (10) In response to queries from Councillor Hawtree and Councillor Carol Theobald Mr Deacon confirmed he envisaged the café-bar being for use primarily by hotel guests, and the hours of operation proposed were 0800 to 2000.
- (11) The Senior Planning Officer clarified some of the questions of the Committee and explained that Officers felt the proposed conditions in the report would be enough to prevent nuisance and damage to nearby residents and properties.
- (12) The Head of Development Control, Jeanette Walsh, confirmed any additional conditions would need to be proposed and agreed by the Committee; however, it was explained that additional conditions would also need to be necessary and reasonable.
- (13) The Chair highlighted the proposed amendments to the current conditions: deliveries to take place to Western Road only; access to the café-bar from Springer Street/Hampton Street for emergencies only and obscured glass to also include the western end of Hampton Street.
- (14) The Committee discussed the provision of additional obscured glazing, and the Senior Planning Officer explained that the proposal by the Committee would go above and beyond what was proposed in the report. It was clarified that the proposed obscured windows in the report were those which over-looked the primary school opposite. Councillor Cobb noted her objections, and Councillor Farrow asked for further information as the provision of obscured glazing had not been in the 2010 application. Councillor Summers highlighted that the Committee needed to consider the principle of amenity, and suggested that if the developers were to partially obscure glazing that

overlooked the primary school then the same provision should be extended to houses that were overlooked.

(15) The additional condition in relation to partially obscured glazing at the western end of Hampton Street was proposed, and a vote was taken and of the eleven members present the additional condition was rejected on a vote 3 to 8. The proposed amendments to conditions highlighted by the Chair relating to deliveries and the café-bar were agreed.

(16) A vote was taken and the 11 members present voted unanimously that permission be granted.

135.1 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to conditions and informatives set out in the report and the amended conditions set out below:

**Condition 3** – amended to restrict access doors to all doors on Hampton Street, Spring Street and Hampton Place:-

The ~~rear ground floor~~ access doors to Hampton Street, Spring Street and Hampton Place shall only be used in an emergency, and for no other purpose, and have a security alarm fitted prior to the commencement of the use hereby approved which shall thereafter be retained as such.

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

**Condition 4** – deleted following the above amendment.

**Condition 5** – amended to prevent any hotel deliveries on Hampton Street (with all deliveries taking place from Western Road):-

No loading or unloading of vehicles relating to the hotel shall take place on Hampton Street ~~except between the hours of 09.00 and 18:00 on Monday to Saturdays and at no times on Sundays or Bank Holidays.~~

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

**B. Application BH2011/03358, Maycroft & Parkside London Road & 2-8 Carden Avenue, Brighton** – Demolition of existing buildings and erection of 3no storey residential care home for the elderly with associated facilities.

(1) The Planning Officer, Liz Arnold, gave a presentation detailing the scheme as set in the report by reference to photographs, plans and drawings. It was highlighted that there had been a slight amendment to the Section 106 Agreement and the details of the artistic components now needed to be submitted within 6 months of commencement. The application was for the demolition of six dwellings, the area was predominantly residential and Withdean Park was located directly to the south of the

site. A previous scheme for a residential care home for the elderly had been approved in 2009 consisting of 80 suites; however, since the approval the site had been purchased and the new application submitted was for a development of 99 suites.

- (2) The principle loss of the 6 dwellings had been established by the approval of the 2009 application, and the development was of a 'c' shaped form between two and a half to three storeys in height. The proposed building would be of traditional design with flat roof areas for residents. The site was currently both developed and undeveloped land, and the ecology issues were satisfied by the proposed conditions in the report. There would be 30 parking spaces on site; one main point of vehicular access, and the Section 106 Agreement requested £15,000 for sustainable transport. It was recommended that the Committee be minded to grant the application subject to the Section 106 Agreement and the conditions and informatives set out in the report.

