

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 1 APRIL 2015

RONUK HALL, PORTSLADE TOWN HALL

MINUTES

Present: Councillors Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Gilbey, Littman, Robins, Randall, C Theobald and Wells

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

Officers in attendance: Jeanette Walsh (Planning and Building Control Applications Manager); Nicola Hurley (Planning Manager (Applications)); Steven Shaw (Principal Transport Officer); Hilary Woodward (Senior Solicitor) and Penny Jennings (Democratic Services Officer)

PART ONE

158 PROCEDURAL BUSINESS

158a Declarations of substitutes

158.1 Councillor Robins was present in substitution for Councillor Hamilton and Councillor Randall was present in substitution for Councillor Phillips.

158b Declarations of interests

158.2 Councillor Cox referred to Item 163 on the agenda, relating to the request to vary the S106 dated 11 March 2008 signed in association with Application BH2007/02930, 50-52 New Church Road, Hove. He explained that as he had been involved in supporting the proposal before committee that day that he would leave the meeting during consideration of the report and would take no part in the discussion or voting thereon. Councillor Cox stated that he had received e mail correspondence in respect of Application A, BH2014/03012, Rose Hill Tavern, 70-71 Rose Hill Terrace, but confirmed that he remained of a neutral mind and would therefore take part in the discussion and decision making thereon. Councillor Cox also referred to Application C, BH2015/00169, 5-8 West Street, Rottingdean. He explained that his son worked for Tesco Stores (not the application address), he remained of a neutral mind and would therefore take part in the discussion and decision making thereon.

158.3 Councillor Davey stated that as a Local Ward Councillor he had attended LAT and other community meetings at which Application A, BH2014/03012, Rose Hill Tavern, 70-71 Rose Hill Terrace, Brighton had been discussed, he had not however discussed the application or expressed a view about it and remained of a neutral mind. He would therefore take part in the discussion and decision making thereon.

158.4 Councillor Randall stated that in his capacity as Chair of Housing Committee he had been directly involved in supporting Application D, BH2015/00067, Car Park, Ardingly Street, Brighton. He would therefore leave the meeting during consideration of the application and would take no part in the discussion or voting thereon.

158c Exclusion of the press and public

158.5 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.

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

158d Use of mobile phones and tablets

158.7 The Chair requested Members ensure that their mobile phones were switched off, and where Members were using tablets to access agenda papers electronically ensure that these were switched to 'aeroplane mode'.

159 MINUTES OF THE MEETING OF 18 FEBRUARY 2015

159.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 18 February 2015 as a correct record.

160 MINUTES OF THE PREVIOUS MEETING

160.1 Councillor Jones referred to paragraph (14) on page 26 of the minutes stating that in order to read correctly the third line of the paragraph should read..."this was not a significant issue".

160.2 **RESOLVED** – That subject to the amendment set out above, the Chair be authorised to sign the minutes of the meeting held on 11 March 2015 as a correct record.

161 CHAIR'S COMMUNICATIONS

161.1 There were none, although the Chair welcomed Members and the public to Portslade Town Hall which would serve as the venue for Planning Committee meetings until such time as the current refurbishment of Hove Town Hall had been completed. The emergency evacuation arrangements were also explained.

162 PUBLIC QUESTIONS

162.1 There were none.

163 50-52 NEW CHURCH ROAD, HOVE - REQUEST FOR A VARIATION OF S106 DATED 11 MARCH 2008 SIGNED IN ASSOCIATION WITH APPLICATION BH2007/02930

163.1 The Committee considered a report of the Head of City Planning and Development requesting their consideration of a request for a variation to the s106 Planning Obligation Agreement.

163.2 It was explained that the application had been granted on 31 March 2008 following completion of a Section 106 agreement that, amongst other provisions, restricted the eligibility of residents of the affordable housing units for parking permits. The managing agents for the development had requested the car-free restriction be dropped on the basis that it is inconveniencing residents who have to walk a considerable distance from their vehicles to their homes. This was particularly troublesome for residents who work outside of the city and/or had child care commitments that required car ownership. They had also argued that the restriction was causing more car journeys and increasing parking demand outside the CPZ in neighbouring Wish ward, and restricting the types of jobs residents could have. Twenty five requests to vary the Obligation had been received, equating to one per resident.

