

**BRIGHTON & HOVE CITY COUNCIL**

**PLANNING COMMITTEE**

**2.00pm 2 DECEMBER 2020**

**VIRTUAL VIA MICROSOFT TEAMS**

**MINUTES**

**Present:** Councillors Littman (Chair), Osborne (Deputy Chair), Childs (Opposition Spokesperson), Miller (Group Spokesperson), Henry, Fishleigh, Shanks, C Theobald and Yates.

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

**Officers in attendance:** Nicola Hurley (Planning Manager), Hilary Woodward (Senior Solicitor), Simon Barrett (Service Development Manager), Liz Arnold (Planning Team Leader), Chris Swain (Planning Team Leader), Tim Jefferies (Heritage Team Leader), Henrietta Ashun (Senior Planning Officer), Sven Rufus (Planning Officer), Michael Tucker (Planning Officer) and Shaun Hughes (Democratic Services Officer).

**PART ONE**

**76 PROCEDURAL BUSINESS**

**a) Declarations of substitutes**

76.1 None

**b) Declarations of interests**

76.2 Councillor Miller declared they had been lobbied on items A and C however, they remained of an open mind on the items. Councillor Osborne declared they had been lobbied on items A, B, C and D, however, they remained of an open mind on the items. The Councillor also declared they would withdraw from discussions and voting on item B as they had submitted representations on the item. Councillor Fishleigh declared they had been lobbied on item A, however, they remained of an open mind on the item.

**c) Exclusion of the press and public**

76.3 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.

76.4 **RESOLVED:** That the public be excluded from item 80 when discussing the Part Two element of the item.

## 77 MINUTES OF THE PREVIOUS MEETING

77.1 **RESOLVED:** That the Chair be authorised to sign the minutes of the meeting held on 4 November 2020 as a correct record.

## 78 CHAIR'S COMMUNICATIONS

78.1 The Chair informed the committee that the Brighton Marina planning application, which had been appealed, was to be determined by the Secretary of State. The Chair thanked the Planning officers and managers for the positive direction of travel achieved this year, along with the signs of recovery from the pandemic and protection of the city.

## 79 PUBLIC QUESTIONS

79.1 There was one public question for the committee from Nigel Smith:

**Question:** *"With congestion already exceeding the threshold set in the City Plan Part 1, for further development to be sustainable without transport interventions, does the chair agree that further developments without such interventions would be unlawful and by violating NPPF's sustainability requirement would be vulnerable to appeal or judicial review?"*

**Answer:** Thank you for your question Mr Smith. A very similar point about the City Plan and levels of congestion was raised in a question asked at the Environment, Transport & Sustainability Committee last week. It wasn't possible to respond to the question last week as the source of any references to congestion thresholds in work associated with the City Plan could not be identified. I would therefore welcome it if you could clarify this and I can then make sure you receive a written response to the question.

At a site level, supporting evidence is submitted with individual planning applications and this allows the impact of development to be assessed. This also takes account of the impact of nearby consented schemes. This information is then taken into account when applications are determined, at which time suitable measures to mitigate impacts are secured.

The speaker asked a supplementary question.

**Question:** *"Bearing in mind that DFT says 100% congestion is severe delays and transport intervention is needed, what level of congestion on A259 between Rottingdean and the city boundary would you regard as making further developments unlawful, and how close to that threshold is the A259 around Saltdean".*

**Answer:** The question will be referred back to officers and a written response will be given. Thank you for your questions.

**80 REQUEST FOR DEED OF VARIATION, FORMER PORTSLADE BREWERY, SOUTH STREET, PORTSLADE**

1. The case officer introduced the item and noted that the report had been deferred from the 4 November 2020 Planning committee to allow the Housing Strategy team to consider the deed of variation request and respond. The officer noted that response and the Part Two section of the report had been submitted to the committee members. The recommendation was to grant the deed of variation.

Questions for officers

2. Councillor Shanks was informed that the commuted sum of money would be £140,000 for each house, making a total of £280,000. It was considered that there was a need for affordable housing in the city.
3. Councillor Yates was informed that the undercroft parking at the site was not considered to be a high risk regarding the maintenance of the area. The councillor was also informed that the consideration as to whether the Council should purchase the properties as not only financial. The home purchase policy is to buy back council properties.
4. Councillor Fishleigh was informed that the report did not need to be approved by the Housing Committee.

