

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 28 OCTOBER 2015

THE RONUK HALL, PORTSLADE TOWN HALL

MINUTES

Present: Councillors Cattell (Chair), Gilbey (Deputy Chair), Mac Cafferty (Group Spokesperson), Allen, Bennett, Inkpin-Leissner, Janio, Littman, Miller, Morris, Robins and Wares

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

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

PART ONE

89 PROCEDURAL BUSINESS

89a Declarations of substitutes

89.1 Councillor Allen was present in substitution for Councillor Hamilton, Councillor Robins was present in substitution for Councillor Barradell and Councillor Janio was present in substitution for Councillor C Theobald.

89b Declarations of interests

89.2 Councillor Bennett referred to Application BH2014/02331, 59 Hill Drive, Hove stating that having submitted a letter of objection (attached to the officer report) she intended to speak in her capacity as a Local Ward Councillor and then to withdraw from the meeting and take no part in the discussion or voting thereon.

89.3 Councillors Miller Janio and Mac Cafferty declared an interest in Application BH2015/02941, Former Whitehawk Library Site, Findon Road/Whitehawk Road, Brighton. Councillor Miller explained that he had attended the Housing Committee meeting at which the principle of the development had been agreed, however he remained of a neutral mind in respect of the application and would therefore remain at the meeting and take part in the discussion and voting thereon. Councillors Janio and Mac Cafferty had attended the Meeting of the Policy and Resources Committee at

which funding for a scheme had been agreed, both confirmed however, that they remained of a neutral mind and would therefore remain at the meeting and take part in the discussion and voting thereon.

- 89.4 Councillor Cattell, the Chair referred to Application BH2015/00914, 17 Marmion Road, Hove explaining that Liam Russell the agent for the scheme was known to her. She had carried out work for clients of his in the past, although not recently; she had no financial or business link with Mr Russell. The Chair confirmed that she was of a neutral mind in respect of the application and she would remain present in the Chair during its discussion and determination.

89c Exclusion of the press and public

- 89.5 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 was 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.

- 89.6 **RESOLVED** - That the public be not excluded during consideration of any item of business on the agenda.

89d Use of mobile phones and tablets

- 89.7 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'.

90 MINUTES OF THE PREVIOUS MEETING

- 90.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 7 October 2015 as a correct record.

91 CHAIR'S COMMUNICATIONS

- 91.1 The Chair referred to criticism of the planning department that had appeared in the press recently. This was unfortunate as she was aware that staff at all levels had been working very hard to process and clear an unprecedented number of applications and proposed a vote of thanks in recognition of the dedication of staff requesting that the Planning and Building Control Applications Manager convey this to staff.

92 PUBLIC QUESTIONS

- 92.1 There were none.

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

- 93.1 There were none.

94 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**MAJOR APPLICATIONS****A BH2015/02403, Brighton College Eastern Road, Brighton - Full Planning**

Demolition of existing Sports Hall, Chowen building and Blackshaw building and Pavilion to facilitate erection of a new 4 storey (including lower ground) Sports and Sciences building together with associated works. Removal of a section of the boundary wall facing Sutherland Road to create new car park entrance with car lift to underground parking area.

- (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 report by reference to photographs elevational drawings, floor plans and site plans. These showed the existing and proposed street frontages and views across the site towards neighbouring properties, samples of materials were also displayed. Planning permission was sought for the demolition of the existing Sports Hall, Chowen building, Blackshaw building and Pavilion and the erection of a replacement four storey (including lower ground floor) Sports and Sciences building comprising the following mix of teaching and sports facilities:
 - Basement level swimming pool, changing facilities, plant room, stores and car park for 20 vehicles and 36 bicycles
 - Ground floor level Sports Hall, fitness studios and café
 - First floor lecture theatre, stores and four classrooms
 - Second floor 15 science classrooms, preparation rooms and greenhouse
 - Roof level amenity terraces, running track and non-accessible sedum roofs
- (3) In order to facilitate access to the basement car park a section of flint boundary wall fronting Sutherland Road was to be removed, along with all fencing and walls fronting the new building. The section of wall to be removed sat within a flint wall that attaches to a Grade II listed flint wall extending along College Terrace and was considered listed by virtue of its attachment. On balance and having regard to the overall benefits of the redevelopment of this part of the campus it was not considered that the absence of a boundary wall at this point was so detrimental as to warrant refusal of permission. Conditions were recommended to secure details of the new wall-ends, prior to works to the wall commencing.
- (4) It was considered that the application represented a well-designed addition to the Brighton College site which suitably preserved and enhanced the special interest and setting of its Grade II listed buildings, the appearance of the site when viewed from Sutherland Road, and the character and appearance of the College Conservation Area as a whole, without resulting in undue harm to neighbouring amenity or highway safety, in accordance with development plan policies, the NPPF when considered as a whole, and the statutory duty within sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and approval was therefore recommended.

