

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 13 JULY 2016

THE RONUK HALL, PORTSLADE TOWN HALL

MINUTES

Present: Councillors Cattell (Chair), Gilbey (Deputy Chair), C Theobald (Group Spokesperson), Mac Cafferty (Group Spokesperson), Hamilton, Hyde, Inkpin-Leissner, Littman, Miller, Morris and Moonan

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

Officers in attendance:

PART ONE

13 PROCEDURAL BUSINESS

a Declarations of substitutes

13.1 Councillor Taylor was present in substitution for Councillor Bennett.

b Declarations of interests

13.2 Councillor Littman and Councillor Mac Cafferty both declared a personal interest in relation to Item A) BH2015/04577 - 78 West Street & 7-8 Middle Street, Brighton as they knew the operator of the Synergy Centre; however, they had not discussed the application with him and would remain present for the discussion and vote on the application.

c Exclusion of the press and public

13.3 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.

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

d Use of mobile phones and tablets

- 13.5 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 'airplane mode'.

14 MINUTES OF THE PREVIOUS MEETING

- 14.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 8 June 2016 as a correct record.

15 CHAIR'S COMMUNICATIONS

- 15.1 There were none.

16 PUBLIC QUESTIONS

- 16.1 There were none.

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

- 17.1 There were no further requests for site visits in relation to matters listed on the agenda.

18 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2015/04577 - 78 West Street & 7-8 Middle Street, Brighton - Full Planning

Demolition of existing nightclub buildings (Sui Generis use). Construction of part 5, 6 and 7 storey building plus basement to provide 'A' uses (A1 retail, A2 financial & professional services, A3 restaurant/café, A4 drinking establishment) on part of basement and ground floor fronting West Street and hotel use (C1) on all floors with reception fronting Middle Street to provide a total of 133no hotel rooms.

- 1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Introduction

- 2) The Principal Planning Officer (Maria Seale) introduced the application and gave a presentation by reference to plans, photographs, visuals and elevational drawings. There had been pre-application consultation with Planning, Heritage, Transport and Environmental Health officers, a public consultation exercise had been carried out and the application had been presented at the pre-application stage to elected members at a briefing session in October 2015.
- 3) The height of the proposed building would be set away from the road and the extent of the height would not be visible from South Street, as the road was too narrow. Two courtyard areas at basement level were included in the application and the use of the basement level and ground floor to West Street would be for flexible space. The main entrance to the hotel would be on Middle Street and the flexible use would have an entrance on West Street.

- 4) The Principle Planning Officer explained that the Local Planning Authority had encouraged the applicant to work with the developers of the neighbouring site at 8-12A South Street & 79-81 West Street, Brighton. An indicative Masterplan, submitted by the applicant was shown to the Committee and it was explained that the two sites could be developed together or independently.
- 5) The proposed site was located in the Old Town Conservation Area; however, the application had support from Conservation Advisory Group (CAG) and Historic England. The site would benefit tourism and the economy and be architecturally positive for the area. The application was recommended to be minded to grant, subject to a s106 agreement for the reasons outlined in the report.

Questions for Officers

- 6) In response to Councillor C. Theobald, the Principal Planning Officer explained that there was no parking proposed as part of the application as there was a public car park located close to the site and a taxi rank at back entrance of the hotel. It was also confirmed to Councillor C. Theobald that bat and bird boxes would be installed on the site, as this complied with policy.
- 7) It was explained that the City Plan policies support the provision of public art within the site or in the immediate vicinity of the development. It was likely that the contribution given would be to enhance the listed bollard located in West Street in front of the site.
- 8) In response to Councillor Mac Cafferty it was clarified that the proposed greenwalls would be in the courtyard areas and it would be ensured that suitable plants were grown.
- 9) It was explained to Councillor Mac Cafferty that the Synergy Centre did not have planning permission and the Officers were of the view the loss of this community use could not be taken into account as it was not lawful.
- 10) The Development and Transport Assessment Manager explained to Councillor Moonan that there would be loading bays located outside the site.
- 11) In response to Councillor Morris the Development and Transport Assessment Manager explained that there was a taxi rank on the other side of West Street. There were also car parks located close to the site and the walking distance was considered adequate.
- 12) In response to the Chair, the Development and Transport Assessment Manager explained that a travel plan would be developed to encourage the use of public transport rather than cars.
- 13) It was clarified for Councillor Miller that the primary pick up and drop off point would be on West Street, as there was not enough space to develop a parking bay on Middle Street. It was added that it was legal to pick up and drop off on double yellow lines, such as those outside the main entrance on Middle Street.