Debate

5. Councillor Fishleigh considered the amount of affordable housing to be an issue.
6. Councillor Theobald considered the gain if two properties had been justified by the officers and supported the report.
7. Councillor Miller supported the recommendation and noted houses were needed in the city.
8. Councillor Littman considered it was correct to have deferred from previous committee meeting and stated their support for the application.
9. Following the end of the debate the Chair invited the committee to vote: Out of the 8 Members present the vote was 7 to granted and 1 abstention.
10. The committee agreed to accept that the Part Two report should remain as Part Two by a unanimous vote.
11. **RESOVLED:** The committee agreed to the request to vary the Heads of Terms of the Deed of Variation to the 106 Agreement dated 3 November 2017 in relation to planning permission ref. BH2016/02459 (as amended) to allow a financial contribution for offsite affordable housing units to be made in lieu of onsite provision. (Councillor Henry was not in attendance for the discussions or vote).

**81 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**

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

Application:	Requested by:
The Meeting House, Park Close, Brighton BN1 9AJ <b>BH2020/01742</b> Full Planning	Councillor Theobald proposed, seconded by Councillor Childs
43 Clarendon Villas, Hove BN3 3RE <b>BH2020/02654</b> Full Planning	Councillor Childs proposed, seconded by Councillor Fishleigh

**82 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**

82.1 The Democratic Services Officer read out all the agenda Items. It was noted that all Major applications and any Minor applications with speakers were automatically reserved for discussion.

82.2 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 H:** Woodingdean Service Station, 534 - 540 Falmer Road, Brighton.  
BH2020/02587: Removal or Variation of Condition

**A BH2020/00002 - Coombe Farm, Westfield Avenue North, Saltdean, Brighton - Full Planning**

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, elevational drawings and photographs which showed the proposed scheme in the context of neighbouring development.
2. The Planning Manager informed the committee that updates appeared on the late list, namely the merger of conditions 20 & 23, and deletion of conditions 18 & 28 and there was no objection on Air Quality and an extra condition. Also, that the reference to section 9 in the recommendation should be a reference to section 13.

Speakers

3. John Ray spoke as Chair of the Saltdean Residents Association and noted the following: residents' objections, the local GP surgery was full, there was no dental service, no senior school, primary school has 17 spaces available. A major concern for residents was construction traffic congestion. It was highlighted that pedestrians walk in the road when deliveries are taking place, and this would increase during construction.

Other concerns related to construction noise, pollution – namely air quality, and the blocking of roads for emergency services. The residents noted Southern Water's concerns regarding flooding. With regard to transport the development will be more than 600 metres from the closest bus stop and will increase traffic on the overburdened A259. The development is considered by residents to be too large and will have a negative impact on the environment.

4. Ward Councillor Mears submitted the following comments and requested they be read to the committee: "As a ward councillor for Rottingdean Coastal I wish to object to the planning application for the following reasons: In my view this is a total over development of the site with the proposed 72 houses. In the Brighton & Hove Urban Fringe Assessment June 2014 site 48 Coombe Farm showed flooding as a key constraint with potential of 2.0 (57%) from a total site area of 3.48 with indicative number of dwelling 50. Total following site cluster limited to 2.1ha (55 Dwelling) across sites 48 (Coombe Farm) 48a 48b and 48c from combined total 71. This proposed development of 72 houses far exceeds that number cramming 72 on Coombe Farm.

I also have real concerns with regards to flooding, with any development to the rear of the site as this backs up to a very steep bank.

There is a very serious problem with Urban Fringe developments as there is no detail of existing infrastructure, this site at the back of Saltdean will cause even more problems to the area that has only one primary school, the nearest secondary schools are located in Rottingdean or Peacehaven.

Public transport to the back of Saltdean is limited and difficult, with real problems in the winter with ice and snow stopping the busses from running, you would also need to be really fit to cycle as the surrounding area has very steep hills.

There is a medical centre in Saltdean, but with doctors' surgeries already closed in Rottingdean and Woodingdean residents from these areas are travelling to Saltdean medical centre, a development of the size will put more pressure on doctors and dentist in Saltdean.

To build any large development without proper infrastructure is a serious problem for the future, leaving new residents with a home but no local support available, giving them no option but to travel outside of the area onto the busy A259 to access."

