





**Brighton & Hove  
City Council**

# Planning Committee

Title:	<b>Planning Committee</b>
Date:	<b>18 June 2008</b>
Time:	<b>2.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<p><b>Councillors:</b>Hyde (Chairman), Wells (Deputy Chairman), Barnett, Carden, Davey, Hamilton, Kennedy, McCaffery, K Norman, Smart, Steedman and C Theobald</p> <p><b>Co-opted Members:</b> Mr J Small (CAG Representative) and Mr R Pennington (Brighton &amp; Hove Federation of Disabled People)</p>
Contact:	<p><b>Penny Jennings</b> Senior Democratic Services Officer 01273 291065 penny.jennings@brighton-hove.gov.uk</p>

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## AGENDA

### 17. PROCEDURAL BUSINESS

- (a) Declaration of Substitutes - Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

### 18. MINUTES OF THE PREVIOUS MEETING

1 - 14

Minutes of the meeting held on 28 May 2008 (copy attached).

### 19. CHAIRMAN'S COMMUNICATIONS

### 20. PUBLIC QUESTIONS

- a) The closing date for receipt of public questions is 12 noon on 11 June 2008.
- b) The closing date for receipt of public questions for the meeting to be held on 9 July will be Wednesday 2 July 2008.

### 21. WRITTEN QUESTIONS FROM COUNCILLORS

To consider any written questions received.

### 22. PETITIONS

To consider any petitions received.

## **PLANNING COMMITTEE**

### **23. DEPUTATIONS**

(The closing date for receipt of deputations is 12 noon on 11 June 2008)

To consider any deputations received.

### **24. LETTERS FROM COUNCILLORS**

To consider any letters received from Councillors in addition to those appended to the Plans List.

### **25. NOTICES OF MOTION REFERRED FROM COUNCIL**

To consider any Notices of Motion referred from Council.

*Ward Affected: All Wards*

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

### **27. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST DATED 18 JUNE 2008**

(copy circulated separately).

### **28. APPEAL DECISIONS**

**15 - 16**

(copy attached).

### **29. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

**17 - 20**

(copy attached).

### **30. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

**21 - 24**

(copy attached).

**To consider whether or not any of the above items and decisions thereon should remain exempt from disclosure to the press and public.**

**Members are asked to note that officers will be available in the Council Chamber 30 minutes prior to the meeting if Members wish to consult the plans for any applications included in the Plans List.**

## PLANNING COMMITTEE

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Penny Jennings, (01273 291065, email [penny.jennings@brighton-hove.gov.uk](mailto:penny.jennings@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication – Monday, 9 June 2008



**BRIGHTON & HOVE CITY COUNCIL**

**PLANNING COMMITTEE**

**2.00PM 28 MAY 2008**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Hyde (Chairman), Wells (Deputy Chairman), Carden (Opposition Spokesperson), Davey, Kennedy, McCaffery, K Norman, Pidgeon, Smart, Smith and Steedman

**Co-opted Members** Mr J Small (CAG Representative) and Mr R Pennington (Brighton & Hove Federation of Disabled People)

**PART ONE**

**1. PROCEDURAL BUSINESS**

**1A Declarations of Substitutes**

<u>1.1</u>	<u>Substitute Councillor</u>	<u>For Councillor</u>
	Smith	Barnett
	Pidgeon	Mrs Theobald

**1B Declarations of Interest**

1.2 Councillor Kennedy declared a personal but not prejudicial interest in Application BH2007/040086, 188 Surrenden Road. The applicant was known to her and although she had not predetermined the application she stated that she would leave the meeting during consideration of the application and would take no part in the discussion or voting thereon. Mr Pennington, Brighton & Hove Federation of Disabled People stated that he had written letters of objection as a neighbouring resident, relative to applications BH2007/04388 and BH2007/04387, 24 Castle Street but that these had subsequently been withdrawn. The Development Control Manager confirmed that a note formally withdrawing Mr Pennington's original objections had been prepared and would be placed on file. Mr Pennington confirmed that in the event he made any comments during discussion of either application it would be in his capacity as a representative of The Brighton & Hove Federation of Disabled People and not in any other capacity.

**1C Exclusion of Press and Public**

1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard

to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A (3) or 100 1 of the Local Government Act 1972.

1.4 **RESOLVED** - That the press and public not be excluded from the meeting during the consideration of any items on the agenda.

**2. MINUTES OF THE MEETING HELD ON 7 MAY 2008**

2.1 **RESOLVED** - That the minutes of the meeting held on 7 May 2008 be approved and signed by the Chairman.

