

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 5 FEBRUARY 2020

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors: Hill (Chair), Littman (Opposition Spokesperson), C Theobald (Group Spokesperson), Childs, Fishleigh, Janio, Mac Cafferty, Miller, Shanks and Yates.

Officers in attendance: Paul Vidler (Planning Manager), Liz Arnold (Principal Planning Officer), Russell Brown (Senior Planning Officer), Wayne Nee (Principal Planning Officer), Emily Stanbridge (Senior Planning Officer), David Farnham (Development and Transport Assessment Manager), Hilary Woodward (Senior Solicitor) and Shaun Hughes (Democratic Services).

PART ONE

80 PROCEDURAL BUSINESS

(a) Declarations of substitutes

80.1 There were none.

(b) Declarations of interests

80.2 Councillor Tracey Hill declared an interest in item A as they had been on the Housing & New Homes Committee when the site and the proposals were considered. Councillor Hill stated they were of an open mind and would remain in the meeting when the item was discussed. An interest in item H was declared as the Councillor had a view on the item and therefore could not claim to be of an open mind and would withdraw from the discussions and decision making if this item was called for the committee to decide.

Councillor Leo Littman declared an interest in item E as they had talked to the applicant. Councillor Littman stated they were of an open mind and would remain in the meeting when the item was discussed.

Councillor Bridget Fishleigh declared an interest in items E and F as they were a Ward Councillor, but that they retained an open mind.

Councillor Phelim Mac Cafferty declared an interest in item A as they had received a communication from the YMCA. Councillor Mac Cafferty stated they were of an open mind and would remain in the meeting when the item was discussed.

Councillor Sue Shanks declared an interest in item B as they had been in conversations with Hyde Housing which included the proposals. Councillor Shanks stated they were of an open mind and would remain at the meeting when the item was discussed.

Councillor Joe Miller stated that he had visited the YMCA site in Mitcham but had an open mind.

It was noted that all Members of the Planning Committee had received communications from YMCA regarding item A.

(C) Exclusion of the press and public

80.3 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.

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

(d) Use of Mobile Phones & Tablets

80.5 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 'silent mode'.

81 MINUTES OF THE PREVIOUS MEETING

81.1 **RESOLVED:** That the Chair be authorised to sign the minutes of the meeting held on 8 January 2020 as a correct record.

82 CHAIR'S COMMUNICATIONS

82.1 The Chair thanked the Planning Officers for the hard work involved in the viability assessment feasibility study consultations. The Members were reminded of the Committee Member training for the Community Infrastructure Levy (CIL).

83 PUBLIC QUESTIONS

83.1 There were none.

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

84.1 There were none.

85 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

1. The Democratic Services Officer read out Items 85 A to I. It was noted that all Major applications and any Minor applications on which there were speakers were automatically reserved for discussion.
2. It was noted that the following item(s) were not called for discussion and it was therefore deemed that the officer recommendation(s) were agreed including the proposed Conditions and Informatives and any additions / amendments set out in the Additional / Late Representations List:
 - **Item D: BH2019/01602** Kingsmere (Blocks E & F), London Road, Brighton - Removal or Variation of Condition
 - **Item H: BH2019/03232** 34 Park Road, Brighton - Full Planning
 - **Item I: BH2019/02771** Hove Central Library, 182-186 Church Road, Hove – Listed Building Consent

A BH2019/02143, Former Garage Site Eastergate Road, Brighton - Full Planning

1. It was noted that this application had formed the subject of a site visit prior to the meeting.
2. Wayne Nee (Principal Planning Officer) introduced the application and gave a detailed presentation by reference to site location plans, elevational drawings and photographs. It was noted that the main considerations in the determination of this application relate to the principle of the loss of the existing use, the principle of a proposed residential use, the impact on the character and appearance of the existing building and the wider street scene, its impact on future occupiers and neighbouring amenity, sustainability and transport issues.

Speakers

3. James Deans spoke as a neighbour who objects to the application. It was noted that the speaker had worked in the United States with homeless people and had been homeless in the past. The need for accommodation was understood. Permanent accommodation would be better for the young people who are proposed to live on the site, not temporary. 30 under 25 year olds will not mix with the existing community. This application is not the best option for the site. Smaller groups would be better. These plans cram too many into too smaller space. It is felt that the community will blame any local issues, such as anti-social behaviour, on the young residents. 10/12 houses would have been a better use of the site.