- 14) In response to Councillor Moonan it was explained that the Council were in the process of developing a gateway scheme from the town centre to the sea; therefore, would not be removing the taxi rank on West Street in the near future. If the taxi rank was removed, provisions would be put in place.
- 15) Councillor Miller requested that the materials be approved by Officers in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- 16) In response to Councillor Mac Cafferty the Planning Manager explained that it would not be appropriate to for a Construction Environment Management Plan (CEMP) to be conditioned to control waste recycling because the purpose was for it to mitigate the impact of the construction. It was added that the relevant policies in the Waste & Minerals Plan, outlined in the report, would cover recycling waste from the development, and if Members were minded to, they could add a condition to require a Site Waste Management Plan.
- 17) In response to Councillor Hyde the Principal Planning Officer explained that all the s106 requirements had been satisfied but it could be viewed as low due to lack of any residential units in the scheme. The proposed development had met all the local employment scheme s106 requirements. The Legal Advisor added that developments could only be required to contribute to what was necessary and in accordance with policy.
- 18) The Planning Manager confirmed to Councillor Morris that if the application were approved, Members could agree to attach a condition ensuring that the developers had to recycle the waste from the demolition.

Debate and Decision Making Process

- 19) Councillor Hyde noted that she was satisfied with the scheme. She added that it was a good use of the site and would support employment for the city. She thanked the Principal Planning Officer for the report and stated that it was helpful to have the Masterplan of both sites together.
- 20) Councillor C. Theobald noted that the s106 contribution amount did not seem enough for a large development and that the tall building could look out of place. She added that it would enhance West Street and it would be a positive contribution to employment in the city.
- 21) Councillor Miller hoped the Council would work with the hotel to ensure there were transport options. He noted that the proposal was well designed, was 'architecturally stunning' and hoped it could be developed quickly as the area would benefit from the improvements proposed in the scheme. He added that he would be supporting the Officer recommendation.
- 22) Councillor Inkpin-Leissner thanked the Officer for the report and congratulated the architect for the design.

- 23) Councillor Littman stated that it was unfortunate that the proposal would lose the frontage on Middle Street; however, this loss was outweighed by the positives the development would provide.
 - 24) The Chair noted that she was supportive of the application and that the design was very good.
 - 25) The Members agreed that a condition should be added to ensure the waste materials were recycled in accordance with a Site Waste Management Plan.
 - 26) The Members agreed that the materials should be agreed by Officers in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
 - 27) A vote was taken by the 11 Members present and the Officer recommendation that the Committee be minded to grant planning permission was carried unanimously.
- 18.1 **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 be **MINDED TO GRANT** planning permission subject to a s106 Agreement and the conditions and informatives set out in section 11, as well as the additional condition and informative set out below:

Additional condition:

No development, including demolition and excavation, shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To maximise the sustainable management of waste and to minimise the need for landfill capacity and to comply with policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

Additional Informative:

The details submitted in relation to materials condition no.5 are delegated to the Planning and Building Control Applications Manager for agreement in consultation with the Chair, the Deputy Chair and the Opposition spokesperson.

Note: Councillor Taylor was not present for the consideration and vote on the application.

