

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 9 MARCH 2022

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Littman (Chair), Ebel (Deputy Chair), Fishleigh, Moonan, Shanks, C Theobald, Yates and Meadows

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

Officers in attendance:

Jane Moseley (Planning Manager), Don Anyiam (Highway Agreements Officer), , Ben Daines (Planning Team Leader), Steven Dover (Assistant Planning Officer), Kate Cole (County Ecologist), Sonia Gillam (Senior Planning Officer), Wayne Nee (Principal Planning Officer), Charlie Partridge (Assistant Planning Officer), Emily Standbridge (Senior Planning Officer), Chris Swain (Planning Team Leader), Michael Tucker (Senior Planning Officer), Alison Gatherer (Senior Solicitor) and Shaun Hughes (Democratic Services Officer)

PART ONE

81 PROCEDURAL BUSINESS

a) Declarations of substitutes

81.1 Councillor Meadows substituted for Councillor Barnett

b) Declarations of interests

81.2 Councillor Yates declared that they were employed by the NHS and would not take part in the discussions or decision making process of item C - BH2021/03056 - Royal Sussex County Hospital. Councillor Yates stated they had submitted representations on the original application for item B - BH2021/04379 - Sussex County Cricket Ground, however, they remained of an open mind on the application before the committee today. Councillor Meadows stated they work for the NHS and would not take part in the discussions or decision making process of item C - BH2021/03056 - Royal Sussex County Hospital. Councillor Meadows stated they would be addressing the committee as ward councillor on item L - BH2021/04303 13 Cuckmere Way Brighton.

c) Exclusion of the press and public

81.3 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.

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

82 MINUTES OF THE PREVIOUS MEETING

82.1 **RESOLVED:** That the committee agreed the minutes of the meeting held on 2 February 2022 where a correct record after the following amendments were made: Councillor Yates requested that Councillor Childs name to added to the list of apologies.

83 CHAIR'S COMMUNICATIONS

83.1 The Chair, Councillor Littman welcomed the committee to the meeting and stated they had missed the previous two meetings for personal health reasons. Councillor Littman went on to state that they would need to stand for part of the meeting, there would be more breaks than usual and the deputy chair, Councillor Ebel, would take over the meeting should that be necessary.

84 PUBLIC QUESTIONS

84.1 There were none for this meeting.

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

85.1 **RESOLVED:** There were none for this meeting.

86 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2018/03356 - KAP Newtown Road, Hove - Deed of Variation

1. The Planning Manager introduced the application to the committee.

Answers to Committee Member Questions

2. Councillor Shanks was informed by the Empty Property officer that the council did not buy the site as it was unsuitable, and the price was too high. Peter Griffiths (applicant’s agent) informed the councillor that the applicant had approached registered providers, and none were interested in the scheme as it was considered too small. Out of the 24 providers none wanted a mixed tenure block. The commuted sum would be a better outcome for the council to use elsewhere.

3. Councillor Moonan noted the commuted sums and was informed by the Empty Property Officer that there is a set formula for calculating commuted sums. The Empty Property Officer noted that it is not a like-for-like calculation, with the average cost of two bed property calculated to be £230,000 with 30% of that sum coming from council funding. The commuted sum in this case could buy 52 properties. The council were working closely with the registered providers to address any issues they have.
4. The case officer stated that the affordable housing is to remain onsite.
5. Councillor Moonan was informed by Councillor Littman that the Affordable Housing Brief was last reviewed in May 2021.
6. Councillor Yates was informed by the Empty Property Officer that some properties were acceptable when bought and others required some works. The average costs of refurbishment will be looked into. It was noted that a local employment contribution will be made.
7. Councillor Ebel was informed by the Empty Property Officer that the 52 units would come from regeneration schemes.
8. Councillor Theobald was informed by the Empty Property Officer that quality of the development was not an issue and noted that 70 homes were purchased over the last year.
9. Councillor Shanks was informed by the Empty Property Officer that the Council would look into the provision of affordable housing in blocks of flats with mixed tenure.
10. Councillor Moonan was informed that a refusal would have to be reasonable under policy.
11. Councillor Ebel was informed that affordable rent was the priority for affordable housing.
12. The agent informed the committee that the 18 units were for shared equity.

