

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 22 APRIL 2020

VIRTUAL MEETING VIA SKYPE

MINUTES

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

Co-opted Members: Mr Roger Amerena (Conservation Advisory Group)

Officers in attendance: Nicola Hurley, Planning Manager, Planning Applications, Maria Seale, Team Leader, Planning Applications; Luke Austin, Principal Planning Officer, Planning Applications; Emily Stanbridge, Senior Planning Officer, Planning Applications; Tim Jefferies, Planning Team Leader, Policy Projects and Heritage; Chris Swain, Planning Team Leader, Planning Applications; Liz Arnold, Planning Team Leader, Planning Applications; David Farnham, Development and Transport Assessment Manager; Hilary Woodward, Senior Lawyer and Penny Jennings, Democratic Services Officer

PART ONE

114 PROCEDURAL BUSINESS

Note: Due to technical problems which arose in webcasting the meeting and the legal requirement that members of the public needed to be able to hear and ideally to view the democratic decision making process, the meeting was adjourned and re-commenced from the beginning from 4.00pm on the same afternoon.

114a Declarations of substitutes

114.1 There were none.

114b Declarations of interests

114.2 Councillor Hill, the Chair referred to Applications A, BH2019/02578, Victoria Road, Housing Office, Victoria Road, Portslade, she had been a member of the Housing Committee when the proposal had been discussed but the considerations had been different and C, BH2018/03356, KAP Limited, Newtown Road. She had been lobbied in respect of these applications and was aware that other Members had been too. She remained on a neutral mind however and would remain present at the meeting during consideration and determination of these applications. The other Members of the Committee confirmed that they also remained of a neutral mind and would remain present during consideration and determination of these applications.

114.3 Councillor Yates declared a non- prejudicial interest in respect of Application A, BH 2019/02578, Victoria Road, Housing Office, Victoria Road, Portslade stating that he had been involved in preliminary discussions regarding the site whilst Leader of the Council. Discussions had not related to the current scheme nor to its design or to planning matters and he remained of a neutral mind. Councillor Yates confirmed that he had also been involved in early discussions whilst Leader of the Council relating to the application site, Application C, BH2018/03356, KAP Ltd, Newtown Road, Hove, but not to the current Planning application. In relation to Application E, BH2019/02862, Fairway Trading Estate, Eastergate Road, Brighton Councillor Yates had been involved in discussions in relation to potential enforcement action but this did not relate to the current planning application Councillor Yates confirmed that in respect of all 3 applications cited he was of a neutral mind and would remain present at the virtual meeting during consideration and determination of those applications.

114c Exclusion of the press and public

114.4 In accordance with Section 100 of the Local Government Act 1972 (“The Act”), the Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it was likely in view of the business to be transacted or the nature of the proceedings that if members of the public were present during it there would be disclosure to them of confidential information as defined in Section 100A(3) of the Act.

114.5 **RESOLVED** – That the press and public not be excluded from the meeting during consideration of any item of business on the agenda

115 MINUTES OF THE PREVIOUS MEETING

115a Minutes of meeting, 4 March 2020

115.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 4 March as a correct record.

115b Minutes of meeting 23 March 2020

115.2 It was noted that amendments had been notified by the Chair in advance of the meeting and that these had been incorporated into the set of minutes published on line and provided for signature by the Chair. No further amendments were proposed at the meeting.

115.3 **RESOLVED** – That the Chair be authorised to sign the minutes held on 23 March 2020 as a correct record.

116 CHAIR'S COMMUNICATIONS

116.1 The Chair welcomed all present to this first “virtual” meeting which was being webcast live and would be capable of repeated future viewing. The Chair explained the process and the framework and structure within which the meeting would be held.

117 PUBLIC QUESTIONS

117.1 There were none.

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

118.1 The Chair explained that in line with current Central Government guidance in relation to the Covid 19 pandemic, formal site visits had not been arranged. To reflect that additional in depth presentation material had been circulated and appended to the agenda papers on the council website. If, however, Members considered that they required more detailed information in order to determine any application a site visit could be requested either at this point on the agenda or at any point in the proceedings. No site visits were requested at that point in the meeting.