B BH2015/04575 - 8-12A South Street & 79-81 West Street, Brighton - Full Planning

Demolition of garage / storage buildings at 8 - 12a South Street and two storey rear wing at 81 West Street. Construction of part 3, 4, 5 and 6 storey plus basement buildings to provide 91 hotel rooms (C1 use comprising 69 standard rooms, and 22 micro rooms), new ground floor kitchen and refuse store to 81 West Street and provision of 3no two bedroom flats and 1no one bedroom flat (C3 use) fronting South Street. Demolition and extension of roof level structure at

79 West Street to provide 11no additional backpacker hostel rooms (Sui Generis). Enclosure of external stairs. Reinstatement of public footpath in South Street.

- 1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Introduction

- 2) The Principal Planning Officer introduced the application and gave a presentation by reference to plans, photographs, visuals and elevational drawings. The applicant was submitted with an indicative Masterplan which covered the adjacent site (78 West Street & 7-8 Middle Street night club building). The indicative plan showed both developments could work together or independently.
- 3) The site was situated in the Old Town Conservation Area; however, the proposal would make a significant and positive contribution to the area and enhance visual amenity. The proposal did not involve demolition of buildings of any architectural or historic merit. The proposal would provide jobs, housing and help boost tourism.
- 4) The proposed plan showed a mixed use basement, which included; two courtyards, a canteen, kitchen, store room for waste, and micro hotel rooms. Micro rooms would provide an affordable option and were supported by VisitBrighton. Four residential units were proposed to be located on South Street.
- 5) It was explained that the height of the building would not be visible from South Street as the street was narrow. The proposed development would retain a traditional feel and would use similar materials to those in the area. The s106 contribution had been proposed to enhance the appearance and safety of South Street by reinstating the footpath. The application was recommended to be minded to grant, subject to a s106 agreement, for the reasons set out in the report.

Questions for Officers

- 6) In response to Councillor Inkpin-Leissner the Principal Planning Officer explained that the micro rooms would comprise of a bed and an en suite bathroom. They would be an affordable place to stay in the centre of the city and they have been successful in other locations.
- 7) The Principal Planning Officer clarified to Councillor Miller that the external materials could be agreed at by Officers in consultation with the Chair, Deputy Chair and Oppositions Spokesperson were the Committee minded to grant permission
- 8) In response to Councillor Mac Cafferty, it was clarified that some of the micro rooms would not have any natural light. The communal areas in the basement would open out into the courtyard.
- 9) In response to Councillor Moonan, the Principal Planning Officer noted that there would be a total of 91 hotel rooms; 69 standard rooms and 22 micro rooms.

- 10) The Development and Transport Assessment Manager explained to Councillor Moonan that South Street was a one way road, and this would not change. It was added that there were double yellow line restriction on the road and it was legal to temporarily stop to pick up and drop off.
- 11) In response to Councillor Morris it was explained that the pavement area on South Street needed to be extended as it was not wheelchair accessible.

Debate and Decision Making

- 12) Councillor C. Theobald noted that she was pleased there would be enhancements made to South Street.
 - 13) The Committee agreed to add an informative that the materials be agreed by Officers in consultation with the Chair, Deputy and Opposition Spokespersons.
 - 14) A vote was taken by the 11 Members present and the Officer recommendation that the Committee be minded to grant planning permission was carried unanimously.
- 18.2 **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, and with the additional informative set out below:

Additional Informative:

The details submitted in relation to materials condition no.4, which should include traditional render rather than through coloured render, are delegated to the Planning and Building Control Applications Manager for agreement in consultation with the Chair, the Deputy Chair and the Opposition spokesperson.

Note: Councillor Taylor was not present for the consideration and vote on the application.

C BH2015/01745 - 107 Marine Drive, Rottingdean - Full Planning

Demolition of existing dwelling and outbuildings and erection of a three storey building with additional lower ground floor entrance to provide 7no flats and erection of 2no semi-detached houses accessed from Chailey Avenue with associated landscaping, parking, cycle and bin storage.