Questions for Speaker

4. Councillor Nick Childs was informed that there were concerns about both concentration of numbers and amount of space per unit. The speaker did not consider the scheme to be cost effective. It was also noted that the young residents, some of whom may be traumatised will have no overnight support. A better start in life needs to be offered.
5. Charles Walker (Young Men's Christian Association (YMCA) Chief Executive) spoke in favour of the application. It was noted that YMCA has been a presence in Brighton since 1919 and this application was not about money. The YMCA are proud of the long shared history with Brighton and Hove City Council (BHCC). It was noted that the site is difficult and would mean an investment of £3m. Working with young people has worked well in the city and this proposal has been designed with the young people in mind. The site will be staffed 7 days a week and at night. Priority will be given to local people. The proposals are to be sustainable with a low impact on the environment.

Questions for Speaker

6. Councillor Daniel Yates was informed that staff will be on site day and night. Mobile staff are also available.
7. Councillor Joe Miller was informed that even though the units were small, they were bigger than those viewed in a successful scheme already running in Mitcham, South London.
8. Councillor Carol Theobald was informed that the units were for single people not couples.
9. Councillor Leo Littman was informed that the scheme would be open to both men and women.
10. Councillor Phelim Mac Cafferty was informed that the location was cost effective, outside the expensive city centre, with good transport links. The communal space, although not large, was the best that could be achieved.
11. Councillor Bridget Fishleigh was informed that the proposals would be a benefit to young people across the city. The private sector rental market is expensive and not willing to take young people on benefits. The YMCA has expertise in this area across the country.
12. Councillor Nick Childs was informed that the units were designed as single persons dwellings with own front door. It was noted that supported living arrangements often have less space. Young people consulted felt the proposed space was better than what they already had.
13. Councillor Sue Shanks was informed that those in supported accommodation would be first to be offered a space. Some residents would be care leavers with the scheme acting as a move on option.

Officer Clarification

14. It was noted that the report contained a future occupiers' typo, and this has been clarified in late list. The proposals were not just for men.

Questions for Officers

15. Councillor Joe Miller had visited the Mitcham site and was of an open mind regarding this application. It was noted that the accommodation was transitional and for 2 years only.
16. Councillor Daniel Yates was informed that a support worker would use the communal room for meetings with residents during office hours. It was noted that office space had not been a material consideration of the application by the case officer. The proposal was for transitional housing with support and not for mixed use. Employment standards were not considered.
17. Charles Walker also advised that the communal room would include an office space. Support officers could use this space during the day, along with night staff after office hours.
18. Councillor Tracey Hill was informed that the communal room was 42 square metres and considered appropriate.
19. Councillor Carol Theobald was informed that the scheme was 100% affordable housing and that the external cladding material will be agreed by condition. It was noted that the set-back top floor of the proposal would be the same height as the closest existing block of flats, which has higher ground levels than the application scheme.
20. Councillor Leo Littman was informed that the development included front doors for each unit, unlike a house in multiple occupancy (HMO). It was noted that the communal space is additional to the space in each flat and would be used by residents and staff.

Debate

21. Councillor Carol Theobald felt a lift would have been good for residents, along with car spaces for staff. The development was considered a good use of the site and was supported.
22. Councillor Joe Miller considered that the scheme would help to stop homelessness and should be supported.
23. Councillor Sue Shanks felt the standard of accommodation was better than for students and private rented and supported the scheme.

24. Councillor Daniel Yates considered the lack of amenities was a concern. The development would fully utilise the site and agreed the individual front doors were a good idea, as was the whole scheme. Councillor Yates felt that a management plan should be required by condition.
25. Councillor Phelim Mac Cafferty supported the application.
26. Councillor Nick Childs supported the scheme and noted the dire state of the homelessness in the city and supported the scheme. Councillor Childs supported the idea of a lift to assist residents and parking for staff. It was felt that YMCA should consider Health & Safety standards for staff working at the site.
27. Councillor Leo Littman expressed concerns relating to the use of the communal space and isolation issues for occupiers. Councillor Littman supported the scheme which he felt was much needed.