163.3 It had also been noted that the site, whilst located on main bus routes along New Church Road, was not a highly sustainable location, with the city centre and mainline train routes set a considerable distance to the north and east. In consequence, alternative modes of transport were not as readily accessible as in more central parts of the city.

163.4 Advice had been sought from the Head of Law and his advice was set out in paragraph 6.7 of the report, it was considered reasonable to consider the application to vary in the context of whether the obligation was necessary. For the reasons set out it was not considered necessary for the car free restriction to remain and a variation to the s106 Obligation was therefore recommended.

163.5 Councillor C Theobald stated that in her view it would have been appropriate for on site parking to have been provided for the development. She was in agreement however, that residents should be permitted to apply for residents' parking permits and therefore supported the recommendation set out in the officer's report.

163.6 Councillor Hyde stated that she had been uncomfortable with the decision to restrict the ability of residents of the development to park on street and therefore supported the report recommendation.

163.7 Councillor Davey confirmed that he considered that the case to vary the existing s106 Obligation had been made and therefore happy to support the recommendation set out in the report.

163.8 A vote was taken and the 11 Members of the Committee who were present voted unanimously that the existing s106 Planning Obligation Agreement be varied as recommended.

163.9 **RESOLVED** – That the Committee resolves to allow the completion of a variation to the s106 planning agreement dated 11 March 2008 relating to 50-52 New Church Road, Hove to allow residents of the development to apply for residents' parking permits.

Note: Councillor Cox left the meeting during consideration of the above application and took no part in the discussion or voting thereon.

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

161.1 There were none.

165 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2014/03012, Rose Hill Tavern, 70-71 Rose Hill Terrace, Brighton -Full Planning
Change of use of ground floor and basement from Public House (A4) to form two residential units(C 3), Reinstatement of railings and basement level window to front elevation and associated elevations.

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
- (2) The site related to a public house (The Rose Hill Tavern) located to the southern side of Rose Hill Terrace. It formed part of a terrace of similar two storey rendered dwellings with canted bay windows.
- (3) The main considerations in the determination of this application related to the principle of the change of use from public house to residential, the visual impact upon the building and the surrounding area, the standard of accommodation to be provided, the impact upon neighbouring amenity and transport, environmental health and sustainability issues. It is noted that the building had been listed, at the request of the Save the Rose Hill Tavern Action Group, as an Asset of Community Value ("ACV") under provisions contained in the Localism Act 2011. Listing as an ACV allowed community interest groups to prepare and submit a bid, if they wished, should the owner of the asset decide to dispose of the asset. Whilst ultimately this listing could not prevent the owner selling the asset to whomever they want, at whatever price they wanted, by providing for a moratorium on sale the legislation does offer an opportunity for community groups to make a bid for the asset.
- (4) It was acknowledged that the property was an Asset of Community Value and this fact is a material planning consideration of some weight. However, given that an exception to policy HO20 was evident and the proposal did not undermine the wider objectives of policy SA6 or the NPPF, the balance of the recommendation was considered to lie in favour of a grant of permission. The development would be of an appropriate appearance, no significant harm to neighbouring amenity would be caused, and subject to compliance with conditions, matters relating to transport, sustainability and

potential land contamination would be successfully addressed, the application was therefore recommended for approval.

Public Speakers and Questions

- (5) Mr Boyle spoke on behalf of objectors. He referred to the inclusion of the site on the Council's List of Assets of Community Value and said this was very rare, only one other site in the city had been accorded this status and indicated its importance.
- (6) There was a large body of local support for the building as a community facility, rather than as a vertical drinking establishment, a petition containing 720 signatures, 28 objections and a local action group of 37 plus members indicated the level of support for this. Such a facility would be significantly different from the offer provided by the public houses and other establishments cited in the nearby London Road. The previous use had failed because it had been badly run.
- (7) Mr Bareham, representing the applicant's agents spoke in support of the application. Mr Bareham stated that a number of those who had indicated support for a community use were local residents. It was considered that there were a number of establishments providing similar facilities nearby. The scheme would provide much needed accommodation whilst preserving the external appearance of the building.
- (8) Councillor Jones sought clarification regarding the level of local support for the community use as there seemed to be conflicting information about that and a number of residents also appeared to support the site being used for housing. Mr Boyle explained that although he was not directly involved in dealing with Membership issues he was aware that a number of those living in the immediate vicinity of the site had expressed support for a community use. Councillor Mac Caferty, the Chair asked questions of clarification of the applicant and of officers.