Public Speakers and Questions

- (5) Mr Denny spoke on behalf of neighbouring residents setting out their objections to the scheme. He stated it was considered that the proposals would compromise daylight and sunlight, particularly to properties at the rear by virtue of the height and close proximity of those buildings. The proposed scheme was out of keeping with the character of the neighbouring conservation area and failed to address the safety concerns raised. It was the view of objectors that the car park should be removed and the height of the north block reduced to give the scheme a more modest appearance. Objectors were also at the apparent reduction of opportunities for local community use arising from the scheme.
- (6) Mr Westbrook, spoke on behalf of the applicants in support of the scheme. He explained that there was currently a mismatch of buildings on site, they were outdated, too small and were no longer fit for purpose as they were inadequate for modern teaching requirements. The scheme had been revised to reflect the feedback received following consultation, both the CAG and Historic England had raised no objection to the proposals.
- (7) Councillor Miller asked whether there would be an increase in pupil number and Mr Westbrook confirmed that was not envisaged.
- (8) Councillor Wares referred to the fact that a number of objections had been received and asked the applicant's representative regarding amendments made in order to mitigate objectors concerns.
- (9) Councillor Janio asked the applicant to provide details in relation to on-site parking arrangements and how this would be monitored. It was explained that the additional on-site parking was intended in part, to ameliorate the pressure on parking in neighbouring streets. A one in one out system would be used in order to manage traffic flow and to control the number of vehicular movements on site.

Questions for Officers

- (10) Mr Gowans, CAG asked for clarification regarding the elevational treatments and glazing proposed to the classrooms to be provided at second floor level.
- (11) Councillor Wares sought further information in relation to the operation of the proposed car lift and asked for details of the potential impact this could have in terms of vehicles queuing to access it. The Development and Transport Assessment Manager, Steven Shaw, explained that this had been assessed, and would operate as a "tidal flow" arrangement in the morning and evening and it was considered to be satisfactory.
- (12) Councillor Robins asked for clarification of the height of the constituent elements of the scheme and their distance from the nearest neighbouring properties.
- (13) Councillor Miller requested detail in respect of the extent of the works to be carried out adjacent to the listed flint wall.

- (14) Councillor Inkpin-Leissner enquired regarding the arrangements to be made for transportation of materials and waste to and from the site during the construction period. It was important to minimise noise nuisance and other disruption.

Debate and Decision Making Process

- (15) Councillor Morris asked whether it would be possible to add an informative requesting that the applicant consider making facilities at the college available to small local community groups.
- (16) Councillor Wares concurred and considered that it was also important to ensure that use of the roof did not give rise to noise nuisance.
- (17) Councillor Gilbey considered that it would be appropriate to condition use of the roof to be used between 8am and 8pm seven days per week.
- (18) Councillor Mac Cafferty had noted the concerns raised by residents, about the potential impact on the neighbourhood also noting, however, that this scheme represented the “final Piece of the jigsaw” in that it represented the last stage of works at the college.
- (19) A vote was taken and members voted unanimously that planning permission be granted subject to the additional condition set out below.