**3. PETITIONS**

3.1 There were none.

**4. PUBLIC QUESTIONS**

4.1 There were none.

**5. DEPUTATIONS**

5.1 There were none.

**6. NOTICES OF MOTION REFERRED FROM COUNCIL**

6.1 There were none.

**7. LETTERS FROM COUNCILLORS**

7.1 There were none.

**8. CHAIRMAN'S COMMUNICATIONS**

8.1 The Chairman welcomed new and existing Members of the Committee and expressed her enthusiasm for her role new role as Chairman.

**9. TO CONSIDER THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**

9.1 **RESOLVED** - That the following site visits be undertaken by the Committee prior to determining the applications:-

The following site visits were agreed as set out below:

<b>APPLICATION</b>	<b>SITE</b>	<b>SUGGESTED BY</b>
<b>BH2007/04011</b>	4 Barn Rise	Councillor Hyde
<b>BH2008/00232</b>	Windlesham School, Dyke Road Avenue, Hove	Councillor McCaffery



<b>BH2008/01117, BH2008/01141, BH2008/01144</b>	59 -61 New Church Road, Hove	Development Control Manager
<b>BH2008/00980</b>	Falmer School, Lewes Road, Brighton	Development Control Manager
<b>BH2008/00877</b>	Vicarage and Wagner Hall	Development Control Manager
<b>BH2008/00294</b>	Sussex Education Centre, Nevill Road, Hove	Development Control Manager
<b>BH2008/00379</b>	Withdean Stadium	Development Control Manager

**10. PLANS LIST APPLICATIONS, 28 MAY 2008**

**(i) TREES**

10.1 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 7 of the reports and resolves to refuse permission to fell the trees covered by the tree preservation orders set out below :

BH2008/01517, 42 Rowan Way, Rottingdean

BH2008/01512, Aylesbury, York Avenue, Hove

**(ii) SUBSTANTIAL OR CONTROVERSIAL APPLICATIONS OR APPLICATIONS DEPARTING FROM COUNCIL POLICY**

10.2 **Application BH2008/00106- Stretton Hall, 353 Portland Road, Hove** – Demolition of existing hall (D1), and construction of ground floor parking area, first floor (D1) and 3 floors of office space (B1) above (total 5 storeys)

10.3 The officer presented the application It was noted that this application had formed the subject of a site visit prior to the meeting.

10.4 The Planning Officer referred to a late letter of support submitted by Celia Barlow mp stating that in her view the proposal would not worsen the existing on street parking situation and would provide a development which could also be used by the local community.

10.5 Mr Bareham spoke on behalf of the applicant in support of their application.

10.6 The Planning Officer explained that whilst there was no objection to loss of the existing hall given that the proposal would provide a modern hall with improved access the development overall was considered to be too high, dominant and incongruous within the prevailing street scene, with insufficient architectural detail. Although details regarding recycling facilities and refuse storage for each floor had been provided a completed sustainability checklist had not been provided by the

applicants.

- 10.7 Councillor Wells enquired regarding the height of the building relative to the existing and was informed that the existing building was 7.4 m in height, the proposed development would be of some 14.6 in height. Councillor Mc Caffery sought clarification regarding whether tinted glass was proposed for the glass panelling and was informed that it was. Mr Bareham responded to questions regarding the height of various elements of the scheme.
- 10.8 Councillor Smith enquired whether the option of providing underground car parking had been assessed and it was explained that it would not be possible to achieve the depth and gradient required given the constraints of the site. Councillor Smart enquired regarding the number of potential jobs created by the scheme.
- 10.9 Councillors Kennedy and Steedman referred to the fact that a number of sustainability issues remained to be resolved. The Development Control Manager responded to questions of the Chairman regarding sustainability issues, stating that should the application be deferred in order to address them further this could result in a totally different scheme.
- 10.10 Councillor Wells proposed that the consideration of the application be deferred pending further exploration / resolution of the sustainability issues highlighted. However this was not seconded and therefore fell.
- 10.11 Councillor Steedman stated that he did not consider the proposals acceptable and supported the Officer's recommendation, he was of the view the applicant needed to address the issues raised relative to bulk, design height and sustainability and to come back with a more appropriate scheme. Councillors Kennedy and McCaffery concurred. Councillor McCaffery stated that she was very concerned relative to the location and number of car parking spaces proposed on site and to the unattractive appearance of the development itself. Councillor Kennedy considered that the applicant could and should be encouraged to effect significant improvements.
- 10.12 Councillor Smart considered that generally the application was acceptable. Councillor Carden agreed although he was in agreement that the sustainability issues raised needed to be resolved.
- 10.13 A vote was taken and on a vote of 8 to 1 with abstentions planning permission was refused on the grounds set out below.
- 10.14 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation and resolves to refuse planning permission for the following reasons :
1. The building proposed for this prominent site by virtue of its height, scale and bulk would appear incongruous and unduly prominent, appear as an over dominant feature in the street scene, and thereby detrimental to the surrounding area and residential amenity. This would be contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan, which seek to ensure that new developments emphasise and enhance the positive qualities of the local neighbourhood.