Officer Introduction

- 1) The Planning Manager introduced the report and gave a presentation by reference to plans, photographs and elevational drawings. It was explained that on 27 January 2016 the Committee resolved that it was minded to grant the application subject to a s106 agreement requiring a sustainable transport contribution. The unilateral undertaking was not received until after the adoption of the City Plan Part One, therefore, it fell that the application had to be reconsidered against the new

development plan for the City prior to any formal decision being issued, including an affordable housing contribution which had been agreed by the applicant. On the previous report, conditions regarding landscaping and materials were agreed and these had been resubmitted on the application. The application was recommended for approval, subject to a s106 agreement, for the reasons set out in the report.

Debate and Decision Making Process

2) A vote was taken by the 12 Members present and the Officer recommendation that the Committee be minded to grant planning permission was carried on a vote of 11 in support with 1 abstention.

18.3 **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 to be **MINDED TO GRANT** planning permission subject to a s106 agreement and the conditions and informatives set out in section 11.

D BH2014/03742 - Hove Business Centre, Fonthill Road, Hove - Full Planning

Creation of 4no one bedroom flats, 4no two bedroom flats and 1no three bedroom flat on existing flat roof incorporating revised access and associated works.

Officer Introduction

1) The Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. It was explained that this application was presented to the Committee on 9 December 2015 with a recommendation of Minded to Grant subject to a s106 agreement. The s106 was not received until after the adoption of the City Plan Part One therefore it fell that the application had to be re-considered against the new development plan for the City prior to any formal decision being issued, including an affordable housing contribution which the applicant was not willing to provide. The application was recommended for refusal for the reasons set out in the report.

Questions for Officers

2) In response to Councillor C. Theobald, the Solicitor clarified that a draft s106 undertaking was sent to the applicant on 11 December 2015 to consider, comments were received 12 January 2016, and further amendments were made 19 January 2016 and the document sent out for signature on 25 February 2016. The applicant returned the signed undertaking on 28 April 2016, by then the City Plan Part One had been adopted; therefore, the application could not be granted. The Planning Manager added that there was a long consultation period before adopting the City Plan Part One and all agents would have been aware of these changes.

Debate and Decision Making Process

3) Councillor C. Theobald noted that the situation was unfair on the applicant.

- 4) Councillor Mac Cafferty stated that the applicant should be willing to provide a contribution towards affordable housing in the city during the housing crisis.
 - 5) Councillor Littman agreed with Councillor Mac Cafferty and noted that smaller developments were willing to provide a contribution; therefore the bigger developments should.
 - 6) Councillor Miller noted that it would have been useful to have provided information regarding s106 in the previous report in the eventuality that the City Plan Part One was approved. He added that it could have been a smoother process and felt it was unfair; therefore, would be abstaining from the vote.
 - 7) Councillor Hamilton noted that it was common for developers to produce 9 units rather than 10, before the threshold for affordable housing contributions. He felt that if the policy has changed and the units had not yet been developed, then the applicant should pay their contribution to affordable housing; therefore, he would be supporting the Officer recommendation to refuse the application.
 - 8) Councillor Inkpin-Leissner stated that it was a big development and should contribute towards social housing. He noted that it was important to the city and he would be supporting the Officer recommendation.
 - 9) Councillor Moonan stated that she would be supporting the Officer recommendation.
 - 10) Councillor Morris noted that there was a desperate need for affordable housing in the city and would be supporting the Officer recommendation.
 - 11) A vote was taken by the 12 Members present and the Officer recommendation that the Committee refuse planning permission was carried on a vote of 8 in support with 2 against and 2 abstention.
- 18.4 **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 **REFUSE** planning permission subject to the conditions and informatives set out in section 11.

E BH2016/00302 - 107 Freshfield Road, Brighton - Full Planning

Change of use from five bedroom single dwelling (C3) to five bedroom small house in multiple occupation (C4). (Part retrospective)

- 1) A vote was taken by the 12 Members present and the Officer recommendation that the Committee grant planning permission was carried on a vote of 10 in support with 2 abstentions.
- 18.5 **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 additional condition set out below.