- 94.1 **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 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11. Condition 15 to be amended as set out below and also to the additional Condition and informative set out below:

Amendment to Condition 15 to read:

No development other than demolition works and works to clear the site shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site, as per the Surface Water Drainage – Response to Comments (Ref. 23946), dated October 2015, has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

Reason: This pre-commencement condition is required to ensure that the principles of sustainable drainage are incorporated into this proposal from the start and to comply with policy SU4 of the Brighton & Hove Local Plan.

Additional Condition:

The use of the roof for recreational purposes as set out in the planning application hereby approved shall take place between 8.00am to 8pm Monday to Sunday only.

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

Additional Informative:

The applicant is advised that Planning Committee would like to encourage the applicant to find creative ways of making the sport and recreation facilities available for the public/community to use.

B BH2015/02941, Former Whitehawk Library Site Findon Road/Whitehawk Road, Brighton - Full Planning

Construction of 2 residential blocks to provide a total of 57 self-contained flats incorporating creation of vehicular access points from Whitehawk Road and Findon Road, car parking spaces, refuse facilities, landscaping and other associated works. (Amended Scheme).

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Planning Officer, Jason Hawkes introduced the report by reference to plans, photographs, aerial photographs and elevational drawings. Planning permission was sought for the construction of two blocks to form 57 flats. The land was Council owned and would provide 57 housing units. The scheme was part of the New Homes for Neighbourhoods programme to build 500 new council homes by 2030. During the course of the application, the Estates teams had advised that the scheme would be built either as a 100% affordable rented scheme or with a minimum of 50% affordable rented and a percentage of market sale depending on financial viability. The main considerations in determining this application related to the loss of the former community use, the provision of affordable housing, the design and appearance of the proposed development, impact on residential amenity, standard of accommodation, transport and highway concerns, land contamination, impact on trees and landscaping, sustainability, ecology considerations and crime prevention measures.
- (3) It was considered that the loss of the existing community use was acceptable given the historical relocation of the previous community use to a nearby location. The development was of an appropriate height, scale, bulk and design and would fit in with the character of the area. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance and was also appropriate in terms of highway safety, ecology and sustainability and minded to grant approval was therefore recommended.
- (4) It was noted that although objectors had registered to speak in respect of the application, notification had been received that they would be unable to attend, therefore there would be no speaking in respect of this application.

Questions of Officers

- (5) Councillor Gilbey sought confirmation of the number of parking spaces to be provided, and whether this was comparable with that generally provided. Councillor Gilbey stated it was her understanding that estimates of the number of vehicle movements

generated included those in the wider vicinity, as well as access/egress to the site itself.

- (6) Councillor Robins also sought confirmation on that point. It was confirmed that this accorded with that set out in planning guidance.
- (7) The Development and Transport Assessment Manager, Steven Shaw, confirmed that the figure for post developmental trips had been calculated by reference to the TRICS database and had been based on the information submitted. The figure of 110 trips in total did however relate solely to vehicle trips. The total number of person trips used for the purposes of calculating sustainable transport contributions had been made in accordance with the Council's standard methodology.
- (8) Councillor Bennett sought clarification of the position of the balconies in relation to the roof slope above.

Debate and Decision Making Process

- (9) Councillor Janio stated that whilst considering the scheme to be acceptable overall, he was of the view that the level of on-site parking provided was inadequate.
- (10) Councillor Miller stated that he considered the scheme to be of a good design and supported it.
- (11) The Chair, Councillor Cattell commended the scheme which she considered to be a good one which would provide much needed housing.
- (12) A vote was taken and members voted unanimously that minded to grant planning permission be granted.

94.2 **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 and resolves to be **MINDED TO GRANT** planning permission subject to a S106 agreement and the Conditions and Informatives set out in section 11.

C BH2015/01434, Royal Sussex County Hospital, Eastern Road, Brighton - Full Planning

Demolition of existing single storey double stacked modular units (C2) and single storey brick store and construction of a 3 storey building (C2) situated at the junction of North (Service) Road and Bristol Gate to provide clinical offices, workshops, storage and plant with associated works.