2. The open frontage to the car park is unattractive and presents a bland and uninteresting street frontage. The proposal is therefore contrary to policy QD5 of the Brighton & Hove Local Plan which seek to ensure that all new developments should present an interesting and attractive frontage particularly a street level for pedestrians.

3. The applicant has failed to demonstrate that the proposed development would incorporate satisfactory measures to ensure sustainability and to achieve a high standard of efficiency in use of energy, water and materials and as such the proposal is contrary to policy SU2 of the Brighton & Hove Local Plan Second Deposit Draft and the Council's SPGBH21 - Brighton & Hove Sustainability Checklist.

Informatives :

This decision is based on drawing nos. A- 01, D01, 02, 03 submitted on 9 January 2008.

**Application BH2008/00535, 27 - 33 Ditchling Road, Brighton** - Demolition of existing building. Proposed change of use to mixed use development comprising (D2) Gym (A1) Retail and (C3) 28 apartments.

- 10.15 It was noted that this application had formed the subject of a site visit prior to the meeting.
- 10.16 The Planning Officer gave a detailed presentation including Ariel views and computer generated images detailing the measures undertaken by the applicant in order to address the previous reasons for refusal. Reference was also made to additional letters of representation received and set out in the Late Representations List. The penthouse levels had now been removed and an excellent BREAM rating would be achieved. the development would be car free but one disabled parking space would be provided to the rear of the development. The application was recommended as minded to grant subject to 22 conditions and to the applicant entering in to Section 106 Obligation.
- 10.17 Mr Pennington , Brighton & Hove Federation of Disabled People sought clarification regarding means of access to the building from the disabled parking space which would be located to the rear of the building and as to the location of other disabled parking facilities in the vicinity of the site. It was explained that disabled access was located at the rear of the building adjacent to the disabled parking space. Additional parking spaces (3) were located nearby in Oxford Street. He stated that he considered this to be unacceptable and than a joined up policy linked to a Planning Advice Note relative to parking across the City was needed as a high priority. The Development Control Manager confirmed that she was aware that this document was in the process of being drawn up and that would seek to ascertain the timetable for completion.
- 10.18 Councillor McCaffery enquired regarding the roofing material and regarding where the contribution of £33,900 towards educational facilities was to be provided. She was informed that a sedum roof was to be provided to the development. Where contributions towards educational provision were made the department looked at where this should most appropriately be allocated. In this instance it was understood

that dialogue was taking place regarding provision to St. Bartholomew's school which was located nearby.

- 10.19 Councillor Steedman sought information regarding means by which deliveries would be made in connection with the retail element of the scheme and to the storage of refuse. It was noted that full details in respect of this matter were required to be submitted to the planning authority. Councillor Davey sought information regarding the level of cycle parking to be provided associated with the residential element of the scheme and it was explained that the minimum requirement based on the number of units to be provided had been exceeded.
- 10.20 Councillor Norman stated that although he supported the scheme he considered it was important to know what the contribution towards public art would be used for. In instances where "art" was provided within developments the public would not have access to this and in others where it was used for the provision of fencing for example this could be deemed to relate to an element which should be required of the applicant in any event. The Development Control Manager stated that in this instance these monies would be provided for public art in conjunction with the improvement works being undertaken to the adjacent open space at the level. Local Ward Councillors had been consulted and involved in respect of this matter.
- 10.21 The Development Control Manager stated that a programme of training for Members was in the process of being drawn up and that it proposed that Members received a presentation detailing the criteria used when setting the criteria for public art contributions and on the process by which such works were subsequently decided. Dates for training would be provided to Members at an early date.
- 10.22 Councillors Kennedy and Steedman stated that this application highlighted the importance of the Committee refusing unsatisfactory applications as applicants were then encouraged to effect improvements and to resubmit their schemes. Mr Small (CAG) concurred stating that the Planning Committee had been doing this for a number of years.
- 10.23 A vote was taken and Members voted unanimously that minded to grant permission be granted in the terms set out below.
- 10.24 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves that it is minded to grant planning permission subject to :
- (i) amended plans to show access to the roof terrace and balustrading for the roof terrace ;
- (ii) A Section 106 obligation to secure the following :
- Affordable housing, comprising 6 flats for rent and 5 flats for shared ownership (5x1bedroom,5x3 bedroom and 1x3 bedroom);
  - Public art works to the value of £29,00 the details of which to be submitted and approved in writing by the council prior to commencement of development and

to provide, on completion of development, a breakdown of expenditure of the said public art works;