Additional condition:

The development hereby permitted shall not be occupied until secure covered cycle parking facilities have been installed to the side or rear of the building and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

F BH2016/01318 - Pembroke Hotel, 2 Third Avenue, Hove - Full Planning

Change of use from nursing home (C2) to 1no eight bedroom house (C3) including erection of orangery to first floor and other associated alterations.

1) The Planning Manager presented the application and gave a presentation by reference to plans and photographs and drew attention to a letter received from the applicant attached to the late list. The building was a villa from 1880, which had been converted into flats and more recently, been used as a care home. The external alterations to would not have an adverse impact on the exterior of the property and a condition on the proposal would ensure the orangery would have obscure glass to prevent overlooking into the neighbouring property. It was explained that the orangery would be replacing the fire escape that does not cause overlooking into the neighbouring property; however, the orangery would be closer to the property and there was a significant height difference. The application was recommended for approval for the reasons set out in the report.

2) Councillor Hyde proposed having a site visit to the property.

18.6 **RESOLVED** – That the Committee agreed to defer the item and attend a site visit to the property.

G BH2016/01319 - Pembroke Hotel, 2 Third Avenue, Hove - Listed Building Consent

Change of use from nursing home (C2) to 1no eight bedroom house (C3) including erection of orangery to first floor and other associated internal and external alterations.

1) The application was considered together with BH2016/01318 - Pembroke Hotel, 2 Third Avenue, Hove.

2) Councillor Hyde proposed having a site visit to the property.

3) **RESOLVED** – That the Committee agreed to defer the item and attend a site visit to the property.

H BH2016/01392 - 14 Woodland Drive, Hove - Full Planning

Erection of three bedroom residential dwelling with parking and associated works.

- 1) The Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The application was sought for a two storey dwelling with parking and associated works. An amendment had been received to the application moving the property further back from the highway which would ensure that it would be built in line with the existing properties. It was not felt that the proposal would have a detrimental effect to the street scene or to the amenity of neighbouring occupiers. The application was recommended for approval for the reasons set out in the report.

Questions for the Officers

- 2) In response to Councillor C. Theobald the Planning Manager explained that there was a slight difference in ground level and condition 13 required details of levels on the site and on adjoining land and buildings to be approved by the Local Planning Authority before the development commenced.
- 3) The Planning Manager explained to Councillor Miller that it was unlikely a larger proposal would be recommended for approval as it would affect the street scene detrimentally.
- 4) It was clarified to Councillor C. Theobald that the driveway of the proposed property was 24 metres from the junction. The Development and Transport Assessment Manager added that there were no highway concerns in relation to the proposed development.
- 5) A vote was taken by the 11 Members present and the Officer recommendation that the Committee grant planning permission was carried with 10 in support and 1 against.

- 18.8 **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.

Note: Councillor Hyde was not present for the consideration and vote on the application.

I BH2016/01558 - 16 Port Hall Street, Brighton - Householder Planning Consent

Erection of two storey rear extension with associated alterations.

Officer Introduction

- 1) The Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. Planning permission was sought for the erection of a two storey rear extension with associated alterations. The extension would involve the enclosure of the voids within the rear garden to create a platform on the ground level for the construction of the centrally aligned extension. The first floor window will be obscure glazed and fixed shut as it services a bathroom. The application was recommended for approval for the reasons set out in the report.

Questions for Officers

- 2) The Planning Manager confirmed to Councillor C. Theobald that there would be no significant loss of natural light.
- 3) In response to Councillor Morris, it was confirmed that the ground floor window and the skylight would not be conditioned to use obscurely glazed glass as there would be no overlooking from these windows.

Debate and Decision Making

- 4) A vote was taken by the 11 Members present and the Officer recommendation that the Committee grant planning permission was carried unanimously.

18.9 **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.

Note: Councillor Hyde was not present for the consideration and vote on the application.

J BH2016/00015 - 51 Westbourne Villas, Hove - Householder Planning Consent

Alterations to rear elevation incorporating erection of timber conservatory and new balcony at ground floor level.