RESOLVED: The Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement and the Conditions and Informatives as set out in the report, **SAVE THAT** should the s106 Planning Obligation not be completed on or before the 12 May 2020 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 11 of the report. The following were included in the planning permission:

Condition 13 - amend to read:

Notwithstanding the plans submitted, the development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- (a) How stores and other facilities will be accessed;
- (b) The types of stands to be provided;
- (c) How the stands and facilities will be laid out;
- (d) Doors to stores and security arrangements

The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use 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 and SPD14: Parking Standards.

Additional Condition 21:

The use of the development hereby approved shall be for transitional housing only and each resident shall only reside at the property for a maximum of 2 years.

Reason: To ensure the development is not occupied as permanent residential accommodation, to safeguard the amenities of the residents of the development and to comply with policy QD27 of the Brighton & Hove Local Plan.

Additional Condition 22:

Prior to the first occupation of the development hereby approved a management plan for the provision of on-site staffing, including a night manager, shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the management plan shall be implemented and retained thereafter.

Reason: To safeguard the amenities of occupiers of the adjoining properties and the residents of the property to comply with Policies SU10 and QD27 of the Brighton and Hove Local Plan.

B BH2018/02483, Land Adjacent 6 Falmer Avenue, Brighton - Removal or Variation of Condition

1. It was noted that this application had formed the subject of a site visit prior to the meeting.
2. Liz Arnold (Principal Planning Officer) introduced the application and gave a detailed presentation by reference to site location plans, elevational drawings and photographs. It was noted that the main considerations in the determination of this application relate to the proposals the subject of the variation of condition 2. These include the impact of the proposed amendments on the appearance and character of the development, the surrounding area and landscape, including the South Downs National Park, the standard of accommodation, the amenities of neighbouring occupiers, as well as matters relating to Transport and site gradients.

Speakers

3. Linda Whitby spoke in opposition to the application. It was considered that there was no justification to grant planning permission and a new application should be submitted. It was felt that the new positions of the proposed dwellings would be closer to neighbours and higher, in some cases resulting in overlooking. The scheme would benefit it is felt from wider footpaths. The proposed screening on the southern boundary was considered to be inadequate. The original development was refused on design grounds by the Planning Committee and allowed on appeal. If this application is allowed, the scheme will not be the same scheme determined at appeal. Any changes should not materially alter the plans.

Questions for Speaker

4. Councillor Bridget Fishleigh was informed that the applicant had now supplied amended drawings showing property no. 12 Falmer Avenue.
5. Councillor Joe Miller was informed that Permitted Development (PD) rights will be removed from the proposed dwellings by condition and residents in the properties will need to apply for Planning Permission for any alterations. The positions of the

dwelling will maintain the gaps between the dwellings, preserving the views between.

6. Ward Councillor Mary Mears noted that they had been interested in the site and its history and noted that there had been many issues around the development of the site. It was felt that given the issues the variation of conditions should require a new planning application. This application appears to go against the conditions imposed by Planning Inspector. It was noted that the access from Falmer Avenue would be steep. The entrance and exits to the site need to be addressed as currently there is not enough room for vehicles to turn. In conclusion a new application should be submitted.

Questions for Speaker – None.

7. Heather Butler of Rottingdean Parish Council spoke in objection to the variation of condition. The Parish Council are very concerned that the development will be visible from the South Downs, Saltdean and Rottingdean. There were concerns regarding wheelchair / non-stepped access and electric car points as it is considered that the pavements are not wide enough. As the road will be private it is a concern as to whom will manage the road. A management company would be preferred. Light pollution onto the National Park is also a concern.

Questions for speaker

8. Councillor Daniel Yates was informed that the number of conditions included the original conditions relating to the development allowed at appeal.
9. Paul Burgess for Hyde Housing spoke on the application and noted that the original proposals were refused on design grounds by the Planning Committee and granted on appeal. It was noted that in August 2018 there were changes to allow wheelchair access. The permission expires on 21 February 2020. The Committee were asked to look at the changes in the current application to be considered at this committee, not the whole scheme. The development will be a boost to housing supply, with affordable housing and private rented. Should the scheme not be commenced any financial contributions will be lost. The committee were asked to support the application.

Questions for Speaker

10. Councillor Sue Shanks was informed that the access to the National Park was via a path to the north side of the site and there was a bridleway to the west of the site.
11. Councillor Joe Miller was informed that the retaining walls originally proposed for the rear gardens to the south will now be replaced with banking.