- A contribution of £47,135 towards open space provision;
- A contribution of £14,00 towards sustainable transport improvements in the vicinity of the site;
- A contribution of £33,900 towards education facilities ;
- 105 of the units shall be fully wheelchair accessible (Units 6 & 7) as identified on the plans submitted ; and

(iii) subject to the Conditions and Informatives set out in the report.

**Application BH2008/00713, Flat 26, 55 & 59 - 61 New Church Road, Hove –New roof terrace(amendment to approval BH2005/002267)**

- 10.25 It was noted that this application had formed the subject of a site visit prior to the meeting.
- 10.26 The Planning Officer gave a detailed presentation regarding the proposals and explained that these represented the first of a series of applications relative to this site. Applicants could submit either one detailed composite application or individual applications as in this instance. Members would need to assess the cumulative impact of all of them in concert.
- 10.27 Details were provided of the proposed elevational treatments and sectional drawings through each of the buildings and balconies were displayed. Given the density of the area there was area a degree of mutual overlooking, it was not considered the proposed scheme would exacerbate this.
- 10.28 A vote was taken and Members voted unanimously that planning permission be granted in the terms set out below.

**RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves to grant panning permission subject to the Conditions and Informatives set out in the report.

**Application BH2008/00723, Flat 23, 55 & 59 – 61 New Church Road, Hove - New roof terrace (amendment to approval BH2005/002267)**

- 10.29 It was noted that this application had formed the subject of a site visit prior to the meeting.
- 10.30 A vote was taken and Members voted unanimously that planning permission be granted in the terms set out below.
- 10.31 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves to grant planning permission subject to the Conditions and Informatives set out in the report.

**Application BH2008/00941, Flat 24, 55 & 59 - 61 New Church Road , Hove - New**

roof terrace (amendment to approval Bh2005 /002267)

- 10.32 It was noted that this application had formed the subject of a site visit prior to the meeting.
- 10.33 A vote was taken and on a vote of 10 with 1 abstention planning permission was granted in the terms set out below.
- 10.34 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves to grant planning permission subject to the Conditions and Informatives set out in the report.

**(iii) DECISIONS ON MINOR APPLICATIONS WHICH VARY FROM THE RECOMMENDATIONS OF THE DIRECTOR OF ENVIRONMENT AS SET OUT IN THE PLANS LIST (MINOR APPLICATIONS) DATED 28 MAY 2008**

- 10.34 There were none.

**(iv) OTHER APPLICATIONS**

- 10.35 **Application BH2008 /00196, 7 Elm Close, Hove** – Erection of 2 new family homes on vacant plot.
- 10.36 It was noted that this application had formed the subject of a site visit prior to the meeting.
- 10.37 The Planning Officer gave a detailed presentation setting out the measures proposed by the applicant to overcome the previous reasons for refusal including retention of trees which would provide screening between the application site and its neighbours.
- 10.38 Mr Turner spoke on behalf of the applicant in support of their application. Councillor Bennett spoke in her capacity as a Local Ward Councillor setting out her objections in respect of the application. These were primarily that two dwellings would be too large for the plot size and would result in overlooking and loss of amenity to neighbouring properties. In the event that planning permission were to be granted she requested that a condition be added that obscure glazing be provided to the rear facing elevations.
- 10.39 In answer to Members questions the Planning Officer explained that proposed condition 2 would remove permitted development rights, condition 4 would require obscure glazing to be used to the first floor windows of the rear elevation.
- 10.40 Mr small (CAG) sought clarification regarding the elevational treatment and finishes to be used; the dwellings would be partly rendered and tile hung.
- 10.41 Councillor Smart stated that he was familiar with the Barrowfield Estate on which the proposed dwellings would be situated. It was characterised by traditional style “Sussex” houses and he considered that proposals would be in keeping with that

style.