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

- (3) Councillor Davey asked specific questions in relation to the biomass boiler and the provision of solar panels. In response the Sustainability Officer, Francesca Iliffe, explained that the boiler would be chip or pellet, and the Council could recommend good procurement of the materials. The applicant had undertaken energy modelling and opted for the biomass boiler, rather than solar panels, as it was considered to be the most efficient way to achieve sustainability targets and improve the BREEAM score.
- (4) Councillor Hyde requested more information on the roof areas for residents, and it was explained that the roof was sunken, and there were other external landscaped areas. It was also noted that as a residential care home there would be no rights for further development under permitted development rights.
- (5) Councillor Carol Theobald asked a series of questions in relation to: double suites for couples; archaeological works on site; the proposed felling of 44 trees on the site and if any were elms or protected by tree preservation orders (TPOs); the size of the suites and if funding for public art could be used for lilac collection in Withdean Park. It was clarified that all of the rooms would be for single occupancy and all were larger than the minimal requirement; there was a condition in relation to archaeology and the associated work would need to be carried out before construction; there were 17 TPO trees to be felled on site, but four of these were diseased and already due to be felled; the elms on site were being retained and the Head of Development Control explained that the contribution to the lilac collection had been discussed in relation to the 2009 application but no Conditions or Informatives had been added.
- (6) In response to a query from Councillor Hawtree it was explained that the applicants were seeking to provide different external amenities across the site.
- (7) Councillor Wells noted his agreement with Councillor Carol Theobald that funding be allocated for the lilac collection. The Head of Development Control explained that the Committee could be minded to agree an informative to this affect.

- (8) Councillor Cobb asked how the materials from the demolition properties would be used or disposed of. It was highlighted that the site was below the size for the requirement for a waste management plan.
- (9) Councillor Davey noted he had some reservations about the proposed scheme, but welcomed the roof terraces and would support the Officers recommendations.
- (10) Councillor Mrs Theobald said that she did not agree with the loss of the houses on the site, and went on to state that there were a number of other similar facilities in the area expressing concern in relation to the local concentration of residential care homes. She reiterated her earlier comments that funding from the Section 106 Agreement should be used, in part, for the lilac collection, and expressed concern in relation to number trees that were proposed to be felled.
- (11) Councillor Hyde proposed an informative in relation to the allocation of funding for the lilac collection.
- (12) Councillor Hawtree noted that he accepted the application in principle, but would have welcomed a more 'striking' design.
- (13) Councillor Carden said he felt the design was sympathetic to the surrounding properties, and applauded the outside amenities that were proposed on site; however, he noted his objection to the loss of the six houses.
- (14) Councillor Cobb expressed similar concern in relation to the loss of the houses, and went on to say that there was no certainty that the residential units would be occupied by residents of the city. She also asked if the funding for the lilac collection could be extended to the war memorial rose garden.
- (15) The Chair confirmed that the vote would include the informative in relation to some funding for public art being used for the lilac collection. The Head of Development Control Highlighted that the lilac collection did not fall under public art and the informative could not compel the funding to be directed in this manner.
- (16) A vote was taken on a vote of 8 to 3 planning permission was granted on the grounds set out below.

135.2 **RESOLVED** – That the committee has taken into consideration and agrees with the reasons for the recommendation and the policies and guidance in section 7 of the report and resolved that it is **MINDED TO GRANT** planning permission subject to the completion of a Section 106 Agreement and the Conditions and Informatives set out in the report and the Informative set out below.

**Informative:**

Members of planning committee agreed that they would like to see a proportion of the s106 public art contribution spent on the upkeep of the Lilac Collection.

**(ii) MINOR APPLICATIONS**

**C. Application BH2011/02485, 52 Preston Road, Brighton** – Conversion of single dwelling property to 4 no self contained flats, erection of single storey rear extension and construction of new frontage at ground floor.

- (1) The committee did not request for an Officer presentation, and did not debate the application.
- (2) A vote was taken and the 11 members present voted unanimously that planning permission be refused.