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
- (2) The Principal Planning Officer, Mick Anson, introduced the application and gave a presentation by reference to plans, photographs, sectional and elevational drawings and floor plans showing perspectives across the site from various locations. Planning

permission was sought for the demolition of existing double stacked modular units and the single storey brick structure and the erection of a three storey building (Use Class C2) and associated works. The proposed building would enable staff to be relocated as part of the decanting operation in preparation of the main redevelopment of the front part of the Royal Sussex County Hospital site, known as the 3T's (Trauma, Teaching and Tertiary) development. Implementation was subject to final approval of the Full Business Case by the Treasury. The north east corner of the proposed new building would accommodate a new sub-station, transformers and generators to serve the new building and other buildings on the hospital estate. The remaining rooms in the building would be for administrative purposes and would accommodate approximately 80 members of staff. It was explained that "Minded to Grant" permission was now recommended in order to allow for final agreement of the submitted details of the CEMP. Samples of the proposed materials were also displayed and it was explained that it was proposed that the window frames would be grey with aquamarine powder coated fascias.

- (3) The main considerations in determining the application related to the scale and design of the proposed building. The use of the building and its relationship to the decanting phase of the main 3T's RSCH hospital redevelopment scheduled to start in 2016 was another issue as well as any potential impacts on residential amenity due to loss of outlook or noise or emissions from the building.
- (4) The proposed development would provide a key component in the decanting operation required for the 3T's development by providing permanent and replacement accommodation for the temporary buildings in situ. Minded to Grant permission was therefore recommended.

Questions for Officers

- (5) Councillor Morris enquired regarding treatment of the proposed cladding material, citing concerns that dependent on the surface treatment used timber cladding (if this was to be used) did not always wear well and in such instances detracted from the appearance of the building.
- (6) Councillor Gilbey also asked for clarification of this matter, expressing concern that one of the circulated material samples was chipped and was already showing signs of wear. It was explained that a long lasting easy to clean treatment was proposed similar to those recently approved for a scheme in Preston Road. If permission was granted final an informative could be added advising that final approval of materials was to be taken by the Planning and Building Control Applications Manager in consultation with the Chair.
- (7) It was further explained that the scheme had been designed such that individual panels could be replaced.
- (8) Councillor Robins referred to the fact that in addition to this scheme several others which were significant had been agreed for East Brighton. He asked whether measures were in place to encourage the applicants to co-ordinate deliveries etc., in order to minimise impact in the neighbouring area. It was confirmed that the management plans for each took account of this. The Development and Transport

Assessment Manager, Steven Shaw, confirmed that the Traffic Management and Highway Authority would also be overseeing the process.

- (9) Councillor Gilbey referred to the pedestrian walkway which was adjacent to the car park, asking whether it would be clearly demarcated. It was explained that it was understood that it would have a raised surface which would set it apart from the roadway.

Debate and Decision Making Process

- (10) Councillor Miller welcomed the scheme including the proposed access improvements, especially those for pedestrians.
- (11) Councillor Janio also welcomed the scheme stating that he hoped work would commence very soon.
- (12) Councillor Morris supported the scheme which he was aware would bring to fruition proposals which had been developed over a period of time.
- (13) Councillor Mac Cafferty expressed his full support for what he considered to be an exciting scheme which he understood could start imminently.
- (14) A vote was taken and members voted unanimously that minded to grant planning permission be granted.

- 94.3 **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 and resolves that it is **MINDED TO GRANT** planning permission subject to agreement on the details of the CEMP and the Conditions and Informatives set out in section 11.

An additional informative to be added:

The decision on the details to be submitted in accordance with condition 6 shall be taken by to the Planning and Building Control Applications Manager in Consultation with the Chair of Planning Committee.

Condition 9 to be amended as follows:
Delete the first 6 lines

MINOR APPLICATIONS

D BH2014/03996, 4a Blatchington Road, Hove - Full Planning

Change of use from retail (A1) to hot food take away (A5) and installation of extract duct.

- (1) The Planning Manager, Applications, Nicola Hurley, introduced the application by reference to site plans, photographs and elevational drawings. It was noted that the consideration of the application had been deferred at the meeting of the Committee

held on 5 August 2015 in order to enable further research to take place following comments made by the objector regarding the accuracy of the acoustic report. A response had now been received from Environmental Health stating that the slightly different measurement position should not affect the accuracy of the results provided to any significant degree.