Officer Clarification

12. The Committee were informed that the application was for minor material amendments on the approved scheme only. A number of conditions attached to

the original permission were appropriate for the new permission if the application was approved.

Questions for Officers

13. Councillor Phelim Mac Cafferty was informed that a new application for the changes proposed was not necessary and the application to vary conditions was acceptable.
14. Councillor Joe Miller was informed that the changes were considered minor and could be considered. If the changes had been major, a new application would have been needed.
15. Councillor Bridget Fishleigh was informed that the proposed dwellings would be 11.5 metres from the site boundary at the closest. It was noted that the conditions related to the original development and the application before the committee.
16. Councillor Joe Miller was informed that the decision made by the inspector cannot be changed and the committee should consider the application before them. The principle remains unchanged. The embankment heights were shown to the councillor on the drawings.
17. Councillor Tony Janio was informed that the heights of the proposed dwellings are to be reduced and would be lower than those allowed at appeal. It was noted that the demolition of the original house on the site was the subject of enforcement investigation. This was not considered to affect the application. If the developer did not comply with the conditions attached to the permission, then enforcement action could be taken if necessary.
18. Councillor Daniel Yates was informed that the slight increase of plots 16 and 17 was considered acceptable by the Planning officers.

Debate

19. Councillor Leo Littman noted the previous application had been turned down by committee on design and scale grounds, and this was overturned at appeal. Councillor Littman did not consider this application to be worse than that approved by the inspector and supported the application.
20. Councillor Carol Theobald felt the development should not be in the South Downs. The design was not good and was of a cramped appearance. Councillor Theobald felt the variation of condition made the issues worse.
21. Councillor Joe Miller did not feel the amendments were good and considered the application to have a negative effect on the South Downs and amenities of the existing neighbouring properties. Councillor Miller felt the application should be refused.

22. Councillor Bridget Fishleigh felt the variations applied for were not minor and were therefore major. The application should be refused, and the committee should await the Secretary of State's comments.
23. Councillor Daniel Yates felt it was difficult to let go of arguments from the original application and agreed that the principle of development had been established. Councillor Yates felt the changes were minor and supported the scheme.
24. Councillor Sue Shanks felt the development was a good use of the site, the variations were small and supported the scheme.
25. Councillor Tony Janio felt the committee should not refuse the application.
26. Councillor Phelim Mac Cafferty felt that the housing was badly needed and supported the scheme.

RESOLVED: The Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to be **Minded to GRANT** planning permission subject to the Secretary of State not calling in the application for their own determination and subject to the Conditions and Informatives set out in the report.

C BH2019/02639, 8-9 King's Road, Brighton - Full Planning

1. Russell Brown (Senior Planning Officer) introduced the application and gave a detailed presentation by reference to site location plans, elevational drawings and photographs. It was noted that the main planning considerations material to this application are the principle of development, the design of the alterations, the impact on heritage assets, the amenity of neighbouring properties and on highways as well as the standard of accommodation to be provided.

Speakers

2. Ward Councillor Tom Druitt spoke in support of the application. It was noted that many people don't have a place to call home. Homelessness needs to be solved. It was felt that there is no good place to locate the facility and there are no reasons not to have the assessment hub. It was considered that the sea front would be acceptable as it ticks all the boxes. It has taken 18 months to find a suitable property for the centre. There is a responsibility to manage the centre and to not have an impact on the local residents. The Committee are urged to agree the application.

Questions for the Speaker

3. There were none.
4. Emily Ashmore – Rough Sleeper Co-ordinator for Brighton and Hove City Council attended the meeting as the applicant.

Questions for the Applicant

5. Councillor Phelim Mac Cafferty was informed that the property had been chosen after 10 others had been considered. Others had not been followed through for a variety of reasons including too expensive, heavily residential, near schools, prohibitive conversation costs and partners completing quicker. The property is located in the city centre close to services. It was considered that the crash beds, which will be packed away during the day, could be increased in number. No provider has been identified yet. The procurement process for the provider will require management plans. It was noted that no anti-social behaviour had been recorded in this area.
6. Councillor Carol Theobald was informed that the crash beds would be put out at night and put away during the day. Users would be able to stay in the building during the day when staff would give support. It was noted that the service will be open to all, especially those newly on the streets, not just local people. The item had taken time to come to committee as funding needed to be identified first.
7. Councillor Tony Janio was informed that users would be given support to move away from drugs and alcohol. It was noted that alcohol could be accessed locally, this was true across the city.