Questions for Officers

- (9) Councillor Robins sought clarification of the position should the building be purchased for community use but failed subsequently. It was explained that would be matter for the then owners. Mr Boyle explained in answer to questions that in their view there were other successful models and that it was important to note that a community use would not be run on the same model as a commercially run public house, it could however still be financially viable. The former public house in Bevendean which now operated as a community resource was cited.
- (10) Councillor Gilbey enquired regarding any discussions which had taken place between the parties.

Debate and Decision Making Process

- (11) Councillor Randall stated that whilst noting with interest all that had been said, he considered that it was important to differentiate between this site and that in Bevendean which had been cited. The premises in Bevendean was located on an estate with no other provision in the immediate vicinity. He did nonetheless consider

that a pub/community facility which sat at the heart of a community and provided a focus for it was a very important asset.

- (12) Councillor Robins concurred stating that once a community facility had gone it was gone forever. A good local pub was a very different thing from a commercial facility which catered largely to passing trade. It was important to provide housing but a balance had to be struck.
- (13) Councillor Davey stated that whilst recognising the need to provide housing in the city was paramount, this should not be irrespective of other considerations, it was important to seek to protect community cohesion too.
- (14) Councillor Gilbey sought clarification regarding marketing of the site which had taken place and considered it was important to protect recognised community assets where possible. Councillor C Theobald concurred in that view stating that to her knowledge the building had a number of unique features which would be lost from public view if this development was to go ahead.
- (15) In answer to further questions, the Planning and Building Control Applications Manager, Jeanette Walsh stated that whilst it was acknowledged that the building was an Asset of Community Value and that this had been given due weight as a material planning consideration. It was however, considered that an exception to policy H020 was evident and that the proposal did not undermine the wider objectives of policy SA6 or the NPPF, the balance of the recommendation was therefore considered to lie in favour of permission. The Legal Adviser to the Committee, Hilary Woodward explained that in coming to a decision on whether to uphold the listing of the building as an Asset of Community Value the judge at the First-tier Tribunal had not assessed, and was not required to have assessed, the listing against planning policy. The relevant legislation regarding Assets of Community Value was the Localism Act 2011 and its secondary legislation - not planning legislation.
- (16) Councillor Littman stated that whilst having listened carefully to all that had been said he was ultimately of the view that in this instance a sufficiently compelling case had not been made for loss of this asset for housing use, he was therefore unable to support the officer recommendation on this occasion. Councillors Davey and Randall concurred in that view.
- (17) Councillor Cox stated that he concurred with the officer view and supported the recommendation that planning permission be granted.
- (18) Councillor Mac Cafferty, the Chair stated that having visited the site the previous day he had had the opportunity to view the unique 1930's architecture within the building which in his view represented an important asset in its own right.
- (19) A vote was taken and Members voted on a vote of 7 to 3 with 2 abstentions that planning permission be refused.
- (20) Councillor Littman proposed that the application be refused on the grounds set out below, this was seconded by Councillor Mac Cafferty, the Chair.

- (21) A recorded vote was then taken and Councillors Mac Cafferty, the Chair, Davey, Gilbey, Robins, Littman, Randall, and C Theobald voted that planning permission be refused. Councillors Carden, Cox and Wells voted that planning permission be granted, Councillors Jones and Hyde abstained.
- 165.1 **RESOLVED** – That the Committee resolves that planning permission be **REFUSED** for the following reasons:
1. Notwithstanding the need for housing the Rose Hill Tavern is a community asset which is valued for its unique offer. The applicant has submitted no evidence to persuade the local planning authority that this type of community facility is provided for in the vicinity of the site or that it is re-provided elsewhere. The proposed development is therefore contrary to policy HO20 of the Brighton & Hove Local Plan 2005;
 2. The approval of this application would have a detrimental impact on the reasonable range of public houses within easy walking distance for local residents and would represent a lost opportunity to enhance the sustainability of this community. The proposed development is therefore contrary to policy SA6 of the Brighton & Hove City Plan Part One (Submission Document).

B BH2014/04116, 31 Melbourne Street, Brighton - Full Planning Erection of three storey block containing 3no self contained flats.