- 10.42 Councillor Norman referred to proposed Condition 4 stating whilst supporting the principle of the development he considered that imposition of that condition would result be impair the quality of accommodation of anyone living in the dwellings. Given that the windows related to bedroom accommodation he did not consider that overlooking would be an issue. Councillor Wells concurred in that view. Councillor Steedman considered it was important to effect a compromise solution as proposed by Condition 4.
- 10.43 However, Councillor Norman proposed that Condition 4 be removed and this was seconded by Councillor Wells. the Development Control Manager explained that the proposal placed before the Committee had sought both to address the previous reasons for refusal and the findings of the planning Inspectorate when an earlier application had been the subject of an appeal.
- 10.44 A vote was taken and on a vote of 5 to 4 with 2 abstentions condition 4 was removed. A further vote was taken and on a vote of 10 for with 1 abstention planning permission was granted in the terms set out below.
- 10.45 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves to grant planning permission subject to the Conditions and Informatives set out therein to include the removal of condition 4.

**Application BH2008/00781, 4 Barn Rise, Brighton** – Remodelling of house including ground floor, first floor, and roof extensions, to front, side and rear. Front, side and rear rooflights (Resubmission).

- 10.46 Members agreed that it would be beneficial to hold a site visit prior to determining the application.
- 10.47 **RESOLVED** - That consideration of the above application be deferred pending a site visit.

**ApplicationBH2007/04086, Site at Rear of 188 Surrenden Road, Brighton** – Demolition of existing garage. Construction of part single, part two storey house with integral garage.

- 10.48 Ms Cattell spoke on behalf of the applicant in support of their application. She referred to the fact that the applicant had sought to address the concerns raised relative to previous applications and to the fact that the level of traffic / to from the new / existing properties was unlikely to increase. The number of occasions when access for delivery vans would take place would be infrequent. The pedestrian access to the site would be clearly delineated the postal address of any new property would be 188a Surrenden Road, which would also clarify the matter. The daily level of pedestrian and vehicular activity would be no greater than at present. The proposed grounds for refusal were considered to be weak and inconsistent given that permission had been granted for similar. Proposals across the City. The applicant was prepared for a condition to be added removing permitted development rights.

- 10.49 Councillor Wells stated that as there appeared to be no vehicular passing places which he considered could be problematic if an additional dwelling were provided at that location. In answer to questions by Councillor Davey it was explained that 6 dwellings/ garages had vehicular access from the existing 40m access way. Councillor Smith sought confirmation whether if off street parking at the front of the property was proposed if the existing garage was to be lost to accommodate the proposed dwelling. It was explained that this would not be the case.
- 10.50 Councillor Norman enquired whether access from Hollingbury Copse was in shared ownership and it was explained that this was the case. Councillor Norman stated that he fully supported the officer's recommendation considering that the proposed location was completely unsuitable for a dwelling house and if approved could set an unacceptable precedent. Other applications approved had been considered on their merits and had related to larger differently configured plots.
- 10.51 Councillor McCaffery also concurred with the officer's recommendation, in her view the access way was narrow and unsuitable and could give rise to the risk of a serious accident. Such issues were uppermost in her mind when considering whether a site was suitable for backland development.
- 10.52 A vote was taken and on a vote of 8 with 2 abstentions planning permission was refused on the grounds set out below. Councillor Kennedy was absent when voting took place...
- 10.53 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation and resolves to refuse planning permission for the following reasons :
1. The proposal incorporates an unsuitable vehicle access by reason of being too narrow, unmade and having no provision for passing space which would provide a poor standard of access and potential conflict between pedestrians and vehicles movements. The site arrangement is therefore considered inappropriate for a new property. The proposal is therefore contrary to policies TR7, and QD27 of the Brighton & Hove Local Plan.
  2. The proposal represents a back land development accessed from a pedestrian route from Surrenden Road. The length and form of this access route, running between two separate dwellings, with separate functions is considered to be unacceptable and potentially hazardous for users. The increased level of activity generated from an additional unit would be detrimental to the residential amenities of neighbouring dwellings. The development is therefore contrary to policies QD2, QD3 and QD27 of the Brighton & Hove Local Plan.

Informatives :

This decision is based on drawings (un-numbered elevation and floor plans 01a and 02 and technical information received on 6 November 2007 and an amended site location plan received on 2 April 2008 and ownership certificates and documentation received on 4 April 2008.



[**Note** : Having declared an interest in respect of the above application Councillor Kennedy left the meeting during its consideration and took no part in the discussion or voting thereon].

**Application BH2008/00232, Windlesham School, Dyke Road, Brighton** - Demolition of existing gymnasium and prefabricated classrooms. Proposed new gymnasium with changing facilities and class rooms and internal alterations to existing building.

10.54 Members agreed that it would be beneficial to hold a site visit prior to determining the application.

10.55 **RESOLVED** - That consideration of the above application be deferred pending a site visit.