119 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

Callover

119.1.1 The Democratic Services Officer called over each of the applications appearing on the agenda in turn and all were called for discussion with the exception of:

Application E, BH2019/02862 – Fairway Trading Estate, Eastergate Road, Brighton
Repositioning of existing security hut and installation of 2no air conditioning units and extraction grille on Unit 2 (retrospective)

The officer recommendation in respect of the above application were agreed without discussion.

A **BH2019/02578 - Victoria Road Housing Office, Victoria Road Portslade BN41 1YF - Full Planning**

Erection of 2no buildings behind Portslade Town Hall, accommodating 42no residential units (C3). The north building will be part three and part four storey block, with 17 no one and two bed flats. The south building would be a five-storey block, with 25no one, two and three bed flats. The proposals also incorporate: a new car park; landscaping and associated works.

- (1) It was noted that an in-depth presentation had been provided by officers in advance of the meeting and was included on the council website detailing the scheme by reference to site plans, floor plans, elevational drawings and photographs which also showed the proposed scheme in the context of neighbouring development.
- (2) It was noted that the main considerations in determining the application related to the principle of the development, loss of the existing bowling green and housing office, proposed housing mix, including the percentage of affordable housing size and accessibility; the density, design, mass and height of the scheme particularly in the context of the adjacent locally listed building (Portslade Town Hall), the amenity of existing and prospective residents, transport, parking and highway safety, sustainability, biodiversity, arboriculture, drainage/flood risk, site waste management and archaeology. Paragraph 11 of the NPPF made it clear that planning application decisions should apply a presumption in favour of sustainable development. The

Council was currently unable to demonstrate a five-year housing supply and as such the relevant planning policies relating to housing delivery were considered to be out of date. In accordance with paragraph 11 planning permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

- (3) The creation of additional residential units, all of which met Nationally Described Space Standards with an acceptable housing mix weighed in favour of the scheme which was considered of an acceptable design which was unlikely to have a detrimental impact on neighbouring amenity. Subject to compliance with the proposed conditions and compliance with the s106 obligations, approval was recommended.

Questions of Officers

- (4) Councillor Janio asked whether an element of the funding proposed for local open space provision was intended for use in respect of the Bowling Green at Easthill Vale. It was confirmed that precisely how this sum would be allocated had yet to be agreed, although it was anticipated that a significant proportion would be allocated for works to Victoria Park.
- (5) Councillor Fishleigh stated that in her view the scheme was of a bland and uninspiring design, asking why a more imaginative design had not been sought. It was explained that Committee were required to determine the scheme as submitted.
- (6) Councillor Theobald sought clarification regarding the condition of the existing buildings which were proposed for demolition and was also shown photographs of the site as it appeared currently.

Debate and Decision Making Process

- (7) Councillor Miller stated that he was in agreement with Councillor Fishleigh's views in respect of the design and appearance of the proposed development, particularly when viewed from the north. Notwithstanding that however he considered that the scheme would deliver much needed housing and represented good use of the site, therefore he supported the recommendation that planning permission be granted.
- (8) Councillor Childs, stated that he considered the scheme to be acceptable and supported the officer recommendation.
- (9) Councillor Shanks stated that the site was well located and that the resulting development would have easy access to good public transport links and local shopping facilities.
- (10) Councillor Theobald considered that whilst a more interesting design could have been chosen she would be voting in support of the scheme which would be a good use of the site.
- (11) Councillor Yates considered the design of the scheme was acceptable and was pleased to note that it would be 100% affordable and was sited in an area which had good access to decent public transport.

(12) A vote was taken and Members voted unanimously that minded to grant planning permission be granted.

119.1 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves that it is **MINDED TO GRANT** planning permissions subject to a s106 agreement based on the Heads of Terms and Conditions and Informatives also set out in the report, **SAVE THAT** should the s106 Planning Obligation not be completed on or before 12 August 2020 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in the final section of the report.

B BH2019/03590 - 9 - 12 Middle Street Brighton BN1 1AL - Full Planning

Demolition of existing building and construction of a part three storey (to rear), part six storey, plus basement with associated roof top plant mixed use replacement building incorporating B1, A3 (Café) and A3/A4 (Restaurant/Bar) uses with associated hard and soft landscaping, ancillary cycle parking and other associated works.