135.3 **RESOLVED** – That the Committee has taken into consideration and agrees with reasons for the recommendation set out in the report and resolves to **REFUSE** planning permission for the following reasons:

1. The proposed scheme fails to provide a unit of accommodation that is suitable for occupation by a family (including garden access) and as such the proposal is contrary to policy HO9 of the Brighton & Hove Local Plan.
2. The application fails to demonstrate that the site would fall within a satisfactory noise category and have no adverse air quality issues and as such could cause harm to the amenity of the future occupiers of the units. The proposal is contrary to policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.
3. The proposed rear extension would have an unacceptable impact on the character and appearance of nos. 52 and 54 Preston Road, resulting in an overly dominant extension by virtue of its excessive width and depth. The proposal is contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.
4. The proposed development would have an unacceptable impact on the living conditions of the future occupiers by virtue of a cramped form of accommodation, particularly within the ground floor units, poor outlook and would result in inter-overlooking between the proposed and existing units (including neighbouring residential accommodation). Therefore the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.
5. The application fails to provide for an acceptable standard of cycle parking provision and as such the proposal is contrary to policies TR14 and HO9 of the Brighton & Hove Local Plan.
6. The proposed development fails to demonstrate adequate compliance with lifetime homes criteria and is contrary to policy HO13 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on drawing no. 1110-20 received on 22.08.11 and drawing no. 1110-21D received on 28.11.11.



2. Any subsequent application would need to address potential contamination issues at the site by including a phased land quality assessment in order to address the issues raised within policy SU11 of the Brighton & Hove Local Plan.

**D. Application 2011/01736, 3 The Broadway, Brighton – Change of use from retail (A1) to hot food take-away (A5)**

- (1) The Area Planning Manager (East), Claire Burnett, gave a presentation detailing the scheme as set out in the report by reference to photographs, plans and drawings. It was clarified that the application had been deferred from the Committee meeting on 23 November 2011, and since the meeting it had been confirmed that the lease for the shop did not include the use of the rear garden. The refuse would now be stored internally and collected daily; the Food Safety Team at the Council had assessed the proposals and were satisfied. The application was for a change of use from a retail unit to a hot food takeaway, and the premises had been marketed as a retail unit for some time with little interest; given this lack of interest the change of use was deemed acceptable. The application was recommended for approval subject to the Conditions and Informatives in the report.

**Questions, Debate and Decision Making Process**

- (2) Councillor Hyde questioned the location of the extractor duct in relation to terrace of the residential property above, and it was explained that Officers in Environment Health were satisfied with the proposed location. Councillor Hyde noted her concerns in relation to noise and odour from the extractor duct.
- (3) Councillor Hawtree queried the storage of food waste on site, and it was explained that the Food Safety Team had been consulted and raised no objections.
- (4) In response to a query from Councillor Hamilton the location of the lobby between the kitchen and the toilet was highlighted.
- (5) Councillor Carol Theobald asked if the hours proposed should be reduced to mirror those of nearby premises.
- (6) Councillor Davey queried the access issues at the back of the premises onto the rear garden, and it was explained that there was a door which lead outside, but the shop had no right of access. It was also confirmed that the proposed hours for the use of the front outside area would be 1200 – 2400.
- (7) Councillor Farrow expressed his concern in relation to the outdoor seating area, particularly in relation to anti-social behaviour and street drinking, and asked the Officers for more information on additional conditions to this area. The Senior Lawyer, Hilary Woodward, confirmed that the deletion of the outside seating area would be a material change to the application, but limitations could be conditioned for the hours of use.
- (8) Councillor Davey expressed concern that the proposed developed was not suitable for the hours, and would create a negative impact for residents above the premises.