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
- (2) The Planning Manager (Applications), Nicola Hurley, introduced the application and gave a presentation by reference to site plans, floor plans, elevational drawings, showing the previous and currently proposed scheme and photographs showing views across the site from neighbouring locations.
- (3) It was noted that the site was situated to the west of the eastern length of Melbourne Street, and formed an open piece of land between the north elevation of 32 Melbourne Street which formed part of the historic terrace of properties and to the south of a recently constructed 3 storey modern apartment block (planning application BH2009/00655). The site had once formed part of the larger former Covers Yard site which last operated as a builders merchants and upon its closure was subdivided into a number of smaller sites. The main considerations relating to the determination of this application were the principle of development, the impact of the proposed development with respect to scale and design, neighbouring and future occupants' residential amenity, traffic implications, sustainability and biodiversity.
- (4) It was explained that in the current application, the proposed number of flats had been reduced to three, the design of the roof had been altered, there had been cladding and fenestration changes to the external elevations, and the upper floor and Juliet balconies had been removed.
- (5) It was considered that as amended the proposed residential development would be of an appropriate appearance, no significant harm to future occupiers or neighbouring

amenity would be caused, and subject to compliance with conditions matters relating to transport and sustainability would be successfully addressed, minded to grant approval was therefore recommended.

Questions of Officers

- (6) Councillor Cox sought clarification regarding whether Councillors Daniels' letter which was appended to the report actually constituted an objection. It was explained that the letter had been considered as such.
- (7) Councillor Randall referred to the 136 Community Centre which was located adjacent to the application site referring the narrow alleyway between the two buildings enquiring whether that would provide a means of escape in the event of the community centre needing to be evacuated, also the access arrangements for accident/rescue service vehicles. Councillor Randall stated that whilst he had no objections to the proposed scheme he was aware that the community centre often hosted family friendly events which were attended by a number of children.
- (8) The Planning Manager (Applications), explained that as far as she was aware there were no rights of way/access between the two buildings, although that would be a landownership issue which fell outside the powers of the planning regime. The Planning and Building Control Applications Manager confirmed that this was the case. The Legal Adviser to the Committee, Hilary Woodward confirmed that there might be a private, rather public right of way and the Principal Transport Officer, Stephen Shaw confirmed that based on his experience that was likely to be the case. The Planning Manager (Applications), Nicola Hurley, confirmed that if a right of way existed, although this fell outside the remit of the Planning Committee, there were means by which this could be enforced. Access arrangements for emergency service vehicles would be the same as that for a number of terraced properties across the city. The Chair asked if Members required a brief recess in order to check on this matter but Members indicated that this was unnecessary.

Debate and Decision Making Process

- (9) Councillor Wells stated that as the site had been in use previously as a storage yard associated with a builders merchants he considered that it was unlikely that there would have been rights of way between it and any of the neighbouring buildings. He welcomed the scheme which he considered represented a good use of the site, and once completed an improvement on the previous use.
- (10) Councillor Hyde stated that although she had had reservations about the appropriateness of the scheme in the context of the neighbouring street scene, having had the opportunity to visit the site these had been dispelled completely. She considered that the proposed form of development fitted in well and was happy to support the officer recommendation.
- (11) Councillor Gilbey concurred stating that the proposed scheme would be an improvement to the existing derelict site.

(12) A vote was taken and the 12 Members present when the vote was taken voted unanimously that minded to grant approval be given.

165.2 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 7 of the report and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement and the Conditions and Informatives set out in section 11 of the report.

C **C BH2015/00169, 5-8 West St Rottingdean - Full Planning** Application for variation of condition 5 of application BH2005/06332 (Amendment to approved permission BH2004/02617/FP reduction to floor area). Part single storey, part two storey retail unit) to state that the premises shall not be open for customers or in use except between the hours of 06:00 and 23:00.

(1) The Planning Manager (Applications), Nicola Hurley introduced the application and gave a presentation by reference to the site plan and photographs of the store as built and in operation including views across the car park.

(2) The application related to a part one, part two storey retail unit (A1) on the northern side of West Street, Rottingdean. The site lay opposite an existing public car park and some 40m to the west of Rottingdean High Street, a local shopping centre as defined in the Brighton & Hove Local Plan. The site adjoined the Rottingdean Conservation Area via a short section of the rear boundary with the majority of the Conservation Area sited to the north east of the site. The prevailing character of the area was mixed with both residential and commercial properties within the immediate vicinity. The site backed onto residential properties in Park Terrace and adjoined Victoria Mews which had access from West Street via a private road immediately to the west of the site. There was a row of terraced properties to the west of the supermarket on West Street.