- (2) The main considerations in the determination of this application related to the principle of the change of use, the impact of the external alterations on the character and appearance of the recipient building and the wider area, the impact of the development on the amenity of occupiers of neighbouring properties and the impact on parking and the highway network in the locality. It was not considered that the proposed change of use would have a significantly detrimental impact on the vitality and viability of the Hove Town Centre. The proposed external works would not have an unacceptably harmful impact on the character and appearance of the recipient property or the wider street scene. The proposed change of use would not have a significantly harmful impact on the amenity of occupiers of neighbouring properties, nor would it result in undue parking street or traffic congestion in the locality. Planning permission was therefore recommended.

Debate and Decision Making Process

- (3) Councillor Mac Cafferty stated that he considered the proposal was acceptable but that it was important however, to ensure that the type of different uses within an area was monitored to ensure that there was not an over concentration of any particular use. Councillor Janio also concurred in that view.
- (4) A vote was taken, and the 11 Members present when the vote was taken voted 10 to 1 that planning permission be granted.
- 94.4 **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 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

Note: Councillor Bennett was absent from the meeting during consideration of and voting on the above application.

E BH2015/00914,17 Marmion Road, Hove - Full Planning

Demolition of existing building and erection of 5 three/four bedroom dwelling-houses.

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Planning Officer, Jason Hawkes, introduced the report by reference to site plans, photographs elevational drawings and floor plans. Planning permission was sought for the demolition of the existing YMCA building and the construction of five dwelling-houses which would form a terrace of three-storey houses of modern design with a part brick and part rendered finish. Each dwelling would include three/four bedrooms, a front and rear garden and sedum roof. Amendments received during the course of the application were also detailed as were further representations received which were set

out in the “Late Representations List”. The determining issues in respect of this application were whether the proposal justified the loss of the existing community use, whether the proposal was of an appropriate design in the context of the surrounding area, whether the proposal would have a detrimental impact on neighbouring amenity, the standard of accommodation, highway considerations and sustainability.

- (3) It was considered that the loss of the existing community use had been justified given the evidence put forward by the YMCA. This included the relocation of the main use of the building for educational purposes, the cost of maintaining the building and the lack of interest in continuing the community use by an outside user. The development was also considered to be of an appropriate height, scale, bulk and design and would fit in with the character of the area. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance and was also appropriate in terms of highway safety and sustainability, approval was therefore recommended.

Public Speakers and Questions

- (4) Councillor Nemeth spoke in his capacity as a Local Ward Councillor setting out his observations in respect of the scheme. Whilst not objecting per-se, he considered that information provided initially by the applicants in respect of the scheme had been poor. At the subsequent public meeting residents had expressed concern regarding loss of community facilities, e.g., after school clubs, which would occur as a result of demolition of the existing building, he considered that this should be revisited. He considered that the figures quoted as being required to repair and maintain the existing building were high and had not been tested.
- (5) Mr Wilson spoke on behalf of the applicants in support of their application. He explained that the existing building dating from the 1900's and was no longer fit for purpose. Due to reductions in grant funding received and with continuing financial constraints the YMCA had needed to re-evaluate how its core provision to vulnerable young people in the city could be most effectively provided. The proposed scheme would secure the organisations on-going work with its core services being provided from its existing facilities in Blatchington Road, Hove and East Street in Brighton.

Questions for Officers

- (6) Councillor Morris asked whether it would be possible for any community use to be re-provided at the site and it was confirmed that it would not.
- (7) Councillor Robins sought clarification regarding the nature of existing provision on site, whether and to what extent the gym club and other uses were community based. Councillor Gilbey enquired whether the community uses referred to were being provided currently and whether they were being provided by the YMCA itself or other providers. Mr Wilson explained that the after school club and other facilities referred to were being provided by the YMCA's paid staff. It had been explained to those users that the services they had used could no longer be provided because the organisation had to target its provision to those in need of their core services. It was considered that those requiring these able to access them elsewhere.