- (9) Councillor Farrow stated his dissatisfaction with the application.
- (10) Councillor Hawtree suggested that due to the complexity of the application it seemed unlikely the proposal would be workable.
- (11) Councillor Hyde reiterated her earlier concerns in relation to extractor duct.
- (12) Councillor Hamilton stated that the proposed hours for the outside seating area did not seem acceptable for the residential property above.
- (13) Two additional conditions were proposed to amend the hours of operation to a terminal hour of 2300, and restrict the use of the outside seating area to 1800 only. A vote was taken and both of the additional conditions were agreed on votes of 10 to 1 of the eleven members present.
- (14) Eleven of the members of the Committee were present and on a vote 5 to 4 with 2 abstentions planning permission was granted on the grounds set out below.

135.4 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation and the policies and guidance set out in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in the report and the Conditions set out below:

Amend condition 3 to read as follows:

The use hereby permitted shall not be open to customers except between the hours of 12.00 to 23.00 on any day

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

Add an additional condition as follows:

The outside seating area indicated on the approved plan reference number 01A received on 20 December 2011 shall only be in use between the hours of 12.00 and 18.00 on any day. Tables and chairs shall be removed from the outside seating area outside of these permitted hours.

**Reason:** To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan

**E. Application BH2011/03398, Flat 4, 4 Montpelier Terrace, Brighton** – Creation of additional storey to first floor flat to rear.

135.5 **RESOLVED** – That consideration of the above application be deferred pending a site visit.

**F. Application BH2011/03397, Flat 4, 4 Montpelier Terrace, Brighton** – Creation of additional storey to first floor flat to rear.

135.6 **RESOLVED** – That consideration of the above application be deferred pending a site visit.

**G. Application BH2011/02361, 12 Charles Street, Brighton** – Change of use from a single dwelling to house of multiple occupancy.

(1) The Area Planning Manager (East) gave a presentation detailing the scheme as set out in the planning application and listed building (application reference BH2011/02362) report by reference to photographs, plans and drawings. Since the publication of the late information an additional letter of objection had been received which made reference to the crime statistics in the area. The application related to a four storey, plus basement, residential unit on Charles Street, in the East Cliff Conservation Area; and it was stated that it had previously been used as a boarding house. The main considerations, in relation to the listed building consent were highlighted as relating to several internal doors and the provision of fire alarms.

(2) In relation to change of use application it was considered that the aims of Policy HO8 were not compromised by the application. Brighton Housing Trust (BHT) a registered social landlord (RSL) had confirmed they would lease the property from the owner when planning permission was in place and the associated works had been completed. To ensure effective management of the property a condition had been proposed that a site management plan be agreed prior to occupation. The application proposed an increase of bedroom numbers from five to nine, and it was considered that the potential increase in noise would not warrant a recommendation for refusal. The application was recommended for approved subject to the Conditions and Informatives set out in the report.

### **Public Speakers**

(3) Mr Morgan spoke in objection to the application. He stated that there was a guest house in the street which had been granted permission in late 2011 to return to a single residential unit. He expressed concern in relation to the potential noise from the premises, and stated he did not believe an environmental report had been produced, or sound proofing installed. He noted that although there were letters of support they were not from local residents.

(4) The applicant Mr Samouel and a representative from BHT, Mr Oakley, spoke in support of the application. Mr Samouel referred to the need for good quality houses of multiple occupancy (HMOs), explained that much of the layout and utility was already in place and was pleased to be able to restore a listed building. It was also explained that the property would go beyond the basic requirements for HMOs. Mr Oakley stated that the finish of the property and the steps taken by the owner would make it easy to manage; he referenced nearby properties managed by BHT and explained there was no issues in relation to nuisance.