Questions for Officer

8. Councillor Daniel Yates was informed that the 12 persons stated under condition no.3 did not include staff. Councillor Yates felt that a management plan should include a revised total of 15 with staff.
9. Councillor Leo Littman was informed that the pre-app advice supported the principle and contained little detail. It was noted that the Planning Policy SR4 did not apply as the unit was a secondary frontage, with no loss of A1 use.
10. Councillor Phelim Mac Cafferty was informed that the silencing of doors could be added as an informative if agreed by the Committee.

Debate

11. Councillor Sue Shanks supported the scheme and the increase of total persons.
12. Councillor Joe Miller felt the centre was much needed to reduce rough sleeping in the city.
13. Councillor Carol Theobald felt the centre should prioritise locals, understood that this was not to be the case and supported the scheme as a good idea.
14. Councillor Daniel Yates agreed that finding the best location was a challenge and felt that the centre should support as many people as possible. Councillor Yates supported the application and looked forward to the next one.
15. Councillor Nick Childs supported the application in a good location, supporting the massive issue of rough sleepers should be supported.

16. Councillor Tony Janio agreed with the initiative. Councillor Janio felt that the location was not the best and did not support the application.
17. Councillor Phelim Mac Cafferty felt a tight management plan would be needed and supported the proposal.
18. Councillor Leo Littman supported the application.
19. Vote: Following the debate a vote was held on the motion proposed by Councillor Shanks and seconded by Councillor Yates to amend the number of persons onsite by condition to 15 from 12. By a majority vote the motion was agreed.
20. Following the debate, a vote was held on the motion proposed by Councillor Mac Cafferty and seconded by Councillor Littman regarding noise emitting from slamming doors. The motion was agreed by a unanimous vote.

RESOLVED: The Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report and the additional condition regarding the maximum number of occupiers and an informative to reduce disturbance created by noise of slamming doors. The wording to be finalised by the Planning Manager.

D BH2019/01602, Kingsmere (Blocks E & F), London Road, Brighton - Removal or Variation of Condition

1. This application was not called for discussion and the officer recommendation was therefore taken as having been agreed unanimously.

E BH2019/03339, Land to Rear of 62-64 Preston Road, Brighton - Full Planning

1. Emily Stanbridge (Senior Planning Officer) introduced the application and gave a detailed presentation by reference to site location plans, elevational drawings and photographs. It was noted that the main planning considerations for this application relate to the effect on the street scene as well as the impact on the host building, the residential amenity of the neighbouring residents, the residents within the proposed development and the well-being of the residents in the host building's upper levels.

Speakers

2. Richard Little spoke as the applicant. The scheme approved was unviable. This application to change the basement into a studio flat was therefore submitted. The proposal will increase number of units created by the development. Parking is not considered to be an issue and the mix of properties remains unchanged. The proposals include a secure outside space. It was noted that similar applications nearby have been approved. The principle of residential accommodation was already approved in the previous planning permission. Discussions have been held with YMCA and BHCC Housing.

Questions for Speaker

3. Councillor Daniel Yates was informed that the existing dwellings are two large maisonettes and the proposed new units will result in 6 units.
4. Councillor Nick Childs was informed that the proposal will extend 5 of the existing rooms.
5. Councillor Tony Janio was informed that the site included a dry river bed, and this would need to be accommodated into the structural plans, which would incur more expense by the developer.

Questions for Officers

6. Councillor Sue Shanks was informed that the proposals would not be assessed in relation to other nearby builds.
7. Councillor Daniel Yates was informed that the basement would not be part of the ground floor family unit.
8. Councillor Leo Littman was informed that the lack of housing standards was the reason for refusal.
9. Councillor Tony Janio was informed that the proposed basement would not be a family unit and that engineering issues have not formed part of the submission.
10. Councillor Daniel Yates was informed that engineering issues may be submitted as supporting information by the applicant. The applicant had not submitted engineering information to the Planning team until the day of the committee meeting. It was noted that Planning Officers are not able to take into account engineering issues.