Debate

13. Councillor Yates stated they were not happy with the registered providers. The councillor supported the application given this would be the rational course.
14. Councillor Theobald expressed concerns and considered that another registered provider should have taken on the property and noted that shared equity was an option. The councillor did not support the application and requested that the application be deferred.
15. Councillor Meadows considered the commuted sum to be good and noted that shared ownership and shared equity were not necessarily right for the city. Mixing tenures was considered a challenge. Developers need to make a profit, and this can affect the quality of affordable housing.

16. Councillor Shanks did not support the application and considered that the council should get in at the beginning to obtain the property in reflection of the housing crisis in the city.
17. Councillor Littman noted that the committee should only be looking at the application submitted on the agenda. Councillor could not vote against the application itself as it had been approved.
18. Councillor Theobald proposed that the application be deferred. Councillor Meadows seconded the proposal.
19. Councillor Meadows considered the financial implications were missing from the report.
20. The Council Lawyer stated that the financial information was in the report and was sufficiently within guidance and policy and it would not be reasonable to defer the application.

Vote

21. A vote was taken on the proposed deferment, and the committee voted by 4 to 2, with 1 abstention.
22. The proposal to defer was not agreed.

Vote

23. A vote was taken, and the committee agreed by 5 to 2, to grant planning permission.
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 **GRANT** the Deed of Variation to the S106 Agreement dated 28 September 2020 related to planning permission ref: BH2018/03356.

B BH2021/04379 - Sussex County Cricket Ground, Eaton Road, Hove - Removal or Variation of Condition

1. The Planning Manager introduced the application to the committee.

Speakers

2. Ward Councillor Allcock addressed the committee: I am objecting to this application on behalf of a significant number of residents in my ward who are going to be adversely impacted by it.

The developers have previously ensured that they were aware of the concerns of the residents affected by their development.

They demonstrated an extremely thorough and positive approach to consultation with the immediate community prior to their major application and this paid dividends in

enabling the substantial high-rise development of luxury apartments plans to progress relatively smoothly. So, I am very surprised to see this variation coming forward.

Loss of privacy to neighbours close to the new development was mitigated in the original planning application due to the inclusion of opaque glass on the balconies, as a concession to help secure planning permission.

The implication of the provision of drawings for each floor is that only the apartments on the same level will be impacted, however removal of privacy screens will result in occupiers of the Tate development being able to see directly down into the lower flats (bedrooms and lounges) in surrounding residencies.

As one neighbour who is objecting stated in their comments: *'The right to privacy works both ways. I have no desire to see other people on their balconies, nor would I assume that future Tate residents would wish to have a clear unobstructed line of sight to their balconies and into their lounges and bedrooms either.'*

The distances quoted in the application are misleading as they are taken to the nearest bedroom window and would be closer if they were taken to the nearest balcony.

It is also subjective to state that trees on the western border of the Tate property will provide suitable screening. These trees have been significantly pruned and provide less cover. The trees will require time to regrow and leaf cover obviously varies according to the time of year.

If granted, this variation will significantly reduce privacy and amenity to those neighbours in the existing homes who will be overlooked as well as for those in the new the new development.

These efforts to gain a possible better view for the future owners of the Tate apartments (presumably in return for increasing market value for the new development) would be to the direct detriment of the privacy of residents in the existing surrounding buildings and for those the future occupiers of the Tate apartments,

So, for these reasons I would respectfully ask the committee to not grant the application to vary condition 43.

Answers to Committee Member Questions

3. Councillor Theobald was informed that there was 26 metres between the blocks of flats.
4. Councillor Shanks was informed that the application to remove the condition was submitted as there were concerns relating to the amount of light into the primary living space of each unit.

5. Councillor Littman was informed the applicant has looked at the details of the scheme and then considered submitting the application to remove the condition.
6. Councillor Yates was informed that the distance between buildings was approximately the same as a two lane highway. It was noted that there were no daylight studies accompanying the application. The closest trees to the development would be 13-15 metres away and would not be likely to shade the development.
7. Councillor Moonan was informed that the condition in the original planning permission may have related to negotiations during the pre-application stage.
8. Ward Councillor Allcock noted it was in the original discussions that the condition was placed on the development following talks with Members.
9. Councillor Ebel was informed that the application should be judged on its merits and the officer found it acceptable.
10. Councillor Littman was informed that the closest separation would be 19.4 metres where a higher balustrade was positioned.