5. Chris Frost spoke to the committee as the agent for the development and stated that the scheme would be for 72 new homes with landscaping on the site which has extant permission for 60 homes. The scheme had been developed with the council and will be high quality homes with low density. The agent has been in consultation with the Design Place panel and all development standards have been met, with 40% affordable housing on this sustainable development which includes electric vehicle points and cycle stores. The views of, and from, the South Downs National Park have been considered, along with access to the downs from the development. Construction management will take care and keep the residents informed. The works will start in early March 2021, should the committee grant permission and take approximately 2 years to complete.

## Questions for the agent

6. Councillor Miller was informed that the affordable housing would be in the north part of the site and would be the same design as the other properties on the site. The common area would be managed by a company set up for that purpose, and S106 monies would be put towards the upkeep.
7. Councillor Fishleigh was informed that the traffic assessment did not see a harmful impact on the A259 from this allocated housing site. A temporary road for construction traffic has not been agreed and the highway plan was yet to be approved.
8. Councillor Theobald was informed that levelling of the site and a drainage system were agreed as ways of dealing with flooding issues. The development included a number of different materials for properties throughout the site including roofing materials. Monies for public art would be agreed in the coming year.

## Questions for officers

9. Councillor Fishleigh was informed that the development qualifies for monies from both Community Infrastructure Levy (CIL), which was introduced on 5 October 2020, and a S106 agreement. These latter payments would cover affordable housing, artistic components and an employment scheme, all site specific. The S106 would be agreed through heads of terms whilst the CIL would start at commencement of the development and discussions were ongoing. Education provision will be paid through CIL, being agreed at commencement. The expectation of 17 is estimated for the primary school. The S106 calculations will reflect the impact of the scheme.
10. Councillor Miller was informed that the development had increased from 60 to 72 with an average of 21.5 dwellings per hectare, which is below the limit. The layout includes three times more open space than the previous design and introduces terraces into the scheme to achieve 12 more homes. The green spaces will be maintained in perpetuity with a density approximately the same as before with generous gardens and shared play spaces.
11. Councillor Childs was informed that the Head of Education agreed the figure of 17 spaces at the primary school and consultations have taken place.
12. Councillor Yates was informed that the density was considered appropriate.
13. Councillor Osborne was informed that the 21.5 dwellings per hectare was considered low. A variety of issues were considered including impact. The County Ecologist and Landscape Architect were consulted, and the density was deemed appropriate. The applicant had consulted the Flood Authority and noted that flooding in this zone could be mitigated by permeable surfaces, runaways, and pathway drains to draw water away from the homes. Ground investigations on this matter are to take place.
14. Councillor Childs was informed that the South Downs National Park has a Dark Sky designation and the development would have a condition relating to this matter.

## Debate

15. Councillor Fishleigh noted the city plan stated 50 dwellings for the housing allocated site, and now the proposal is for 72, 20% more than the previous scheme. The impact on the A259 was a concern as this road is classed as one of the most dangerous in the UK. The Councillor expressed concerns that monies from CIL and the S106 agreement would go to other sites in the city and not knowing how the CIL money would be spent was a material planning consideration. The councillor did not support the application.
16. Councillor Shanks considered the development to be well designed on land already agreed for housing. The councillor supported the application.
17. Councillor Theobald expressed concerns how the S106 monies would be spent and suggested the Saltdean Lido or a playground. Concerns were also raised regarding the access to the site, the density, the wider impact on the area, loss of trees, flooding, and the strain on local doctors and dentists. The councillor requested that brownfield sites be used before this location and stated they were against the development.
18. Councillor Miller expressed no objections to developing the site and in principle had no issues, however, the proposals are considered worse than the previous scheme. The northern part of the development is considered too dense when compared to other schemes. The development, next to the South Downs National Park, has an urban feel which is not welcome. The councillor considered 52 dwellings would be better and stated they were against the development.
19. Councillor Childs expressed reservations relating to sustainable transport, transport links and education figures. The councillor stated they were in favour of the development with good design and 40% affordable housing, as housing was needed. The development was considered slightly dense, however, there would be local employment and public art. The Rottingdean schools will not be very accessible, however the councillor supported the application.
20. Councillor Henry noted this was an urban fringe site identified some years ago in the City Plan and felt the committee could not say no. The councillor considered the Members should guide development through local leadership and stated their support for the application.
21. Councillor Osborne expressed reservations regarding flooding, education, sustainable transport and the sustainability of the development. The councillor considered that discussions for CIL and S106 monies should start as early as possible. The affordable housing, high quality design and landscaping were all considered to be good and better than the extant permission. The councillor supported the application.
22. Councillor Littman noted the site was not in the South Downs National Park it would be good if we could meet 100% of targets on brownfield sites. The site was identified under the urban fringe assessment and needs to be approved. The concerns regarding density are understood. The councillor supported the application.
23. Following the end of the debate the Chair invited the committee to vote: Out of the 9 Members present the vote was 6 to 3 that planning permission be granted.