Officers Introduction

- 1) The Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. It was highlighted that a late letter had been received from Councillor Cobb in objection to the application and recommending Members should have a site visit. The application was recommended for approval for the reasons set out in the report.

Public Speaker(s) and Questions

- 2) Mr Kelvin Tyler spoke in objection to the application in his capacity as a local resident and photos were shown to the Committee. He was of the view that the application should not be granted as it would cause a loss of amenity and sunlight to his property as it was 5 metres in height and 2.7 metres away from the windows. He noted that the proposed conservatory was the same height as their second storey; therefore, should follow policy and be at least 14 metres away from neighbouring properties. He noted that he had support from Councillor Cobb, Ward Councillor, and he had a survey report completed which noted that the development would impact on his property and should not be granted consent. He stated that the report in the agenda referred to a previous application that was allowed at appeal; however this was not built.
- 3) Mr John Fairall spoke in his capacity as the applicant and photos were shown to the Committee. He explained that he had owned the property since 2012 and had improved the visual appearance of the house. He noted that the conservatory plans had been amended since the previous application that had been approved at appeal.

The changes included the use of higher quality materials and smaller in size. He explained that the conservatory would not be visible from the road and would not have a significant impact on the neighbouring properties, as it would be 2.8 metres away from their windows.

- 4) In response to Councillor Mac Cafferty, the Planning Manager clarified the guidance used to assess impacts on light to the adjoining property. It was added that this was a material consideration to be considered with other material considerations when determining the application.
- 5) Councillor C. Theobald noted that there were 22 letters of objection and proposed a site visit. Councillor Hyde seconded the proposal of a site visit.

18.10 **RESOLVED** – That the Committee agreed to defer the item to undertake a site visit.

K BH2015/04378 - Land rear of 28-30 Longhill Road, Brighton - Full Planning

Demolition of existing dwelling at 28 Longhill Road and erection of 2no single dwellings.

- 1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Introduction

- 2) The Planning Manager introduced the application and gave a presentation by reference to plans, photographs, visuals and elevational drawings. It was explained that the South Downs National Park was approximately 150 metres to the south of the proposed development. The converted annex was to be demolished to gain access from the rear of the development. The site would not affect the neighbouring properties amenity as there would be no significant loss of light, outlook or privacy. The application was recommended for approval for the reasons set out in the report.

Questions for the Officers

- 3) In response to Councillor C. Theobald it was explained that the woodland area would be protected.
- 4) In response to Councillor Miller it was clarified that an informative could be added in relation to the white render material.

Debate and Decision Making

- 5) Councillor C. Theobald noted that she was personally not in favour of back site developments, but it was a large site; therefore, would not be objecting to the application.
- 6) Councillor Littman noted that he was not of the view that the application complied with policy SA4 and would therefore be voting against the application.

- 7) Councillor Inkipin-Leissner stated that housing was needed in the city and he believed that it was suitable for the area; therefore, would be supporting the officers recommendation.
 - 8) A vote was taken by the 11 Members present and the Officer recommendation that the Committee grant planning permission was carried on a vote of 9 in support, and 2 against.
- 18.11 **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 Hyde was not present for the consideration and vote on the application.

L BH2016/00156 - Clermont Church, Clermont Terrace, Brighton - Full Planning

Change of use from church (D1) to 1no three bedroom flat, 3 no two bedroom flats and 2no one bedroom flats (C3), with associated alterations including installation of rooflights to North and South elevations.

Officers Introduction

- 1) The Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. It was noted that the report should state that there would be an Affordable Housing Contribution of £164,500, rather than £16,45000. The site was located on the corner of Cumberland Road and was within the Preston Park Conservation Area. The application sought permission for the change of use to 6 residential units but would be maintaining the appearance of the building. The application was recommended to be minded to grant, subject to a s106 agreement, for the reasons outlined in the report.