Debate

11. Councillor Fishleigh stated they were against the application on the grounds of loss of privacy and overlooking.
12. Councillor Yates stated they could not support the application and did not consider the conditions needed changing with no evidence to do so.
13. Councillor Theobald noted the application was for 6 flats only and considered the screens on balconies are no more than 4ft high and therefore acceptable. The councillor was against the application.
14. Councillor Littman considered that the condition may have been discussed at the original time and they were worried if it was reasonable to go contrary to the officer's recommendation to grant.

Vote

15. A vote was taken, and by 2 to 6 the committee did not agree with the officer's recommendation.
16. Councillor Fishleigh proposed a refusal on the grounds of overlooking and loss of privacy. The proposal was seconded by Councillor Yates.

Vote

17. A recorded vote was taken, and the following Members voted for the proposal to refuse the application: Fishleigh, Moonan, Shanks, Theobald, Yates, Littman. Councillor Meadows against the proposal. Councillor Ebel abstained from the vote.
18. **RESOLVED:** That the application be refused for reasons of overlooking and loss of privacy.

C BH2021/03056 - Royal Sussex County Hospital, Eastern Road, Brighton - Removal or Variation of Condition

1. The Planning Manager introduced the application to the committee.

Speakers

2. Julian Redpath addressed the committee as a neighbouring objector and stated that the roads to the hospital and within the grounds were steep and very busy and additional vehicles are not good. Stairs, posts and crash barriers have been broken by vehicles using the roads, which are also a threat to pedestrians. High levels of noise and pollution are encountered by residents who consequently can't open windows, and this is unacceptable. The change of the North Service Road to one way was considered to be good for the site, however, not for residents. The hospital Trust negotiations have not been seen by residents, who have never opposed changes. Residents feel misled by the Trust. The health and wellbeing of neighbouring residents is being affected.
3. The director of the development company addressed the committee and stated that the application had been submitted through the normal planning process for Member agreement. The Trust recognises residents' concerns and there are regular liaison meetings. There will be no changes to the existing roads and no construction traffic uses the North Service Road. The impact of the change to one-way traffic may be higher than stated in the report. The lower (South) service road will remain two-way. The removal of the access ramp is designed to mitigate any issues. The unilateral undertaking has been signed.
4. Officer clarification: The unilateral undertaking had been tabled at Committee, but the Council considers it needs more work at this time.

Answers to Committee Member Questions

5. Councillor Shanks was informed that the unilateral undertaking did not confirm whether the road would be two-way or one-way as there are pinch points in the road layout, but they were looking into it. The director of the development company stated that the Trust are committed to returning the road to two-way. The hospital has lots of vulnerable patients and the Trust are taking surveys and looking at clash points, however, they believe the change can be made.

6. Councillor Fishleigh was informed that the Trust were reluctant to have further delays and the unilateral undertaking would commit the Trust to investigating highway impacts. The councillor considered proposing a deferment.
7. The Planning Manager noted that any delay would impact on the hospital which must be taken into account.
8. Councillor Littman noted there were a number of other items on the application and considered whether the impact on the road system could be removed from consideration of the application.
9. Councillor Theobald requested a car park sign indicating the number of spaces.
10. The director of the development company stated that the car park would have modern signage.
11. Councillor Moonan was informed that a S106 was the same as a unilateral undertaking by the council Lawyer and was just as binding on the development company. The case officer confirmed that a consultant would carry out transport surveys on behalf of the applicant and highways officers would be consulted.
12. The Highway Agreements Officer addressed the committee and stated that the unilateral undertaking could be used to take control of the development and as such is a useful tool. The council need to let the developer progress; however, the residents also need protection. The signing of the unilateral undertaking by the development company shows intent and a S106 agreement would be the same. The highways surveys have not yet been carried out due to COVID-19 delays. Traffic flows need factorisation and surveys can be submitted by letter and any changes would come back to committee.
13. Councillor Shanks was informed by the council Lawyer the committee should consider the application as submitted with the unilateral undertaking. The Planning Manager confirmed the surveys were requested by the council.
14. Councillor Ebel was informed by the Highways Agreement Officer that the unilateral undertaking was the best way forward.

Debate

15. Councillor Fishleigh considered that a condition requiring a two-way road was required. The council Lawyer stated that any conditions need to be necessary and reasonable and that this may not be achievable.
16. Councillor Moonan considered that a traffic assessment was needed. The Highways officer considered the unilateral undertaking was the best way forward then the committee should approve the application.
17. Councillor Littman considered that a deferment would not be the best way forward.
18. Councillor Shanks seconded the proposal for a two-way condition.

19. Councillor Ebel considered there would be a clash with the unilateral undertaking if a two-way condition was added.
20. The Planning Manager noted that the unilateral undertaking allowed exploration of traffic impact issues.
21. Councillor Littman considered it dangerous to put on such a condition.

Vote

22. A vote was taken, and by 3 to 4 (the Chair used a casting vote) the proposal to add a two-way condition was refused.

Vote

23. A vote was taken, and by 4 to 1, with 1 abstention, the committee agreed to granting planning permission.
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 subject to a Deed of Variation to the S106 agreement for planning permission BH2011/02886, the securing of a Unilateral Undertaking relating to transport issues, and the Conditions and Informatives as set out in the report **SAVE THAT** should the Deed of Variation not be completed on or before 1 June 2022 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 11 of the report.

D BH2021/01731 - Brighton and Hove Bus Garage, 43 Conway Street, Hove - Full Planning

1. The Planning Manager introduced the application to the committee.

Answers to Committee Member Questions

2. Councillor Yates was informed that the 10 year temporary permission was considered sufficient time for a long term resolution to come forward. The redevelopment of the site is to facilitate its more efficient use. The applicant proposes fencing, green walls and buffer strips to lessen the impact on the neighbouring area.
3. Councillor Theobald was informed that the proposal was for open parking, not under shelter to allow maximum rationalisation of the site. The number of staff will remain the same, however, the number of day time parking spaces will increase at a time when buses are out of the garage en route. A replacement roof at this time would have an impact on the long term development of the site.
4. Councillor Moonan was informed that the applicant wishes to establish a zoned area for future building in the area. The open plan design would have an impact on noise and the applicant's statement addresses this issue. Parking will be outside whilst the workshop will remain inside. Activities such as refuelling, and washing will remain under cover. Under condition 20 the developer is required to provide details of noise mitigation.

5. Councillor Yates was informed that the cars would park in the open during the day and buses at night. There are 3 disabled bays proposed, close to the entrance and Conway Street, with 12 electric charging points.
6. Councillor Theobald was informed that the materials would need approval by condition.
7. Councillor Fishleigh was informed that there was no Community Infrastructure Levy (CIL) as the proposal did not increase the floor space.

Debate

8. Councillor Theobald considered the development to be an improvement for Hove Station, the bus company and improved the site entrance.
9. Councillor Moonan expressed concerns at the height of the screening. The case officer informed the councillor that behind the proposed fencing there would be a large gap between the parking bays and the screening.
10. Councillor Moonan proposed an amendment to condition 17 to increase the height of the fencing to at least 3 metres with the final wording to be agreed by the Planning Manager. The proposal was seconded by Councillor Yates.

Vote

11. A vote was taken on the proposed amendment to condition 17, and 6 to 2, the committee agreed to the amendment. It was then agreed that this would be an Informative rather than an amendment to condition 17.

Vote

12. A vote was taken, and the committee agreed unanimously to grant planning permission.
13. **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 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 9 June 2022 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in in the final section of the report.

E BH2021/03532 - 1 Courtyard Lane, Hove - Full Planning

1. The Planning Manager introduced the application to the committee.

Speakers

2. Councillor Appich addressed the committee and stated that the swimming pool, to be used for commercial purposes, was very close to neighbours and had a significant impact on the surrounding residents, especially when children used the pool. There was no management or travel plan in place, and concerns were expressed at how an

ambulance would obtain access to the pool. The councillor considered a trained person should be on site and asked if an effluent discharge licence was in place. The councillor noted the area was heavily populated and even though the pool was good for exercise the noise impacted on the tower block next door. The councillor requested that the committee refuse the application.

3. Hal Mileham addressed the committee as neighbour objecting to the application and stated that they spoke for many neighbours who found the noise from the pool intrusive. The speaker stated they did not want a business on this site, close to a tower block of flats and considered that business taxes should be paid. It was considered that the pool would become a leisure centre if the committee granted planning permission. The committee were requested to refuse the application.
4. Marie Johnson addressed the committee as neighbour objecting to the application and stated that they objected on the grounds of noise and noted that the police had been called in the past, and that the activity is carried out with no respect for neighbours with screaming and shouting. The speaker noted that other businesses go home, this one was already home, which brought anxiety and stress to the neighbours all year round in this residential area. If the application were to be granted it would affect the neighbours forever.
5. The agent, Jon Puplett addressed the committee and informed the committee that the applicants had been partners for many years, and it was not known that planning permission was required. The previous 33 working hours had now been reduced to 18 after taking on neighbours' comments to reduce noise levels. The owners would be present at all times with the teachers, and swimmers would be requested to respect neighbours. There would be no access from the lane. Planning permission would give the council control over the site, and it was hoped that neighbours would support the application.

Answers to Committee Member Questions

6. Councillor Shanks was informed by the case officer that the application was for the partial change of use of the pool, not the construction of the pool.
7. Councillor Ebel was informed that the pool could be used 365 days a year as it was heated and there were no seasonal restrictions. The agent stated that the pool was probably used less in winter as teaching took place in the summer months. The agent also stated that the times of use on a Sunday reflected set up time for the scuba class.
8. Councillor Yates was informed by the case officer that changing facilities, pool cleaning and testing were not planning matters. The Planning manager considered there would be no changing on site
9. Councillor Meadows was informed that a condition requiring disabled changing rooms was not considered reasonable for this scale of business.
10. Councillor Theobald was informed that the objectors lived next door to the application site. The agent stated that an outbuilding could be used as a changing room, as well as inside the dwelling. A toilet was also available in the house.

Debate

11. Councillor Yates expressed concerns at running a business in a back garden where facilities would be needed. This application was not suitable for the location as there are restrictions on commercial use in residential areas. The councillor considered that other pools required changing facilities and it was not unreasonable to have them at this site. The councillor did not want to encourage the business.
12. Councillor Fishleigh stated they wanted to refuse the application on the grounds of noise and disturbance. The councillor was against the application.
13. Councillor Theobald felt sorry for the flats overlooking the pool, which should have proper changing facilities. The pool was good for exercise but not noise. The councillor was against the application.
14. Councillor Shanks considered the new times to be limited to small usage for a big pool. The councillor considered the city was a noisy place with lots of music. The councillor stated they would abstain.
15. Councillor Meadows stated they would vote against the application as they were concerned as the lack of disabled facilities, and they supported Councillor Fishleigh.
16. Councillor Littman considered that noise may emanate from a private pool as well as a commercial business. The councillor considered a dangerous precedent could be set in this residential area and stated they were against the application.

Vote

17. A vote was taken, and by 5 to 2 abstentions, the committee voted against the officer recommendation.
18. Councillor Yates proposed the application be refused on the grounds of disturbance. Councillor Meadows seconded the proposal.
19. A vote was taken, and councillors Fishleigh, Theobald, Yates, Meadows, Littman voted to refuse the application. Councillors Ebel and Shanks abstained.
20. **RESOLVED:** The application be refused by reason of the intensification of noise and disturbance to neighbours.

F BH2021/04003 - 295 Dyke Road, Hove - Outline Application Some Matters Reserved

This application was not called for discussion and was withdrawn prior to a decision being issued.

G BH2021/04346 - 22 Hanover Terrace, Brighton - Householder Planning Consent

1. The Planning Manager introduced the application to the committee.

Speakers

2. Ward Councillor Powell addressed the committee and stated they supported residents in opposing the application as it would set a precedent. The digging out of the basement would be very disturbing and it was noted that the applicant was not living at the site. The dwelling would exceed 5 bedrooms, with 6 over 4 storeys, which is too much. The development would produce noise, waste and put pressure on amenities. There would be too many bins outside the property. The structural integrity of the neighbouring properties was a concern. The councillor requested that if granted the rent be 20% below market rents. The committee were requested to refuse the application.
3. Phil Yeoman addressed the committee as an objecting neighbour and stated that the landlord had already removed two trees in anticipation of the works being granted permission. It was noted that there are many extensions in the area, and some basements but as far as he was aware there are no 4 storey houses or 2 storeys over a basement. Applications on the site had been previously refused. The development was considered excessive for a small plot in this close community. Tunnelling will need to take place as number 22 is lower than 23. There is no change from the previous refusal for loss of amenity space.
4. Sean Garrick submitted a statement that was read to the committee as the agent for the applicant: Dear members of the committee. Apologies I could not be with you today and I would like to thank Shaun Hughes for offering to read this at the committee meeting in my absence.

Following the previous reasons for refusal (previous planning application BH2019/03120) and the subsequent comments made by H. Miles BA (hons), MA MRTPI planning Inspector as part of the appeal (ref APP/Q1445/W/20/3253220). My client has taken on board the comments raised and has submitted this new application in response.

The amended scheme is not a tactic or diversion to achieve a consent by the back door but is a direct and positive response to the previous reasons (3 no) for refusal.

Taking these in order we respond as follows: **Reason 1.** The proposed excavation to create an entire new floor, the lightwell and the infill extension would cumulatively be an excessive form and scale of development and the front canted bay at basement level would be an untraditional addition, causing less than substantial harm to the appearance of the conservation area, without sufficient public benefits being proposed.

To directly quote H. Miles (planning Inspector): The main outlook from the windows to the back of 23 Hanover Terrace is to the rear and this would not change as a result of the proposed development. The proposed rear extension would be apparent in peripheral views, similar to the situation with the existing boundary wall, albeit higher. As such there would not be a harmful effect on the outlook from no. 23.

There is an existing rear extension at no. 24 and therefore the consequence of the proposed development would be extensions along both boundaries. However, taking

into account the proposed height on the boundary, depth and the circumstances described above I am not persuaded that a harmful tunnelling effect would occur.

Consequently, the proposed development would not have an unacceptably harmful effect on the living conditions of the adjacent occupiers, with particular regard to 23 Hanover Terrace. As such, in this respect, the proposed development would not be contrary to Policy QD27 of the Local Plan which requires that development will not cause material loss of amenity to adjacent occupiers.

Additionally, we have taken on board the comments regarding the canted bay which has now been omitted from the scheme.

Reason 2. The proposed infill extension, by reason of its height and siting on the boundary, would unacceptably restrict the outlook and create a sense of enclosure / a tunnel effect for the occupiers of no. 23.

We refer you to the quotes from H. Miles (planning Inspector) as above for Reason 1.

Reason 3. The standard of accommodation for the proposed dwelling, by reason of insufficient Gross Internal Area, outlook, natural light and private external amenity space, would be poor, and the ground floor extension and rear lightwell would also unacceptably reduce the amount of external amenity space for the existing HMO.

These comments have been taken on board. There is no longer an independent dwelling as part of the new scheme and the amended layout will enhance the living accommodation of the existing HMO by introducing a TV / study room, additional bathroom and laundry area. The inclusion of an additional bedroom will help to offset the costs of these items.

As always, we would like to thank the hard work and diligence of the planning officers and in particular Steven Dover. Whilst we do not always see eye to eye, I feel on balance his recommendation is the correct decision and I ask you to support your officer.

Answers to Committee Member Questions

5. Councillor Ebel was informed that there was no window to the basement bathroom and the patio was faced by a window and light well in the basement. The basement window is partially submerged and gives indirect light.
6. Councillor Theobald was informed that the difference between the previous and the current application was the previous was for a separate basement flat and the front of property would have been extended. Neither are in this application. The inspector considered the basement too small to be a separate flat.
7. Councillor Meadows was informed that the council would not be responsible for the neighbouring properties through any possible party wall issues if permission was granted but the developer would also need Building Control sign off.
8. Councillor Yates was informed that the light in the basement and escape route were less considered as this was an extension.

Debate

9. Councillor Ebel considered the basement would be very dark and people should not have to live there. The councillor was against the application.
10. Councillor Yates considered the proposals not to be a good standard of accommodation and the application was an overdevelopment of the site.
11. Councillor Littman agreed with Councillor Yates and considered the proposals an overdevelopment of the site.

Vote

12. A vote was taken, and by 6 to 1 abstention the committee voted against the officer recommendation to grant planning permission.
13. Councillor Yates proposed the application be refused on the grounds of overdevelopment and quality of amenities. Councillor Ebel seconded the proposal.
14. A vote was taken, and councillors Ebel, Fishleigh, Shanks, Theobald, Yates and Littman supported the proposed refusal. Councillor Meadows abstained.
15. **RESOLVED:** That Planning permission be refused for reasons of overdevelopment, Standard of accommodation for future residents and lack of light.

H BH2021/04399 - 119A St James's Street, Brighton - Full Planning

1. This application was not called for discussion and the officer recommendation was therefore taken as having been agreed unanimously.
2. **RESOVLED:** 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 in the report.

I BH2021/04244 - The Rottingdean Lounge and Bar, 89 High Street, Rottingdean, 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 report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

J BH2021/04479 - The Rottingdean Lounge And Bar, 89 High Street, Rottingdean, Brighton - Listed Building Consent

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 report and resolves to **GRANT** listed building consent subject to the Conditions and Informatives in the report.

K BH2021/01394 - 1 Withyham Avenue, Saltdean, Brighton - Full Planning

1. The Planning Manager introduced the report to the committee.

Debate

2. Councillor Shanks requested affordable housing.
3. Councillor Yates considered the S106 to be good and supported the application.
4. Councillor Theobald considered the application to be of a poor design, overdevelopment and against the character of the road. The councillor was against the application.
5. Councillor Fishleigh did not want holiday homes and noted that the neighbourhood forum local plan was developing.
6. Councillor Littman noted the committee could not demand contributions and the S106 variations were to be decided here. The councillor supported the application.

Vote

7. A vote was taken, and by 4 to 2, with 1 abstention, the committee granted planning permission.
8. **RESOVLED:** 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 subject to a s106 agreement on the Heads of Terms set out below 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 1st of June 2022 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 10 of this report.

L BH2021/04303 - 13 Cuckmere Way, Brighton - Householder Planning Consent

1. The Planning Manager introduced the application to the committee.

Speakers

2. Ward Councillor Meadows addressed the committee and stated that there were different site levels within the vicinity. The dormer window does not appear overlarge when considering the living space and no neighbours have objected. There are many dormers in the area. The side windows could be obscure glazed to reduce impact. The site sits well in the streetscene. The councillor requested that the committee use common sense and grant planning permission as policy can prevent families getting what they want.

Answers to Committee Member Questions

3. Councillor Yates was informed that the dormer guidance was still available to builders and the SPD guidance was still in place. It was noted that the case officer had reached out to the applicant and found the applicant not amenable to changes such as extending the ground floor.

Debate

4. Councillor Ebel stated they were not against development and requested the applicant come back with a more harmonious design.
5. Councillor Theobald noted no neighbours objected and there would be no overlooking as the property was opposite grassland. The councillor had no problem with the development.
6. Councillor Yates considered the dormer bulky and excessive, and visible from the South Downs. The development was against the SPD. The councillor supported the officer recommendation and requested the committee refuse the application.
7. Councillor Littman considered the application would reduce the visual amenities of the area and on balance supported the officer recommendation.

Vote

8. A vote was taken, and by 5 to 1 the committee refused planning permission.
9. **RESOLVED:** That 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 following reasons:

1. The proposed rear dormer and hip to gable extension would present as an unsympathetic, oversized and dominant addition to the property that would have a harmful impact upon the appearance of the dwellinghouse, semi-detached pair and wider area, contrary to Brighton & Hove Local Plan policy QD14, Submission Brighton & Hove City Plan Part Two policy DM21 and guidance contained within SPD12.

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

87.1 There were none.

88 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

89 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

89.1 There were none for this agenda.

90 APPEAL DECISIONS

90.1 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 6.41pm

Signed

Chair

Dated this

day of