24. **RESOLVED:** That 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, and subject to a s106 Planning Obligation 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 24<sup>th</sup> February 2020 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 13. of the officer's report.

**B BH2020/01742- The Meeting House, Park Close, Brighton - Full Planning**

1. The item was deferred to a future meeting following the request of Councillor Theobald for a site visit prior to discussion. The motion was seconded by Councillor Childs and agreed by a vote of 4 to 1 with 3 abstentions.

**C BH2020/02654 - 43 Clarendon Villas, Hove - Full Planning**

1. The item was deferred to a future meeting following the request of Councillor Childs for a site visit prior to discussion. The motion was seconded by Councillor Fishleigh and agreed by a vote of 5 to 3 with 1 abstention.

**D BH2020/02655 - Basement Flat, 5 D'Aubigny Road - Full Planning**

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, elevational drawings and photographs which also showed the proposed scheme in the context of neighbouring development.
2. The Members were updated by the Planning Manager that one additional objection letter had been received and that the application was part retrospective as construction had started.

Questions for officers

3. Councillor Fishleigh was informed that the outbuilding was approximately 8sq metres and 35 metres from the house.
4. Councillor Shanks was informed that the property was subdivided, and the application came from the basement flat.
5. Councillor Theobald was informed that the beech tree nearest to the outbuilding was by condition to be retained and replaced if it died within 5 years of the granting of permission.

Debate

6. Councillor Yates supported the application as it was considered reasonable and not detrimental to the conservation area.
7. Councillor Shanks considered the development to be an asset to the garden and supported the application.

8. Councillor Osborne was happy with the application and considered the retention of the tree to be good. The outbuilding was not considered to be intrusive on the neighbours and the councillor supported the application.
9. Councillor Childs considered the development to be modest and supported the application.
10. Councillor Fishleigh was not sure if the garden was subdivided and wondered if the outbuilding could be placed elsewhere.
11. Following the end of the debate the Chair invited the committee to vote: Out of the 8 Members present the vote was 7, with 1 abstention, to grant planning permission. (Councillor Henry was not in attendance for the discussions or vote).
12. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the officer's report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

**E BH2020/02453 - Basement Flat, 74 Montpelier Road, Brighton - Householder Planning Consent**

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, elevational drawings and photographs which also showed the proposed scheme in the context of neighbouring development.
2. The Members were updated by the Planning Manager that the property was a Grade II listed building in a conservation area.

Speakers

3. Joseph Pearson spoke to committee as agent for the application. It was highlighted that the building matched other buildings in the vicinity and the coal shed/store at the front of the building to be removed was not needed. The design of the proposed railings and tiles were of a high standard and the improvements proposed would be in keeping with the rest of the terrace. The proposals would much improve the amount of daylight into the basement flat. A handrail would also benefit the basement flat, which has poor access at the moment. The proposed design of the scheme has been agreed to match the building built in 1840.

Questions for speaker

4. The Conservation Advisory Group spokesperson noted that they felt the coal shed/store was a wine store. The agent was not able to confirm this.
5. Councillor Theobald was informed that the eight other properties have lost the coal shed/store, the same as the proposals for the application property.

6. The Planning Manager noted that the other properties had not been granted planning permission or listed building consent and therefore no precedent had been set.
7. It was also noted by the Heritage Team Leader that no.74 was part of 4 identical properties who have retained the coal sheds/cellars, and this added value to retention at the application property.