- (8) Councillor Mac Cafferty enquired as to the distance between the proposed development and the nearest residential property.
- (9) Councillor Gilbey also referred to the distance between the proposed development and neighbouring dwellings enquiring as to the height of any boundary treatment in order to avoid any potential overlooking. It was explained that the boundary fencing would be of some 2.5m in height and that there would be limited/oblique overlooking.
- (10) In answer to further questions, the Planning and Building Control Applications Manager, Jeanette Walsh stated that the existing building was not designated as an Asset of Community Value.

Debate and Decision Making Process

- (11) Councillor Wares stated that as he understood it, the financial drivers behind the application were irrelevant, the issue was whether or not sufficiently compelling case for departure from policy HO20 had been made.
- (12) Councillor Mac Cafferty concurred in that view considering that the scheme was acceptable. He was in agreement that the proposed part brick part render appearance of the buildings would be sympathetic to the neighbouring street scene where there was a mixture of building styles.
- (13) Councillor Morris welcomed the housing to be provided by the scheme. Whilst regretting that a community use could not be provided he understood that this would not be possible.
- (14) Councillor Littman considered that whilst it was unfortunate that the community use would be lost, that was outside the Committee's remit and regrettably no interest had been shown by any outside user. He therefore supported the scheme
- (15) Councillor Janio stated that whilst he did not generally support car free developments in this instance he considered the scheme to be a good one, he was willing to support the officer recommendation.
- (16) Councillor Inkpin-Leissner stated that he considered the scheme was acceptable but was concerned to ensure that a good quality render finish was used. If unsuitable finishes were used they did not weather well and could detract from the appearance of a building. He noted that reference had been made to other residential buildings of a modern design in the area, in Stoneham Road and the former Gala Bingo Hall site which fronted onto Portland Road.
- (17) Councillor Miller stated that he liked the design of the development which he considered represented a good modern design and agreed that it was important for an appropriate render treatment to be used.
- (18) The Chair, Councillor Cattell concurred with the points made in relation to use of a rendered finish, stating that use of a sand and cement painted render treatment appeared to weather well and, requested that an informative to that effect be added to any planning permission granted. The Committee concurred in that view.

- (19) A vote was taken and members voted unanimously that planning permission be granted to include the informative set out below.
- 94.5 **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 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in Section 11.

Add Informative:

Details to be submitted in accordance with condition 8 shall include agreement of render to be constituted of painted sand and cement.

F BH2014/02331, 59 Hill Drive, Hove - Full Planning

Erection of detached single storey residential dwelling to rear incorporating landscaping and access.

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Planning Manager, Applications, Nicola Hurley, introduced the report by reference to site plans, photographs and elevation drawings. Planning permission was sought for the erection of a detached single-storey two bedroom dwelling house within the rear garden of no. 59. The building would comprise reclaimed face brickwork and heat treated timber cladding to the external elevations with the flat roof form accommodating a sedum roof with photovoltaic solar panels. A new pedestrian access to the dwelling house had also been incorporated with a pathway sited along the northern boundary of the site (adjacent with no. 61 Hill Drive). There would be no vehicular access to the proposed dwelling-house and no alterations were proposed to the existing frontage building. It was explained that a number of amendments had been made to the originally submitted scheme and the differences between the two were highlighted.
- (3) The main considerations in determining this application related to the suitability of the site to accommodate an additional dwelling house and the subsequent impact on visual amenity, neighbouring amenity, standard of accommodation and transport and sustainability issues. It was considered that development would provide an additional residential unit and make efficient and effective use of land within the built up area boundary without significant detriment to the prevailing character and appearance of the site and wider surrounding area. The development would provide a good standard of accommodation for future occupants and would not result in significant harm to neighbouring amenity or highway safety. It was therefore recommended that planning permission be granted.

Public Speakers and Questions

- (4) Mr Stevenson spoke as a neighbouring objector setting out his objections to the proposed scheme. Mr Stevenson explained that he had two major issues and concerns relating to the potential for increased noise and vehicular activity arising from the proposal. If parking there was parking overspill from the dedicated area in front of the

existing property it could create additional pressure on parking in Hill Drive. Mr Stevenson also had concerns about the impact of the pedestrian access way which would be located 2m away from his habitable rooms.