**Questions, Debate and Decision Making Process**

- (5) Councillor Cobb asked for confirmation that the property was an end of terrace.
- (6) Councillor Hyde asked a question in relation to anti-social behaviour in the area, and Mr Morgan confirmed he and his family already experienced problems from the nearby licensed premises.
- (7) Councillor Davey asked for further information in relation to the applicant's comments about the utilities that were already in place. It was confirmed that, as the property had previously been a boarding house, much of the plumbing for sinks in the bedrooms was already installed. In response to a further query from Councillor Davey it was explained that there was no shared area, other than the kitchen, as experience had showed that there was little demand for such spaces.
- (8) Councillor Hawtree asked what flooring was proposed for the bedrooms, and it was clarified it would be thick carpet.
- (9) Councillor Carol Theobald asked if rooms could be shared by two people, and it was confirmed that this would not be the case. Following further queries it was explained that the rooms were all of good size and larger than the minimal requirement.
- (10) Councillor Hyde asked for more information on the proposed management plan; it was explained that the rooms would only let to people who had been through an assessment process and would not be vulnerable to drug or alcohol misuse issues.
- (11) Councillor Wells stated he did not feel that an HMO was right for the area, which would already be dense enough, and he did not agree with the Officers recommendations.
- (12) Councillor Davey explained he was sympathetic to the neighbours concerns in relation to nuisance, but he accepted the necessity for such accommodation in the city; and felt the neighbours would be able to raise any problems experienced with BHT.
- (13) Councillor Carol Theobald said that families were also important in the city, and did not believe an HMO was the correct use of the building.
- (14) Councillor Hawtree echoed the comments of Councillor Davey, and trusted that BHT had the experience to manage the property.
- (15) Eleven of the members of the Committee were present and on a vote of 7 to 3 with 1 abstention planning permission was granted on the grounds set out below.
- 135.7 **RESOLVED** – That the committee has taken into consideration and agrees with the reasons for the recommendation and the policies and guidance in section 7 of the report and resolved to **GRANT** planning permission subject to the Conditions and Informatives set out in the report.

- H. **Application BH2011/02362, 12 Charles Street, Brighton** – Interior alterations and associated works in connection with the change of use from single dwelling house to a house in multiple occupation (part-retrospective).
- 135.8 **RESOLVED** – That the committee has taken into consideration and agrees with the reasons for the recommendation and the policies and guidance in section 7 of the report and resolved to **GRANT** listed building consent subject to the Conditions and Informatives.
- I. **Application BH2011/02675, Buckingham Lodge, Buckingham Place, Brighton** – application to extend time limit for implementation of previous approval BH2008/00319 for construction of one additional storey to form 6no 1 bedroom flats and conversion of 2no existing garages into bin/cycle storage area.
- (1) The Area Planning Manager (East) gave a presentation detailing the scheme as set out in the report by reference to photographs, plans and drawings. Presently on the site there was a three storey block of flats; the application was seeking to extend the time limit of the previous approval in 2008. The additional storey would be for six 1 bedroom flats set into the existing structure. There had been no works undertaken since the original planning permission was granted, and the report requested a £3,000 Section 106 contribution towards sustainable transport. The application was minded for approval subject to the Section 106 Agreement and the Conditions and Informatives set out in the report.

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

- (2) Councillor Carol Theobald stated she felt the development was too high, and unfair for the residents due to increased pressure on the parking; for these reasons she did not support the Officers recommendations.
- (3) Eleven members of the Committee were present and on a vote of 8 to 3 the extension to the time limit for implementation of the planning permission was granted on the grounds set out below.
- 135.9 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation and the policies and guidance set out in section 7 of this report and is **MINDED TO GRANT** planning consent, subject to the Section 106 Agreement and the Conditions and Informatives set out in the report.
136. **TO CONSIDER AND NOTE THE CONTENT OF THE REPORTS DETAILING DECISIONS DETERMINED BY THE LOCAL PLANNING AUTHORITY INCLUDING DELEGATED DECISIONS**
- 136.1 **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.]

**137. 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**

137.1 **RESOLVED** – That the following site visits be undertaken by the Committee prior to determination of the application:

Application:	Requested by:
BH2011/03398 Flat 4, 4 Montpelier Terrace	Councillor Wells
BH2011/03397 Flat 4, 4 Montpelier Terrace	Councillor Wells

The meeting concluded at 4.58pm

Signed

Chair

Dated this

day of