#### Debate

8. Councillor Theobald stated they had visited the site and noted there was very little light to the basement and the steps down were in bad shape. It was considered that the development would be an improvement. The new tiles, stairs and railings would enhance the property. The councillor supported the application.
9. Councillor Shanks considered that the proposals would allow better light and access to the basement and the coal shed/store was not required at the property as there were no coal fires at the property. The councillor did not consider the development to damage the heritage of the area and supported the application.
10. The Conservation Advisory Group (CAG) spokesperson noted that the application site at no.74 was part of a pair and the neighbour has the same amount of light to the basement and the demolition of the basement store would destroy the pairing. It was noted that no planning permission has been given to other properties. The proposals were also considered to affect the retained vaulting. The railings are considered acceptable in the 1840s style. The proposed safety railing would be good and considered to match the existing handrail. The spokesperson considered the removal of the red paint on the Portland stone steps would be sufficient and York stone will be more acceptable than tiles. The committee were requested to refuse the application.
11. Councillor Miller stated their support for the CAG and heritage officer's comments and noted that basements are generally darker, and the changes were unnecessary and of no benefit to the property. The councillor supported the officer's recommendation of refusal.
12. Councillor Yates considered that the proposals were not reasonable in a conservation area and the area needed to be protected.
13. Following the end of the debate the Chair invited the committee to vote: Out of the 8 Members present the vote was 5 to 3 that planning permission be refused in line with the officer's recommendation. (Councillor Henry was not in attendance for the discussions or vote).
14. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolved to refuse planning permission for the following reason: The proposed front excavation works including demolition of the coal stores would have a detrimental impact upon the historic character and appearance of the grade II listed building and the wider Montpelier and Clifton Hill Conservation Area. No public benefits have been identified sufficient enough to outweigh this harm. The proposal is therefore, contrary to policy CP15 of the Brighton

and Hove City Plan Part One and policies HE1 and HE6 of the Brighton and Hove Local Plan.

**F BH2020/02454 - Basement Flat, 74 Montpelier Road, Brighton - Listed Building Consent**

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, elevational drawings and photographs which also showed the proposed scheme in the context of neighbouring development. (The presentation, speaking, questions and debate on this application were taken together with the application for planning permission but the applications were voted on separately).
2. The Members were updated by the Planning Manager that the property was a Grade II listed building in a conservation area.

Speakers

3. Joseph Pearson spoke to committee as agent for the application. It was highlighted that the building matched other buildings in the vicinity and the coal shed/store at the front of the building to be removed was not needed. The design of the proposed railings and tiles were of a high standard and the improvements proposed would be in keeping with the rest of the terrace. The proposals would much improve the amount of daylight into the basement flat. A handrail would also benefit the basement flat, which has poor access at the moment. The proposed design of the scheme has been agreed to match the building built in 1840.

Questions for speaker

4. The Conservation Advisory Group spokesperson noted that they felt the coal shed/store was a wine bin. The agent was not able to confirm this.
5. Councillor Theobald was informed that the eight other properties have the same as the proposals for the property.
6. The Planning manager noted that the other properties had not been granted planning permission or listed building consent and therefore no precedent had been set.
7. It was also noted by the Planning team leader that no.74 was part of 4 identical properties who have retained the coal sheds/cellars, and this added value to retention at the application property.

Debate

8. Councillor Theobald stated they had visited the site and noted there was very little light to the basement and the steps down were in bad shape. It was considered that the development would be an improvement. The new tiles, stairs and railings would enhance the property. The councillor supported the application.

9. Councillor Shanks considered that the proposals would allow better light and access to the basement and the coal shed/store was not required at the property as there were no coal fires at the property. The councillor did not consider the development to damage the heritage of the area and supported the application.
10. The Conservation Advisory Group (CAG) spokesperson noted that the application site at no.74 was part of a pair and the neighbour has the same amount of light to the basement and the demolition of the basement store would destroy the pairing. It was noted that no planning permission has been given to other properties. The proposals were also considered to affect the retained vaulting. The railings are considered acceptable in the 1840s style. The proposed safety railing would be good and considered to match the existing handrail. The spokesperson considered the removal of the red paint on the Portland stone steps would be sufficient and York stone will be more acceptable than tiles. The committee were requested to refuse the application.
11. Councillor Miller stated their support for the CAG and heritage officer's comments and noted that basements are generally darker, and the changes were unnecessary and of no benefit to the property. The councillor supported the officer's recommendation of refusal.
12. Councillor Yates considered that the proposals were not reasonable in a conservation area and the area needed to be protected.
13. Following the end of the debate the Chair invited the committee to vote: Out of the 8 Members present the vote was 7 to 1 that listed building consent be refused in line with the officer's recommendation. (Councillor Henry was not in attendance for the discussions or vote).
14. **RESOLVED:** That the Committee has taken into consideration and agree with the reasons for the recommendation set out in the report and resolved to refuse listed building consent for the following reason: The proposed front excavation works including demolition of the coal stores would have a detrimental impact upon the historic character and appearance of the grade II listed building and the wider Montpelier and Clifton Hill Conservation Area. No public benefits have been identified sufficient enough to outweigh this harm. The proposal is therefore contrary to policy CP15 of the Brighton and Hove City Plan Part One and policies HE1 and HE6 of the Brighton and Hove Local Plan.