- (5) Councillor Bennett spoke in her capacity as a Local Ward Councillor. In her view this application was essentially the same as the previous one save that there was now no vehicular access. Hill Drive was narrow and very steep and the application site was located on a bend and could result in vehicles being parked on a dangerous bend. The site was not suitable for subdivision and unlike recent development in the vicinity this scheme would not be in keeping with the prevailing street scene.
- (6) Mr Parsons spoke on behalf of the applicants in support of their application. This scheme had been devised following consideration of a number of options and would provide accommodation for use by family members which was self contained within the scheme which had a larger garden plot than others in Hill Drive. An earlier scheme had been withdrawn and this scheme had been amended in order to address objections and concerns of neighbours and would be well screened to avoid overlooking.

Questions of Officers

- (7) Councillor Robins sought confirmation regarding the 2006 scheme which had been referred to. It was explained that had been for a two storey building with a larger footprint.
- (8) Councillor Inkpin-Leissner enquired whether parking for both properties could be accommodated on site and it was confirmed that four vehicles could be accommodated on the driveway in front of the existing building.
- (9) Councillor Ware asked whether if once subdivided ownership of the rear property were to change in the future the application would need to come back to Committee and it was confirmed that it would not.
- (10) Councillor Janio expressed concern that if the rear property was sold in future the ability to park in front of the existing building at the front of the site could be lost. Councillor Miller expressed the same concerns as did Councillor Morris.
- (11) The Legal Adviser to the Committee, Hilary Woodward, explained that if planning permission was granted there would be two separate units on site, either or both of which could be sold separately. This was not a planning consideration and notwithstanding that parking would be provided on site, the occupants of either property could park on-street as could the occupants of any properties in Hill Drive.

Debate and Decision Making Process

- (12) Councillor Mac Cafferty stated that the issue of whether or not family members would occupy the rear property was not a planning consideration, he considered that the principle of the development was acceptable.

- (13) Councillor Littman considered that the quality of amenity for future occupiers and the proximity of the pedestrian walkway to the neighbouring property needed to be borne in mind.
- (14) Councillor Gilbey sought details of the treatment of the pedestrian access. In answer to questions by the Chair, Councillor Cattell, asked for details of the proposed boundary treatments and was informed these had yet to be finalised. Councillor Inkpin-Leissner asked whether a condition could be added to ensure that any fencing or other treatment between the two properties could be of sufficient height (2m) to protect the amenity of both properties.
- (15) Councillor Inkpin-Leissner had some concerns that the property could be used as a “party” house, but it was confirmed that there were no indications that would be the case.
- (16) Councillor Miller had concerns regarding the impact that the proposals would have on the amenity of both properties
- (17) Councillor Wares stated that he was in agreement with Councillor Mac Cafferty that it was the principle of the development which needed to be determined. The scheme needed to be considered acceptable as an independent unit irrespective of its future use by family members or otherwise of those occupying the existing property. He did not consider the scheme was acceptable considering that the two properties would be in too close proximity to each other and would have a detrimental impact on each other.
- (18) A vote was taken and the 11 members present at that meeting voted by 7 to 1 with 3 abstentions that planning permission be granted.
- 94.6 **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 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

The following words to be added into condition 9b:

“to a height of 2m.”

Note: Having declared an interest in the above application once she had spoken in her capacity as a Local Ward Councillor, Councillor Bennett withdrew from the meeting and took no part in the discussion or voting thereon.

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

- 95.1 There were none.

96 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

- 97.1 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.]

98 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

99 INFORMATION ON HEARINGS/PUBLIC INQUIRIES

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

100 APPEAL DECISIONS

- 100.1 Councillor Wares noted that the decisions taken by officers under delegated powers had been upheld by the Planning Inspectorate in 11 out of 13 cases. Officers were to be congratulated on their “good” planning decision making and he requested that could be conveyed back to them.
- 100.2 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 6.00pm

Signed

Chair

Dated this

day of