**Application BH2007/04388, 24 Castle Street, Brighton** - Refurbishment and extensions to existing buildings on the site to provide 6 X b1 office units, 2 x one – bedroom flats and 3 x two – bedroom maisonettes .

10.56 Mr Small, (CAG) stated that the Conservation Advisory Group had not been consulted in respect of these applications , however , in his view the proposed increase in height of the development would be more significant than had been indicated. He also enquired whether the frontage onto Regency Mews was in private ownership or had been adopted. In the photographs displayed cars were shown parked up to the frontage of the building and he queried whether this practice would be permitted to continue. He also sought clarification regarding the fenestration to that frontage. The applicant was present at the meeting and was able to confirm that opening windows were proposed along that frontage of the building, it was understood that area of land was in private ownership.

10.55 7 Mr Pennington, Brighton & Hove Federation of Disabled People sought confirmation regarding disabled access to the property and parking arrangements proposed. He considered that the development was unacceptable in that a Stanna lift or similar means of access had not been provided, notwithstanding that the proposed units would meet lifetime homes standards. He also considered that issues relative to the potential need to disabled parking had not been adequately addressed in that any disabled resident would be unable to obtain a residents parking permit and given that the development would be car free it was unclear where such residents would be able to park. This remained a matter on which a fully worked up policy was still required.

10.58 The Development Control Manager confirmed that such issues were addressed very carefully when processing applications. In this instance the application related to conversion of an existing building located within a conservation area, rather than to a new building and the applicant had sought to address these issues within the limitations of an existing building, not all disabled people were car users and; in such instances it was important to seek solutions which were reasonable and achievable.

10.58 Councillor Kennedy welcomed the scheme which she considered had shown an attention to detail and had sought to address all relevant issues. Councillor Wells concurred in that view stating that it would have little impact on the surrounding

conservation area.

- 10.59 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves to grant planning permission subject to the Conditions and Informatives set out therein.

[Note : It was noted that Mr Pennington, Brighton & Hove Federation of Disabled People had objected to this application as a neighbouring resident, those objections had subsequently been formally withdrawn. Any comments made at the meeting were therefore made as representative of the Brighton & Hove Federation of Disabled People and not in any other capacity].

**Application BH2007/04387, 24 Castle Street, Brighton** - Partial demolition of existing building to form internal courtyard.

- 10.60 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves to grant conservation area consent subject to the Conditions and Informatives set out therein.

[Note : It was noted that Mr Pennington, Brighton & Hove Federation of Disabled People had objected to this application as a neighbouring resident, those objections had subsequently been formally withdrawn. Any comments made at the meeting were therefore made as representative of the Brighton & Hove Federation of Disabled People and not in any other capacity].

**Application BH2008/00082, 40 Varndean Gardens, Brighton** - Single storey rear extension, first floor front extension, replacement porch and associated external alterations.

- 10.61 **RESOLVED** - That the Sub Committee has taken into consideration and agrees with the reasons for the recommendation set out in Paragraph 8 of the report and resolves to grant planning permission subject to the Conditions and Informatives set out therein.

#### **(v) DECISIONS ON APPLICATIONS DELEGATED TO THE DIRECTOR OF ENVIRONMENT**

- 10.62 **RESOLVED** – Those details of the applications determined by the director of Environment under delegated powers be noted.

[Note 1 : All decisions recorded in this minute are subject to certain conditions and reasons recorded in the Planning Register maintained by the Director of Environment. The register complies with the legislative requirements].

[Note 2 : A list of representations, received by the Council after the Plans List reports had been submitted for printing had been circulated to Members on the Friday preceding the meeting. (For copy see minute book). Where representations were received after that time they would be reported to the Chairman and Deputy Chairman and it would be at their discretion whether these should (in exceptional cases), be reported to the Committee. This in accordance with resolution 147.2 of the

then, Sub Committee held on 23 February 2005].

**11. SITE VISITS**

The following site visits were agreed:

<b>APPLICATION</b>	<b>SITE</b>	<b>SUGGESTED BY</b>
<b>BH2007/04011</b>	4 Barn Rise	Councillor Hyde
<b>BH2008/00232</b>	Windlesham School, Dyke Road Avenue, Hove	Councillor Mc Caffery
<b>BH2008/01117, BH2008/01141, BH2008/01144,</b>	59-61 New Church Road, Hove	Development Control Manager
<b>BH2008/00980</b>	Falmer School, Lewes Road, Brighton	Development Control Manager
<b>BH2008/00294</b>	Vicarage and Wagner Hall	Development Control Manager
<b>BH2008/00294</b>	Sussex Education Centre, Nevill Road, Hove	Development Control Manager
<b>BH2008/00379</b>	Withdean Stadium	Development Control Manager

**12. APPEAL DECISIONS**

12.1 The Committee noted letters received from the Planning Inspectorate advising on the results of planning appeals which had been lodged as set out on the agenda.