Debate

11. Councillor Joe Miller found the changes acceptable and noted that housing is much needed. Councillor Miller supported approving the application.
12. Councillor Daniel Yates felt the lower ground floor accommodation was poor and there was a need to balance quality over need. Councillor Yates agreed with the officer's recommendation to refuse the application.
13. Councillor Carol Theobald felt the accommodation in the basement was poor and this raised concerns.
14. Councillor Leo Littman felt the changes were small but not acceptable and did not support the scheme.
15. Councillor Janio supported the scheme.

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

F BH2019/02871, 21 Tumulus Road, Saltdean, Brighton - Full Planning

1. It was noted that this application had formed the subject of a site visit prior to the meeting.
2. Wayne Nee (Principal Planning Officer) introduced the application and gave a detailed presentation by reference to site location plans, elevational drawings and photographs.

Speakers

3. Professor Billingham spoke in objection to the application. Until last year only sheds and greenhouses were found in the rear gardens of the area. The neighbours have been informed that the building is a summerhouse. The building is huge with a toilet and washing facilities. It is believed that the applicant will live in the building. Neighbours are concerned that sunlight will be reduced by the building and as the land slopes the building dominates other properties that it faces. It is considered that the landscaped garden now has an overbearing impact on neighbouring gardens. Numerous complaints have been submitted by the neighbours relating to overshadowing and overbearing impact, and yet work continues. The neighbours wish the committee to refuse this anti-social building.

Questions for Speaker

4. Councillor Carol Theobald was informed that the structure is level with the neighbouring property's bedroom windows.
5. Councillor Sue Shanks was informed that the neighbours had not been approached by the applicant before commencing the structure.
6. Councillor Mary Mears spoke as Ward Councillor in objection to the building. It was considered that this structure was not a summerhouse and is more like a bungalow. The structure has brought much unhappiness for neighbours and raised many concerns. It is considered that the structure has a visually harmful effect on neighbours and surrounding area. The building raises concerns regarding impact. As the structure is partially built it can be seen that the roof pitch is very high. If permission were to be granted, please condition that no dormer windows be allowed without planning permission. The Councillor concluded by stating that they have many concerns with the building.

Questions for Speaker – None.

7. Tom Hall spoke as the applicant. The Summerhouse is to be used as a tranquil space for study and to share with the children in the summer. The garden is not well planned, and he wanted to create some space to bring everything together. The outbuilding is within permitted development size. The summerhouse will offer

some privacy from the neighbours and will also be used for storage whilst renovations to the house are taking place. In order to placate the neighbours, the roofing material has been altered to reduce the visual impact. It is noted that the neighbours at No.17 are fine with the building.

Questions for Speaker

8. Councillor Nick Childs was informed that the rear garden was accessed via a side door from the kitchen.
9. Councillor Joe Miller was informed that the applicant had talked to neighbours and visited the garden to the north once the roof was erected. It was noted that the roof was the same level as the garden hedge and did not block out any views. A slight impact was recognised on the property to the north.
10. Councillor Bridget Fishleigh was informed that the pitch of roof reflected the need to store items from the house whilst renovations took place.
11. Councillor Leo Littman was informed that the position of the building close to the neighbour's boundaries was an error by the applicant.
12. Councillor Nick Childs was informed that the building would be used for study purposes.

Officers Clarification

13. The building does not fall under permitted development (PD). To be considered under PD the structure should be more than 2 metres from the site boundaries.

Questions for Officer

14. Councillor Daniel Yates was informed that the PD rights would be removed from the summerhouse, if planning permission was granted, and any dormer windows or further storeys would therefore require the benefit of planning permission. It was noted that incidental use could include a person sleeping in the summerhouse. No shower or bathroom facilities are shown in the application.
15. Councillor Bridget Fishleigh was informed that overshadowing, overlooking, noise and disturbance, loss of trees, loss of outlook, layout and density of buildings have all been taken into consideration. The loss of view is not a material consideration, the loss of outlook is recognised, and the structure is not considered, at the bottom of the garden, to be prominent. The impact of the structure is considered acceptable.
16. Councillor Carol Theobald was informed that photographs had been taken on the site visit and these were shown to the committee via the projector.