(3) It was not considered that the proposed extension of opening hours by one hour from 06.00 to 23.00 would result in any significant increased noise disturbance to the detriment of the amenity of neighbouring residential occupiers and approval was therefore recommended.

Public Speakers and Questions

(4) Councillor Mears spoke in her capacity as a local ward Councillor setting out her objections to the proposals. Councillor Mears stated that Condition 5 had been imposed on the original planning permission as a result of very considerable widespread concerns over the impact of the store on residential property in West Street, and other addresses in close proximity, particularly in the morning and late at night. The situation in West Street and the surrounding area had not changed. Councillor Mears also expressed concern that the store had pre-empted their application by beginning to open at 6.00am in contravention of their existing permission.

(5) Ms L'Estrange spoke on behalf of the applicants in support of their application. She explained that an extension to the existing hours of operation was being sought for the convenience of local people. It was envisaged that there would be little additional

footfall, 1 person per minute, and that in consequence no additional noise or other nuisance would result which could be detrimental to neighbouring residents. The proposal was similar to opening hours in place at comparable Tesco local stores.

- (6) In answer to questions, Ms L'Estrange responded that she was uncertain regarding the location of the trolley store, but confirmed that no other changes to the existing operation of the store were proposed, including later opening times, times at which trolleys could be moved and timing of deliveries to the store.

Debate and Decision Making Process

- (7) Councillor Wells concurred with the points made by Councillor Mears. He could not see that there had been a change in the circumstances of the stores mode of operation which meant this condition was no longer applicable. Neighbouring residents needed to be protected from disturbance at too earlier an hour. The Parish Council had also raised objections and clearly shared the concerns of residents.
- (8) Councillors Davey and Littman were in agreement that insufficient evidence had been given to vary the condition. Councillor Littman stated that careful consideration had been given to the fact that the store was located in a residential area when the original permission had been granted and that had also been reflected in the hours of operation which had been agreed, that remained the case and a compelling case to change that had not been made.
- (9) Councillor Robins stated that whilst stating that the change in hours would not lead to any increase in activity the applicants had also indicated the increased levels of footfall they envisaged, both statements could not be correct. Councillor Robins stated that he did not consider there would be any advantage for residents and was concerned that increased disturbance would result, he did not feel able to support the proposed change in hours. Councillor Gilbey was in agreement.
- (10) Councillor Randall stated that the company would not be requesting an earlier opening hour unless they thought it would generate more business which could give rise to increased nuisance at an earlier hour.
- (11) Councillor C Theobald stated that she considered that a 6.00am opening hour was too early and that the existing 7.00am opening hour was appropriate ensuring that residents were not disturbed at too early an hour.
- (12) Councillor Hyde stated that the person speaking on behalf of the applicants was clearly not familiar with this store or its mode of operation. She considered that an earlier commencement hour would inevitably give rise to increased noise which was unacceptable given that residential terraced housing was located close by. Councillor Hyde stated that she could not support the proposed earlier opening time which in her view could have a more detrimental impact than a later closing time.
- (13) Councillor Mac Cafferty, the Chair, having heard and noted all that had been said enquired whether it would be possible to grant a temporary permission for a year which would enable the position to be monitored and an assessment made as to whether any nuisance had occurred.

- (14) The Planning Manager (Applications), Nicola Hurley, confirmed that as the store was already there and operating this would not involve any unreasonable outlay for the applicants. This option did not, however, receive support from the Committee and as there were no further questions or Members indicating that they wished to speak the Committee proceeded to the vote.
- (15) A vote was taken and Members voted on a vote of 10 with 2 abstentions that planning permission be refused.
- (16) Councillor Hyde proposed that planning permission be refused for the reasons set out below, this was seconded by Councillor Wells.
- (17) A recorded vote was then taken and Councillors, Mac Cafferty, the Chair, Jones, Hyde, Davey, Gilbey, Robins, Littman, Randall, C Theobald and Wells voted that planning permission be refused. Councillor Carden and Cox abstained.
- 165.3 **RESOLVED** – That the Committee resolves to **REFUSE** the proposed variation to extend the morning opening hours as it would have a detrimental impact on the amenities of adjoining residents by reason of increased noise and disturbance. The proposal is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

D BH2015/00067, Car Park, Ardingly Street, Brighton -Full Planning Erection of three storey block containing 2no two bedroom and 3 no one bedroom flats.