**13. APPEALS LODGED**

13.1 The Committee noted the list of Planning Appeals, which had been lodged as set out in the agenda.

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

14.1 The Committee noted the information set out in the agenda relating to information on Informal Hearings and Public Inquiries.

The meeting concluded at 5.30pm

Signed

Chair

Dated this

day of

**APPEAL DECISIONS**

	<b>Page</b>
<b>A. WITHDEAN WARD</b>	
Application BH2007/02691, Kingsmere, London Road, Brighton. Appeal against a refusal to grant planning permission for roof extensions to blocks “A &B” and “E &F” to provide 8 penthouse flats (i.e. 2 X 4 bed and 2x5 bed to each block) with 22 additional car spaces and a new cycle store <b>APPEAL DISMISSED</b> (Copy of the letter from the Planning Inspectorate attached).	<b>17</b>
<b>B. WITHDEAN WARD</b>	
Application BH2007/01435, Upper Dene Court 2 / 4 Westedene Drive, Brighton. Appeal against a refusal to grant planning permission to provide 4 two bedroom flats (two flats in each block) within roof space, with front and rear dormers. <b>APPEAL DISMISSED</b> (Copy of the letter from the Planning Inspectorate attached).	<b>19</b>
<b>C. REGENCY WARD</b>	
Application BH2007/03111, 38 Victoria Street, Brighton. Appeal against refusal to grant planning permission for proposed loft conversion with a new mansard roof to the rear with two small lead – lined dormer windows. <b>APPEAL DISMISSED</b> . (Copy of the letter from the Planning Inspectorate attached).	<b>27</b>



## **NEW APPEALS RECEIVED**

### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **CENTRAL HOVE**

BH2007/03816

181 Church Road Hove

Construction of a vehicle crossover.

APPEAL LODGED

12/05/2008

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### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **GOLDSMID**

BH2007/04047

Land to the rear of 48 & 50 Old Shoreham Road Hove

Construction of two, three storey, four-bedroomed houses.

APPEAL LODGED

14/05/2008

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### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **ROTTINGDEAN COASTAL**

BH2007/01999

11 Chailey Avenue Rottingdean

Removal of condition three of BH2006/01418 to allow south elevation of conservatory to be clear glazed and to include additional door. (Retrospective).

APPEAL LODGED

08/05/2008

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### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **WOODINGDEAN**

BH2008/00147

Land to the rear of 107/109/109a Cowley Drive Brighton

Proposed pair of semi-detached dwellings with associated parking/cycle storage and access from Pinfold Close

APPEAL LODGED

12/05/2008

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### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **STANFORD**

BH2007/03293

16 Hill Drive Hove

Single storey eco home in rear garden including new garden wall around 16 Hill Drive

APPEAL LODGED

20/05/2008

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## **NEW APPEALS RECEIVED**

### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **WITHDEAN**

BH2008/00081

114 Eldred Avenue Brighton

Proposed loft conversion: including hip to gable roof extension, rear dormer with juliet balcony, and front footlight.

APPEAL LODGED

20/05/2008

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### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **SOUTH PORTSLADE**

BH2007/04343

44 Windlesham Close Portslade Brighton

Outline application for erection of new dwelling on land to the east of No.44 Windlesham Close.

APPEAL LODGED

20/05/2008

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### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **WITHDEAN**

BH2007/03324

24 Redhill Drive Brighton

Decking in rear garden (Retrospective Application)

APPEAL LODGED

20/05/2008

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### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **ST. PETER'S & NORTH LAINE**

BH2008/00612

37 & 38 Providence Place Brighton

Demolition of existing redundant storage building and redevelopment of site to provide 6 residential units in a three storey plus attic building.

APPEAL LODGED

19/05/2008

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### **WARD**

**APPLICATION NUMBER**

**ADDRESS**

**DEVELOPMENT DESCRIPTION**

**APPEAL STATUS**

**APPEAL RECEIVED DATE**

### **SOUTH PORTSLADE**

BH2007/04148

9 Station Road Brighton

Proposed roof extensions and alterations, including provision of mansard roof to provide additional floors creating two additional flats and bike/bin storage at entrance.