Debate

17. Councillor Joe Miller was empathetic to the applicant and the neighbours. It was considered that a flat roof would have had less impact on the neighbours as the loss of outlook was not good. Councillor Miller did not support the application.
18. Councillor Tony Janio felt that the applicant had made an error and approval should be granted and the committee should move on with other business.
19. Councillor Carol Theobald felt the building makes a difference to the neighbour's amenities and was ugly. Councillor Theobald did not support the application.
20. Following requests by the Chair to not talk over other Members of the Committee and the Chair, the Chair requested that Councillor Tony Janio leave the meeting under Brighton and Hove City Council Constitution Rule 25.1:

Misbehaviour by a Member. If the person presiding at any meeting of the Council is of the opinion that a Member has misconducted or is misconducting by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Council, he/she may notify the meeting of that opinion, and may take any of the following courses, either separately or in sequence:

- a) He/she may direct the Member to refrain from speaking during all, or part of the remainder of the meeting;
 - b) He/she may direct the Member to withdraw from all, or part of the remainder of the meeting;
 - c) He/she may order the Member to be removed from the meeting;
 - d) He/she may adjourn the meeting for 15 minutes or such period as shall seem expedient to him/her.
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21. Councillor Bridget Fishleigh felt that a flat roof should be required under condition. It was noted that this was not possible.
 22. Councillor Leo Littman felt the structure was too close to the site boundaries and would not support the application.
 23. Councillor Daniel Yates felt sorry for the applicant and noted that the structure was too close to the boundary and therefore required the benefit of planning permission. The concerns of the neighbours are noted. A condition should be added to stop sleeping in the structure overnight. A flat roof may be better. The application should be refused, and a lesser building brought back to committee.
 24. Councillor Sue Shanks agreed with Councillor Yates and felt the impact was too great. Councillor Shanks did not support the application.
 25. Councillor Phelim Mac Cafferty noted the officer recommendation to grant planning permission and the reasons given in the report.
 26. Councillor Nick Childs noted that the application was far from ideal, the material loss of privacy a concern. Councillor Childs supported the application.

27. Councillor Tracey Hill supported the officer recommendation to grant planning permission.
28. Vote: The Committee voted on the motion proposed by Councillor Yates and seconded by Councillor Theobald to add a condition, should the application be granted planning permission, to enforce no sleeping in the structure overnight. The Committee agreed by a majority.
29. Vote: The Committee voted by a majority against the officer recommendation to grant planning permission.
30. Vote: Councillor Fishleigh proposed that the application be refused on the grounds of loss of outlook and overbearing impact on the neighbour at 20 Wivelsfield Road, and loss of privacy and loss of privacy to no.19 Wivelsfield Road.
31. A Recorded vote was held. The Councillors voted as follows: Hill = Against, Littman = For, Theobald = For, Childs = Against, Fishleigh = For, Mac Cafferty = Against, Miller = For, Shanks = For, Yates = For. (Councillor Janio had left the meeting).

RESOLVED: The Committee has taken into consideration and does not agree with the reasons for the recommendation set out below and resolves to **REFUSE** planning permission for the reasons proposed by Councillor Fishleigh.

G BH2019/01983, Flat 6, Princes Court, 11 First Avenue, Hove - Full Planning

1. Emily Stanbridge (Senior Planning Officer) introduced the application and gave a detailed presentation by reference to site location plans, elevational drawings and photographs. It was noted that the main planning considerations for this application relate to the impact of the proposed development on the appearance and character of the building, the wider streetscene and on the amenities of adjacent occupiers.

Questions for Officer

2. Councillor Phelim Mac Cafferty was concerned regarding the impact on neighbours. The Councillor was informed that the proposed roofscape allows light into a bedroom window and the rooflights would not be seen from the street. It was noted that the proposal affords a better proportioned roof with screening to the side elevation and no objection has been raised by the Heritage team.

RESOLVED: The Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

H BH2019/03232, 34 Park Road, Brighton - Full Planning

1. This application was not called for discussion and the officer recommendation was therefore taken as having been agreed unanimously.

I BH2019/02771, Hove Central Library, 182-186 Church Road, Hove – Listed Building Consent

1. This application was not called for discussion and the officer recommendation was therefore taken as having been agreed unanimously.

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

RESOLVED: That the following site visits be undertaken by the Committee prior to determination of the application: None.

87 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

88 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

89 APPEAL DECISIONS

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 7.06pm

Signed

Chair

Dated this day of