Public Speaker(s) and Questions

- 2) Councillor Taylor spoke in his capacity as a Local Ward Councillor; he explained that he representing the three Local Ward Councillors and the residents. He had concerns in relation to the loss of a community space, car parking and the heritage of the building. He did not agree that it was a sustainable development and disagreed with the Officer recommendations. He stated that there was severe parking stress in the Preston Park area and the car club would not be suitable mitigation, as it would be likely that there would be more than one car per unit. He noted that there would be a loss of amenity to the neighbouring property due to the rooftop proposal and the fire escape route could affect the outside of the property. He read a statement from a local resident that highlighted the following reasons for objecting to the application; increased parking pressure, impact on the historic fabric, and the loss of community use.
- 3) Mr Simon Barham and Mr Steven Reeves spoke in their capacity as the applicant's agents. Mr Reeves highlighted that he had had correspondence with the Development

and Transport Assessment Manager who had clarified that there would not be any severe transport issues or impact on parking pressures and the Highways team had carried out tests during the day and evening to ensure this. He noted that evidence from Transport for London (TfL) showed that introducing a car club reduced car use by 23%. Mr Reeves noted that they had worked closely with the Planning Officers, Heritage Officers and Conservation Advisory Group (CAG). The scheme provided high quality residential units that were larger than the national space standards and there was a significant high need for housing.

- 4) In response to Councillor Miller, Mr Reeves confirmed that the community hall was actively used by a music dance school.
- 5) In response to Councillor C. Theobald it was confirmed that the Church was quite bare with modern timber. Any items that were of heritage value in the Church would be retained.

Questions for Officers

- 6) In response to Councillor Mac Cafferty it was explained that the partitioned floors would not be flush to the existing windows of the Church.
- 7) The Development and Transport Assessment Manager clarified to Councillor Miller that if Members were so minded, a condition could be added to have a contribution from the development towards public transport.
- 8) In response to Councillor Hyde it was explained that the community use of the Church was redundant.
- 9) In response to Councillor Moonan the Planning Manager noted that there would be cycle storage at the basement level of the property.

Debate and Decision Making

- 10) Councillor Hyde noted that she was satisfied that there would not be a loss of community use. She believed it would be a good use of the building and noted that there was a need for housing in the city. She was pleased that there had been correspondence between the Officers and the applicant and her concerns had been alleviated by the applicant in respect of the potential transport issues the development could cause.
- 11) Councillor Miller agreed with Councillor Hyde and noted that the residents' concerns were not as impactful as he originally thought. He stated that parking would be a problem and he wished to discourage car use by introducing public transport incentive measures.
- 12) Councillor Inkipin-Leissner noted that he was pleased with the development and that it reflected well on the original architecture in the area. He was satisfied that the Officers and applicant had gained support from CAG. He added that he disagreed with the Ward Councillor, Councillor Taylor, that the units would have more than one car each. He agreed with Councillor Miller that public transport incentives should be introduced.

- 13) Councillor C. Theobald stated that she was undecided if she would be supporting the Officer recommendations because it would be difficult to park in the area and she wasn't happy that with the change of use with the Church; however, she noted that accommodation was needed in the city.
- 14) The Members agreed to amend the proposed s106 to authorise the development to make a contribution towards a bus pass scheme.
- 15) A vote was taken by the 11 Members present and the Officer recommendation that the Committee grant planning permission was carried unanimously.

18.11 **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 Taylor withdrew for the discussion and vote on this application.

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

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

| Application: | Requested by: |
|---|------------------------|
| BH2016/01318 - Pembroke Hotel, 2 Third Avenue, Hove - Full Planning | Councillor Hyde |
| BH2016/01319 - Pembroke Hotel, 2 Third Avenue, Hove - Listed Building Consent | Councillor Hyde |
| BH2016/00015 - 51 Westbourne Villas, Hove - Householder Planning Consent | Councillor C. Theobald |

20 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

21.1 That the Committee notes the details of applications determined by the Executive Director Economy, Environment & Culture 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 Economy, Environment & Culture. 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 Chair and Deputy Chair 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.]

22 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

23 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

24 APPEAL DECISIONS

24.1 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 5.30pm

Signed

Chair

Dated this

day of