- (1) The Planning Manager (Applications), Nicola Hurley, gave a presentation by reference to site plans, floor plans, elevational drawings and photographs showing the site from various perspectives within the neighbouring street scene including the car park itself.
- (2) It was noted that the application site comprised an open car park on the northern part of a quadrant bounded by Cavendish Street, Ardingly Street and High Street to the west, north and east respectively, and by St James Street to the south. The car park had a capacity of 13 vehicles.
- (3) It was considered that the proposed development represented a suitably scaled and designed addition that would not harm the appearance of the site or adjacent East Cliff Conservation Area or the amenities of adjacent occupiers, and would provide for an acceptable standard of accommodation for future residents. The proposal would not result in additional transport demand in the area and would re-provide parking bays for doctors to the surgery opposite. The development accorded with development plan policies, approval was therefore recommended.

Questions of Officers

- (4) Councillor Hyde stated that whilst she considered the proposed scheme to be acceptable overall she had concerns regarding the type of external render proposed, enquiring whether a wet finish was proposed, as this appeared to weather better than some other forms of render used. Councillor Wells concurred stating that there were new developments in the city (he cited the former Co-operative building in London Road, Brighton) where the render used was already showing signs of wear and discolouration.

- (5) Councillor C Theobald enquired whether it was envisaged that the loss of parking which would occur in consequence of the development would be problematic. She considered that available car parking in the vicinity was often fully used.
- (6) Councillor Davey enquired regarding the capacity of on-street parking in the vicinity of the site. The Principal Transport Officer, Steven Shaw, responded to both Councillors explaining that some, although not all of the car parking places would be re-provided, including some off-street spaces within the development itself. Currently, 1,681 permits for on-street spaces were in use as against a total number of 1,943 permits which were allowed. This represented an 86% usage rate.
- (7) The Planning and Building Control Applications Manager, Jeanette Walsh stated that If Members considered it appropriate a condition could be added to any permission granted requiring that a wet rather than textured rendered finish to be used. Members indicated that would be their wish.

Debate and Decision Making Process

- (8) Mr Gowans, CAG referred to the representation made by that group which in addition to concerns raised in relation to use of a rendered finish had also expressed disappointment that the scheme represented a missed opportunity as in their view the design was box like, with no style to the design of the fenestration and a better modern design solution should have been sought.
- (9) Councillor Wells, whilst concurring with the points made by CAG in respect of use of a rendered finish, considered that this could be dealt with by condition. The scheme would provide much needed housing and he supported it.
- (10) Councillor Davey concurred with all that had been said but was also in agreement that this scheme would provide much needed housing and that a balance also needed to be struck between that and loss of off-street parking. In this instance he considered that the proposed housing represented a greater priority.
- (11) Councillor Carden welcomed the proposed scheme stating that he hoped that there would be some on-site provision for those visiting residents of the completed scheme.
- (12) Councillors Cox and Gilbey also expressed their support for the proposed scheme.
- (13) A vote was taken and the 10 Members present when the vote was taken voted unanimously that planning permission be granted.

165.4 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the conditions and Informatives set out in section 11 of the report.

To reflect Members' request that a condition be included to secure implementation of a wet render system as part of the agreement of materials, condition 6 a) be amended, the existing text to be replaced with:

- a) samples of brick and wet render (including details of colour to be used)

An additional informative to be added stating that:

The applicant is advised that the details required by condition 6 are to be delegated for agreement to the Head of Development Control in consultation with the Chair, Deputy Chair and the Opposition Spokesperson.

Note: Councillors Randall and Robins were not present when the vote was taken.

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

- 166.1 There were none.

167 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

- 168.1 That the Committee notes the details of applications determined by the Executive Director Environment, Development & Housing under delegated powers.

[Note 1: All decisions recorded in this list are subject to certain conditions and reasons recorded in the planning register maintained by the Executive Director Environment, Development & Housing. 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.]

169 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

170 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

171 APPEAL DECISIONS

171.1 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 5.10pm

Signed

Chair

Dated this

day of