- (1) It was noted that an in-depth presentation had been provided by officers in advance of the meeting and was included on the council website detailing the scheme by reference to site plans, floor plans, elevational drawings and photographs which also showed the scheme in the context of neighbouring development. Reference was made to an additional visual which had been circulated the previous day and to further discussions which had taken place with the highways authority. It had been agreed that the appropriate traffic management arrangements could be secured by condition rather than by Heads of Terms.
- (2) It was noted that the main considerations in determining the application related to the principle of developing the site for a B1 office led proposal, the impact on the character and appearance of the locality, conservation area and nearby listed buildings, the impact on neighbouring amenity, impact in terms of sustainable transport, sustainability and biodiversity. Whilst the scheme would result in the loss of the existing building, which was regrettable it had been demonstrated that the building was in a poor state and would require substantial works to rectify, which would compromise its appearance and the proposed replacement building was considered to be of high quality and appropriate within its context. Although the new building would have a slight negative impact on neighbouring amenity it would be in keeping with the pattern of development in the area and the harm was not such to warrant refusal of planning permission.
- (3) Overall, the scheme would deliver substantial benefits, including high quality office space which would meet modern requirements, would provide an active frontage which could help to kickstart regeneration of the street and provide a well-designed modern building which would complement nearby heritage assets ;therefore planning permission was recommended.

Questions of Officers

- (4) Councillor Theobald asked to view additional visuals showing the frontage and rear of the building and enquired whether/what remedial works could have been undertaken. It

was explained that the building was in a poor condition including its façade and that a structural survey indicating the current level of deterioration had accompanied the application.

- (5) Councillor Fishleigh asked whether it would be possible to require the existing frontage to be retained/rebuilt as part of the new building and it was explained that the building was not listable, this was not considered to be an economically viable option, it was beyond economic repair and that such treatment would be likely to result in a patchy appearance and was unlikely to affect lasting improvement to the structure.
- (6) In answer to further questions it was explained that the building had been vacant for a period of time and that the fabric of the building had deteriorated in consequence.
- (7) In answer to further questions by Councillor Theobald it was explained that as the building was not listed works being undertaken on site would not have been monitored and the extent of any works being undertaken would not have been apparent until the scaffolding had been removed. The Legal Adviser to the Committee, Hilary Woodward, reminded Members that they were required to determine the application before them.
- (8) Councillor Miller referred to the position of the access gates enquiring whether they were to be re-positioned and whether their location would prevent access to the rear yard area other than through the building itself.
- (9) Councillor Mac Cafferty stated that he was very familiar with the area in which the site was located, citing recent development which had not weathered well as it was not sufficiently robust for the marine environment in which it had been used. He asked whether a condition could be applied to any permission granted in order to ensure that this was taken account of. It was confirmed that an informative could be added to ensure that the applicants were aware of Members concerns. Members of the Committee indicated that they were in agreement that such an informative be added.

Debate and Decision Making Process

- (10) Councillor Theobald stated that she considered that the existing building was unique and should be retained and would not therefore vote in support of the proposed scheme.
 - (11) Councillor Miller stated that whilst the proposed scheme would impact slightly on neighbouring buildings, he did not consider that to be significant. As the Committee were required to determine the application as put forward and in view of the fact that it would deliver modern office accommodation to a high specification he felt able to vote in support of the scheme.
 - (12) A vote was taken and on a vote of 9 to 1 minded to grant planning permission was granted.
- 119.2 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves that it is **MINDED TO GRANT** planning permission, and subject to a s106 planning obligation and Conditions and Informatives also set out in the report, **SAVE THAT** should the s106

planning obligation not be completed on or before 12 August 2020 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 9 of the report. An informative to be added requiring the applicant to consider the materials to be used to seek to ensure that they were sufficiently robust for use in a marine environment.

C BH2018/03356 - KAP Limited, Newtown Road, Hove BN3 7BA - Full Planning

Demolition of existing buildings in association with car dealership (sui generis) to facilitate the erection of a mixed use redevelopment to provide 148 dwellings (Class C3), 954sqm of office floorspace (Class B1), within a scheme of 3no blocks ranging from 4 to 11 storeys in height with associated underground car parking, cycle parking and landscaping and 22sqm of cafe floorspace (Class 3).

- (1) It was noted that an in depth presentation had been provided by officers in advance of the meeting and was included on the council website detailing the scheme by reference to site plans, floor plans, elevational drawings and photographs which also showed the proposed scheme in the context of neighbouring development.
- (2) The application site was located to the north eastern side of Newtown Road on a prominent corner plot. There was a collection of single storey buildings on site with a large expanse of hardstanding and although currently vacant the site had operated until recently as a car dealership which had included sales, servicing/repairs and vehicle recovery.
- (3) The main considerations in determining the application related to the principle of re-development of the site and type and scale of uses in that location. The mix, layout viability and affordability of the housing provision; impact on amenity of neighbouring occupiers, standard of accommodation; provision of private and communal amenity space; design; sustainable transport, parking, access and highway safety, air quality, sustainability, biodiversity, ecology, accessibility, infrastructure and developer contributions. Overall, it was considered that the public benefits of the scheme taken as a whole, which included the provision of a significant amount of housing were such that they outweighed any planning policy conflicts, the impact of overspill parking and any harm to the neighbouring occupants and approval was therefore recommended.

Public Speaking

- (4) Professor Gibson spoke on behalf of the local neighbourhood forum setting out their objections to the proposed scheme. They had no objection to a scheme on this site in principle. This scheme was however, too dense, too high and would have a detrimental impact on existing neighbouring development which would be overshadowed and overlooked by it and would suffer loss of amenity. It would be overly dominant and would impact negatively on the neighbouring street scene. The applicants had not consulted fully either with the forum itself or neighbouring residents in the manner he expected for such a major scheme.
- (5) Councillors O'Quinn and Allcock spoke in their capacity as neighbouring Ward Councillors setting out their objections to the scheme. Councillor O'Quinn stated that the proposed development would have a severe and unacceptable impact on the

adjacent New Wave development which would suffer considerable loss of light, in some instances to main habitable rooms and BRE guidelines would not be met. Whilst the office space provided had been cited as “good quality”, the space allocated for café use within the development was very small, it appeared that it would simply be a kiosk. The solid massing of the two blocks fronting Newtown Road was unattractive and would totally dominate the street scene. The area was already blighted by excessive traffic and on-street parking and this scheme would exacerbate that situation. Councillor Allcock referred to the mix within the development, the affordable element was insufficient and any benefits from the scheme did not mitigate the potential harm in his view.

- (6) Mr Dixon spoke on behalf of the applicant in support of their application. He explained that the area was one which it was considered could take high buildings and that care had been taken to seek to design a modern fit for purpose development and to configure the buildings in such manner to mitigate any potential harm both in terms of neighbouring amenity and in terms of parking and traffic. Following the viability assessments made the applicant had sought to provide the optimum amount of affordable housing that it was able. The scheme sought to make efficient use of a challenging corner site.
- (7) Councillor Miller sought clarification regarding location of the balconies within the development and whether they would have opaque glazing. Mr Dixon explained that the balconies would have patterned glass panels which were partly opaque confirming that the applicants would be prepared to provide an opaque film too.
- (8) Councillor Fishleigh referred to comments made that there had been a woeful lack of consultation asking for clarification regarding consultation which had taken place. Mr Dixon explained that there had been exhibitions and preliminary discussions prior to the application being submitted.

Questions of Officers

- (9) It was noted that questions which had been submitted by Members prior to the meeting had been responded to by officers and that those Member questions and the responses received to them had been uploaded and were attached to papers relating to this meeting on the council website.
- (10) In answer to further questions it was explained that in addition to balconies some of the properties would also benefit from private gardens. The Chair, Councillor Hill sought confirmation regarding access and location as they appeared to be unclear.
- (11) Councillor Mac Cafferty enquired whether it would be possible to defer consideration of the application in order to determine these points. The Legal Adviser to the Committee, Hilary Woodward, stated that in order to do so Members would need to be of the view that they had insufficient information before them in order to make a decision and that this could not be provided by the applicant’s representative or officers.
- (12) Councillor Littman sought clarification of the housing mix within the development, as the number of family sized units seemed to have reduced dramatically in his view. Information was also sought regarding the internal layout of the proposed units.

- (13) Councillor Hill, the Chair, asked for clarification regarding loss of sunlight/daylight to dwellings in the New Wave development and regarding the number of units which would be affected. If lighting levels were already poor was it acceptable for them to be reduced further? It was confirmed that whilst there would be loss of lighting to some units, some of them were already poorly lit. Light to some of the units in the New Wave development was impacted by the buildings own balconies.

Debate and Decision Making Process

- (14) Councillor Fishleigh stated that she considered that the proposed scheme represented overdevelopment, would result in worsened air pollution, and would have insufficient infrastructure to support the number of new dwellings proposed.
- (15) Councillor Theobald concurred with the views expressed by Councillor Fishleigh considering that the scheme would be an overly dominant structure, which would impact negatively on neighbouring development and the street scene.
- (16) Councillor Littman stated that he was concerned at the height of the development, the lack of family sized dwellings and the amount of overspill parking which could be generated by the scheme. For him there were too many negatives.
- (17) Councillor Miller considered that the scheme would provide much needed housing and welcomed the underground parking and the fact that balconies would be obscurely glazed.
- (18) Councillor Shanks stated that she supported the scheme. Councillor Mac Cafferty considered that overall, the scheme was acceptable and although there remained a gap in the level of housing provided, this went some way towards addressing that.
- (19) Councillor Yates stated that the scheme provided a good use of the site and would provide much needed housing.
- (20) Councillor Childs stated that he considered that the scheme represented overdevelopment and he could not support it.
- (21) Councillor Janio considered the scheme was acceptable, and the fact that there was an affordable element was welcomed.
- (22) The Chair, Councillor Hill, stated that whilst she had some concerns about the potential impact on some units in the New Wave development, on balance she considered the scheme was acceptable.
- (23) A vote was taken and on a vote of 6 to 4 minded to grant planning approval was given.
- 119.3 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves that it is **MINDED TO GRANT** planning permission subject to a s106 agreement on the Heads of Terms and Conditions and Informatives set out in the report **SAVE THAT** should the s106 planning obligation not be completed on or before 12 August 2020 the Head of

Planning is hereby authorised to refuse planning permission for the reasons set out in section 10.1 of the report.

D BH2019/03819 - Land Adjoining 9 Ridgeway Gardens Brighton BN2 6PL - Full Planning

Erection of 1no three storey dwelling house.

- (1) It was noted that an in depth presentation had been provided by officers in advance of the meeting and was included on the council website detailing the scheme by reference to plans, floor plans, elevational drawings and photographs which also showed the proposed scheme in the context of neighbouring development.
- (2) This application related to an area of land to the north eastern end of Ridgeway Gardens, the site comprised private hardstanding for two vehicles and vegetation to the rear. Immediately adjacent to the site was a turning head for vehicles and beyond was a terrace group of properties with three additional terraced properties located at the far end of Ridgeway Gardens. Permission was sought to erect a three- storey property on the existing hardstanding within Ridgeway Gardens. The new dwelling would provide undercroft parking at ground floor with living accommodation to the storeys above.
- (2) The main considerations in determining the application related to the principle of the development, the character and appearance of the dwelling and its impact on the wider street scene, the standard of accommodation provided, impact on neighbouring amenity, highways and sustainability issues. The proposal was considered to be acceptable and approval was therefore recommended.

Questions of Officers

- (3) Councillor Theobald sought clarify the number of individuals who could be accommodated. It was confirmed that up to 6 individuals could be accommodated as there were three double bedrooms one on each floor.

Debate and Decision Making Process

- (4) Councillor Theobald stated that she considered the design to be unsympathetic to the neighbouring street scene and would not be voting in support of it.
- (5) Councillor Littman considered that the design of the building was appropriate and that the scheme was acceptable.
- (6) Councillor Fishleigh concurred with that view.
- (8) Councillor Yates stated that he liked the design and that the proposal made good use of this small constrained site.
- (9) A vote was taken and the 9 Members present voted 8 to 1 that planning permission be granted.

119.4 **RESOLVED** – That 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 also set out in the report.

Note: Councillor Childs was not present during consideration and determination of this application.

E BH2019/02862 - Fairway Trading Estate Eastergate Road Brighton BN2 4QL - Full Planning

Repositioning of existing security hut and installation of 2no air conditioning units and extraction grille on unit 2 (retrospective)

(1) This application was not called for discussion and it was therefore taken that the report recommendations were agreed unanimously.

119.5 **RESOLVED** – That 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 also set out in the report.

F BH2020/00538-Land Rear of 9 Hayes Close, Portslade BN42 2BQ - Full Planning

Erection of 2no two storey detached dwelling houses (C3) including landscaping, car and cycle parking.

(1) It was noted that in in depth presentation had been provided by officers in advance of the meeting and was included on the council website detailing the scheme by reference to site plans, elevational drawings and photographs, also showing the proposals in the context of neighbouring development.

(2) The application site related to a small plot of land to the rear of Hayes Close accessed via the access road (Highlands Close) to the rear of the Old Shoreham Road. Highlands Close was characterised by smaller garage and storage structures and open space. The space was currently used to store building materials, and was fenced off from the road, it sat lower in terms of topography than the houses in Hayes Close to the north and there was a retaining wall to the site’s northern boundary. The dwellings themselves would be identical with a hipped tiled roof, tile hanging finish to the elevations and painted timber windows. A gap would be retained between the dwellings and to the rear boundary, with garden areas and a car parking space surrounding.

(4) Whilst it was acknowledged that the site was constricted and in a potentially sensitive backland location between existing sets of dwellings, it was considered that the current proposal had overcome concerns raised by the previously refused schemes and represented an efficient and effective use of an underused site. The proposal was not considered to be overdevelopment and it was recommended that planning permission be granted.

Public Speakers

- (5) Councillor Hamilton read out a statement on behalf of neighbouring residents setting out their objections to the scheme. They were firmly of the view that the grounds on which earlier appeals against refusal had been made remained. The proposed development would be contrary to policy QD27 and would cause material nuisance and loss of amenity to neighbouring dwellings. Residents would be severely affected by overlooking, loss of privacy, daylight, sunlight, disturbance and loss of outlook. The access arrangements would be too narrow and were insufficient to provide access for emergency vehicles.
- (6) Councillor Hamilton then spoke in his capacity as a Local Ward Councillor setting out his objections to the proposed scheme which in his view had not addressed the issues raised by the Planning Inspector in respect of the earlier application. He considered that a site visit was necessary and that the application should be refused. He concurred with the objections raised by neighbouring residents, that the proposed scheme would result in a dominant scheme completely overlooking and in unacceptable proximity to its neighbours, would have a significant negative impact and would be harmful to the character and appearance of the area. In his view it was contrary to planning policies CP12 and CP14.
- (7) The Democratic Services Officer read out a statement submitted on behalf of the applicant and their agent in support of their application. The applicants had sought to overcome the previous reasons for objection. The mass and height of the development has been substantially reduced, with a 6m gap introduced between each house, the distance to the boundary with houses in Hayes Close had also been increased, there would be no rear facing windows at high level which would prevent overlooking to of houses in Hayes Close. The proposal would provide a modest but useful contribution towards housing land supply at a time when the council was unable to meet its land supply requirements and represented re-use of a sustainable brown field site.

Questions of Officers

- (8) Councillor Fishleigh referred to the statement made by the Ward Councillor asserting that the issues set out in the Planning Inspector's report in relation to earlier refused applications had not been addressed, asking for officer's views. It was explained that officers considered that the current application had addressed the earlier reasons for refusal and was now on balance acceptable for the reasons set out in the report.
- (9) Councillor Shanks asked to see visuals of aerial views of the site showing its current condition and asked for clarification regarding whether/when use of the garages had ceased.
- (10) Councillor Mac Cafferty referred to the necessity for emergency service vehicles to have access to the site, referred to by the Ward Councillor. The Legal Adviser to the Committee, Hilary Woodward, explained that these would need to be met under building control regulations which was separate from planning legislation, confirming that the application needed to be determined on planning grounds. It was confirmed by the Development and Transport Assessment Manager, David Farnham, that the proposed access/egress arrangements were considered to be acceptable and that although it had been requested that they had requested that it be widened were not objecting on that basis.

Debate and Decision Making Process

- (11) Councillor Theobald stated that she considered that the scheme was modest effectively utilised a small plot and was acceptable in view of the gradients across the site.
- (12) Councillor Miller stated that he considered the principle of the development and its design was acceptable and that he would be voting in favour of permission being granted.
- (13) A vote was taken and the 9 Members of the Committee who were present voted 8 to 1 that planning permission be granted.

119.5 **RESOLVED** – That 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 set out in the report.

Note: Councillor Childs was not present at the meeting during consideration or determination of the above application.

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

122.1 There were none.

121 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

122 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

123 APPEAL DECISIONS

125.1 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 6.10pm

Signed

Chair

Dated this

day of