## **G BH2020/01986 - 22 Crescent Road, Brighton - Full Planning**

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, elevational drawings and photographs which also showed the proposed scheme in the context of neighbouring development.

### Speakers

2. A Democratic Services officer read the comments submitted by Ward Councillor West: "As a ward councillor I would like to support the many residents moved to object to this application. With one less bedroom the application is not materially different to the one

previously refused. If granted the density of HMOs in the area would be in excess the policy threshold for acceptance. The impact from noise, disturbance and loss of amenity placed upon neighbours will be considerable. I trust the planning officers will be minded to refuse the application, however in the case they are minded to grant I request the matter is put before the committee for determination.

#### Questions for officers

3. Councillor Yates was informed that the previous reasons for refusal did not include reference to amenity impact as a result of the use of the roof terrace. The screening to prevent overlooking and noise has been removed to reduce the impact on the terrace and improve appearance. The councillor noted that the access to the terrace through a bedroom was considered an issue when previous application was brought to committee. The Member was informed that the previous refused application was for 5 bedrooms and the current application was for 4.
4. Councillor Fishleigh was informed that the previous use of the bedroom stated as being an inner room on the plans, was not clear.
5. Councillor Theobald was informed that the front bedroom did have access to natural light and was referred to as an inner room through the access arrangements.
6. Councillor Osborne was informed that the proposals conformed to space standards. The bedroom next to the kitchen and the one bathroom were considered acceptable. The bedroom below the roof terrace would have the same amount of noise disturbance as the rest of the property. It was noted that the outside space had been assessed for impact on the neighbouring properties.

#### Debate

7. Councillor Theobald noted that 55 letters of objection had been received and two enforcement investigations had been launched. (It was noted that no breach had been found). The Member did not consider the layout to be good and they were not keen on the small bathroom or the terrace.
8. Councillor Osborne did not consider the layout to be good and they did not support the application.
9. Councillor Yates stated they were against the application.
10. Councillor Childs noted that not all HMOs were bad, however, the layout was not good. The impact on the neighbours and nearby residents was a concern, as was noise pollution. The councillor did not support the application.
11. Councillor Littman did not consider the standard of accommodation to be adequate.
12. Following the end of the debate the Chair invited the committee to vote: Out of the 8 Members present the vote was 7 to 1 against the officer's recommendation.

13. Councillor Yates formally proposed that the application be refused as contrary to policies QD27 and CP21. The proposal was considered to be harmful to neighbours and detrimental to residential amenity by reason of layout. Councillor Shanks seconded the proposal to refuse.

14. A recorded vote was taken in respect of the alternative recommendation that the application be refused for the reason proposed by Councillor Yates with the final wording of the reason to be agreed by the Planning Manager in consultation with Councillor Yates and Councillor Shanks. Councillors: Osborne, Childs, Fishleigh, Shanks, Theobald, Yates and Littman voted that planning permission be refused. Councillor Miller abstained. (Councillor Henry was not in attendance for the debate or vote). The application was refused on a vote of 7, with 1 abstention.

15. **RESOLVED:** The application is **REFUSED** for the following reasons:

The proposed change of use to a HMO would result in increased noise disturbance both from within the property and from the terrace due to the intensification of the use. This would be harmful to the amenity of neighbouring occupiers. In addition, the layout of the accommodation would create a poor standard of accommodation which would have a detrimental impact on future occupiers. For these reasons the application is contrary to policies CP21 of the Brighton and Hove City Plan Part One and QD27 of the Brighton and Hove Local Plan.

**H BH2020/02587- Woodingdean Service Station, 534-540 Falmer Road, Woodingdean, Brighton - Full Planning**

1. This application was not called for discussion and the officer recommendation was therefore taken as having been agreed unanimously.
2. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the officer report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

**I BH2020/01505 -11-12 Rock Place, Brighton - Full Planning**

1. The item was withdrawn after the publication of the agenda prior to the committee meeting.

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

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

**84 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

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

**85 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

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

**86 APPEAL DECISIONS**

86.1 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 6.12pm

Signed

Chair

Dated this

day of