APPEAL LODGED

21/05/2008



**NEW APPEALS RECEIVED**

**WARD**

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

**WITHDEAN**

BH2007/02980

32 Redhill Drive Brighton

Demolition of existing house and construction of a pair of semi-detached houses - resubmission of refused application BH2007/00041.

APPEAL LODGED

21/05/2008

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**WARD**

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

**REGENCY**

BH2007/03022

Car Park Site Clifton Hill Brighton

Construction of five no. three storey plus basement dwellings with basement car parking area and erection of new boundary wall fronting Powis Grove.

APPEAL LODGED

27/05/2008

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**WARD**

APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

**REGENCY**

BH2007/03019

Car Park Site Clifton Hill Brighton

Demolition of boundary wall fronting Powis Grove.

APPEAL LODGED

27/05/2008





**Brighton & Hove  
City Council**

**INFORMATION ON INFORMAL HEARINGS / PUBLIC INQUIRIES  
18 June 2008**

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**This is a note of the current position regarding Planning Inquiries and Hearings**

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**150 Woodland Avenue, Hove**

Planning application no: BH2007/01880  
Details of application: Amendment to application BH2006/03644 to increase overall height of two storey dwelling and incorporate side facing window to southern elevation.  
Decision: Committee  
Type of appeal: Informal Hearing  
Date: 24 June 2008  
Location: Committee Room 2, Hove Town Hall

**R/O 197 Old Shoreham Road Portslade**

Planning application no: BH2006/02419  
Details of application: Erection of 2 storey block of 4 flats  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

**8 Locks Hill, Portslade**

Planning application no: BH2007/00851  
Details of application: Construction of a pair of semi-detached cottages & alterations to access & boundary wall.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

**46-48 Kings Road, Brighton**

Planning application no: BH2007/03924  
Details of application: Display of externally illuminated advertisement banner.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

**The Standard, 77 West Street, Brighton**

Planning application no: BH2007/03708  
Details of application: Installation of advertisement signage to front elevation and above rear entrance, four uplighters to front elevation and two down lighters above the front entrance.  
Decision: Delegated  
Type of appeal: Informal Hearing

Date: 5 August 2008  
Location: Committee Room 1, Hove Town Hall

**The Standard, 77 West Street, Brighton**

Planning application no: BH2007/03712  
Description: Installation of advertisement signage to front elevation and above rear entrance.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date: 5 August 2008  
Location: Committee Room 1, Hove Town Hall

**Phoenix House, 32 West Street, Brighton**

Planning application no: BH2007/02122  
Details of application: Enlargement of fourth floor to occupy area of existing flat roof to provide additional office (use class B1) accommodation.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date: 8 July 2008  
Location: Committee Room 1, Hove Town Hall

**Bali Brasserie, Kingsway Court, First Avenue, Hove**

Planning application no: BH2007/04314  
Details of application: UPVC canopy to rear of building to provide smoking shelter (retrospective)  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

**128 Church Road Hove**

Planning application no: BH2007/02378  
Details of application: Change of use of first floor with second floor extension, with additional accommodation in the roof space to form five flats.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

**124 Church Road Hove**

Planning application no: BH2007/02379  
Details of application: Alterations and extensions to form part 2, part 3 storey building with roof accommodation to form four flats above existing retail.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

**Norfolk Court, Norfolk Square**

Planning application no: BH2007/02515  
Details of application: Gambrel roof extension to form 1 bedroom flat and external alterations to existing building.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

### **57 Shirley Drive, Hove**

Planning application no: BH2007/02609  
Details of application: Construction of two semi-detached houses.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

### **Albany Towers, St Catherines Terrace, Kingsway Hove**

Planning application no: BH2007/03305  
Details of application: Roof extension to provide 2 penthouse flats with 2 car parking spaces and new secure cycle store.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

### **Land to the rear of 48 & 50 Old Shoreham Road**

Planning application no: BH2007/04047  
Details of application: Construction of two three storey, four bedroom houses.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

### **9 Station Road, Portslade**

Planning application no: BH2007/04148  
Details of application: Proposed roof extensions and alterations, including provision of mansard roof to provide additional floors creating two additional flats and bike/bin storage at entrance.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

### **32 Redhill Drive, Brighton**

Planning application no: BH2007/02980  
Details of application: Demolition of existing house and construction of a pair of semi-detached houses - resubmission of refused application BH2007/00041.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

### **87 Cowley Drive, Woodingdean, Brighton**

Planning application no: BH2008/00443  
Description: Outline application for a detached dwelling.  
Decision: Delegated  
Type of appeal: Informal Hearing  
Date:  
Location:

