

### BRIGHTON & HOVE CITY COUNCIL

### PLANNING COMMITTEE

2.00pm 24 NOVEMBER 2010

COUNCIL CHAMBER, HOVE TOWN HALL

### MINUTES

**Present:** Councillors Hyde (Chairman), C Theobald (Deputy Chairman), Carden (Opposition Spokesperson), Alford, Cobb, Davey, Hamilton, Kennedy, McCaffery, Simson, Smart and Steedman

**Co-opted Members** Mr Philip Andrews (Conservation Advisory Group)

**Officers in attendance:** Jeanette Walsh (Head of Development Control), Nicola Hurley (Area Planning Manager (West)), Claire Burnett (Area Planning Manager (East)), Hilary Woodward (Senior Lawyer), Steve Reeves (Principal Transport Planner), Martin Eade (Coast Protection Engineer) and Jane Clarke (Senior Democratic Services Officer)

### PART ONE

#### **152. PROCEDURAL BUSINESS**

##### **152a Declarations of Substitutes**

152.1 There were none.

##### **152b Declarations of Interests**

152.2 There were none.

##### **152c Exclusion of the Press and Public**

152. 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.

135.4 **RESOLVED** - That the public be not excluded from the meeting during consideration of any item appearing on the agenda.

**153. MINUTES OF THE PREVIOUS MEETING**

153.1 **RESOLVED** – That the Chairman be authorised to sign the minutes of the meeting held on 3 November 2010 as a correct record.

**154. CHAIRMAN'S COMMUNICATIONS**

154.1 The Chairman addressed the Committee and noted that issues around boundaries and maintenance had arisen on recent applications where the separation distances were very small. Residents did have a legal right under the Access to Neighbouring Land Act 1992 to apply for a court order to access their neighbour's land for maintenance purposes.

**155. PETITIONS**

155.1 There were none.

**156. PUBLIC QUESTIONS**

156.1 There were none.

**157. DEPUTATIONS**

157.1 There were none.

**158. WRITTEN QUESTIONS FROM COUNCILLORS**

158.1 There were none.

**159. LETTERS FROM COUNCILLORS**

159.1 There were none.

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

160.1 There were none.

**161. APPEAL DECISIONS**

161.1 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.

**162. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

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

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

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

**164. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS**

164.1 The Committee noted the information on pre-application presentations and requests.

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

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

Application:	Requested by:
BH2010/03061, 25 Hazeldene Meads, Brighton	Councillor Simson
BH2010/00692, Land west of Redhill Close, Brighton	Head of Development Control

**166. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST**

**(i) TREES**

(1) Councillors Smart, Theobald and Hamilton were concerned about the felling of several Elm trees and asked for the reasons behind this. Whilst there was no Arboriculturist present at the meeting, the Head of Development Control, Mrs Walsh, replied that she would request that the Arboricultural Manager, Mr Greenland, attend the next meeting to discuss any concerns.

166.1 There were none.

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

166.2 There were none.

**(iii) MINOR APPLICATIONS**

**A. Application BH2010/03061, 25 Hazeldene Meads, Brighton** – Proposed roof extension incorporating additional roof light to front.

(1) This application was deferred for a site visit.

**B. Application BH2010/02489, 162 Carden Hill, Brighton** – Replacement of existing rear dormer window with new wider dormer window.

- (1) The Area Planning Manager (East), Ms Burnett, introduced the application and presented photos and elevational drawings. The application was for installation of a wider and deeper rear dormer compared to the existing and the application had received 13 letters of support. It was felt that this would extend what was already a large, bulky and unsympathetic dormer, and would have a poor relationship with the existing extension and fenestration. The design of the proposals was poor and was contrary to design guidance. For these reasons the application was recommended for refusal.
- (2) Mrs Johansson, the applicant, spoke in favour of the application and stated that whilst the house seemed quirky to some, it was loved by her family and had provided them with an affordable family home. Unfortunately as her children grew it was becoming obvious that the house was too small to accommodate them and was not fit for the purposes of a growing family. Whilst the downstairs was adequate, more room was needed upstairs, and the proposed dormer extension would give the family much needed space. There were no objections to the proposals from any of the neighbours and it would match dormers already existing on the road. There was no negative impact created by the dormer and it would greatly improve the sustainability and energy efficiency of the building.

**Questions/Matters on Which Clarification was Sought**

- (3) Councillor Davey asked how the extra space would be achieved and Ms Burnett replied that the dormer would be extending outwards rather than upwards.
- (4) Mr Andrews, Chairman of the Conservation Advisory Group, noted that there were other large dormers on houses nearby and asked to see photos of adjacent properties.

**Debate and Decision Making Process**

- (5) Councillor Mrs Theobald felt that the site visit had been very worthwhile and although she did not normally like large dormers, she felt that as this one did not seem to negatively affect anyone's amenity and there were similar examples already on the street she felt it was acceptable.
- (6) Councillor McCaffery noted that the letters of support came from neighbours who lived very close to the site, and noted that there were no letters of objection.
- (7) A vote was taken and on a vote of 0 for, 11 against and 1 abstention, the recommendation to refuse planning permission failed.
- (8) Councillor Mrs Theobald proposed an alternative recommendation to grant the application for the reasons that the proposal did not raised any negative visual amenity issues and was in accordance with Local Plan policy. Councillor Cobb seconded this proposal.
- (9) A second recorded vote was taken and on a vote of 11 for, 0 against and 1 abstention planning permission was granted subject to the conditions listed below.

- 166.3 **RESOLVED** – That the Committee has taken into consideration and does not agree with the reasons for the recommendation and resolves to grant planning permission for the reasons that the proposal did not raised any negative visual amenity issues and was in accordance with Local Plan policy.

And subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

**Reason:** To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

**Note:** Councillors Hyde, Alford, Cobb, Davey, Hamilton, Kennedy, McCaffery, Simson, Smart, Steedman and Theobald voted for the proposal to grant. Councillor Carden abstained from voting.

- C. Application BH2010/02745, 28 Marine Drive, Rottingdean** – Erection of a block of 9no flats comprising 5no two bed flats and 4no three bed flats with associated works including car parking area.

- (1) Ms Burnett introduced the application and presented plans and elevational drawings. A number of objections had been received regarding the scheme. Previous planning permission had been granted in 2006 for 6 flats and 2 townhouses, but this was not implemented and the permission was now lapsed. A further application for 6 flats and 2 townhouses had been refused earlier this year, and this application was subject to an appeal hearing to be heard in January 2011. There were 10 parking spaces provided with the scheme. Natural England and the Council's Ecologists had not raised objections.

The design was contemporary with a strong horizontal emphasis, and private amenity space was provided in the form of screened terraces. The scheme fully complied with minimum daylight standards. Sustainable Transport had raised significant concerns over the two way access onto the site, but this had not been sustained as a reason for refusal on a previous appeal. A contribution of £18,000 to sustainable transport was sought to ameliorate concerns in this regard. The development would achieve code level 3 for sustainable homes, but Officers recommended that code level 5 was sought unless the applicant could provide evidence that this was unachievable.

- (2) Mr Shanahan, a local neighbour, spoke in objection to the scheme and stated that there were still significant concerns over the access, which was the main access to his home. The bus lane and high levels of traffic on the main road made this access very precarious and there had already been one accident this year in relation to this

access. Proposals to ameliorate the problems, including colour coding the road to provide a safe path for wheelchair users and those pushing prams or buggies was not adequate and contrary to policy TR8 of the Brighton & Hove Local Plan. The only bus stop for local residents was sited near here and this would create further problems with the busy access road.

The outlook for existing neighbours would be very poor if the scheme was approved and there would be a loss of private amenity, overshadowing and overlooking as a result of the scheme. There would also be an increase in noise and disturbance. The stability of the cliffs was also questionable and there had been a collapse of the cliff face within the last 70 years. The undercliff path had been closed recently because of falling debris and Mr Shanahan felt the scheme would put too much pressure on to the rock.

- (3) Mr Kitcherside, agent for the application, spoke in favour of the scheme and stated that following refusal of a previous scheme earlier in the year, the applicant had taken the 6 reasons for refusal as a brief for improvement of the scheme and redeveloped the proposals to overcome these concerns. As such the bulk, massing and height had been reduced. There would be no loss of daylight for the nearby residential flats at Highcliff Court, and the shortest separation distance would be 12.5 metres. The structural solution for building the scheme on the cliffs was sound and this was not disputed by Council Officers. There would be no effect on the cliff or cliff face. The undercliff retaining wall had been built in 1952, and since that time there had been no cliff recession in this location. The number of traffic movements to the site was well below recommended government levels for cul-de-sacs.

#### **Questions/Matters on Which Clarification was Sought**

- (4) Councillor Alford asked how deeply the scheme would be dug into the cliffs. The Coast Protection Engineer, Mr Eade, replied that the scheme should not have an effect on the stability of the cliffs. The building would be piled and this would take the load of the building instead of the cliffs. The scheme would be dug into the ground by 1.5 metres.
- (5) Councillor Smart noted the retaining wall at the bottom of the cliffs, which did not run the length of the cliff. He felt that in bad weather the sea would affect these cliffs and he had seen debris falling recently. Mr Eade responded that it would be unusual for the sea to reach beyond the beach and he was confident it would not affect the scheme. He added that the retaining wall ran the full height of the cliff from this point onwards.
- (6) Councillor Simson recognised the high level of concern expressed by Sustainable Transport over the access road and noted that this had been dismissed as a reason for refusal in 2003. Since then there had been an increase in traffic and changes to the road layout making it a more complex area. She asked if this had been taken into account and whether the road would remain un-adopted. Ms Burnett replied that an up-to-date transport assessment had been submitted with the application to show there would be no problems. She added that as there had been an appeal ruling on this issue, it did set a precedent.

Mr Reeves stated that originally the access had been assessed as having a poor quality of visibility, but since that time the design standards had been reduced and the access now complied with the new standards. The road would be managed by a managing agent in perpetuity, but this had raised concerns with the Sustainable Transport team as they felt it was likely that a request for the Council to adopt the road would be forthcoming in the future.

- (7) Councillor Carden asked if there was any evidence to demonstrate cliff erosion in this area and Mr Eade replied that all cliffs erode, however the applicant had taken professional advice on this matter and the evidence suggested that the scheme would not impact on the cliffs.
- (8) Councillor Davey noted that the scheme was on target to meet code 3 for Sustainable Homes and asked how great an effort it would be to meet code 5. Ms Burnett replied that all new builds should be able to achieve high sustainability levels. Mrs Walsh added that the authority was still in the process of testing the local aspirations with regard to the change in definition to PPS3 and added that they had had mixed success with the Planning Inspectorate in this regard. The applicants were comfortable with the condition as proposed.
- (9) Councillor Cobb noted that erosion of the cliff face amounted to around 18 inches per year. She was concerned that as the surface of the roadway would be made of porous material, this would allow the ingress of water that could freeze in cold weather and make the chalk unstable. She asked if there was evidence to show that digging in the area would not affect the stability of other properties, whether any subsidence had been found in the area, what effect would overshadowing have on the neighbours, if any of the other properties in the area had experienced problems with cliff erosion and whether it was felt that a new car movement every 8 minutes was too frequent for this road.

Mr Eade replied that the cliff top was already porous and free draining and so this scheme would not exacerbate the situation. He added that the chalk was so saturated with salt any freezing water would be negligible. He was unaware of subsidence in other areas and chalk was normally very good to build on.

Mr Reeves stated that there would be additional traffic queuing at peak times but not to the extent that it would be a public safety concern.

Ms Burnett replied that any effect on daylight and overshadow to Highcliff Court would comply with BRE standards.

- (10) Councillor Theobald expressed concern over the height of the building compared to its neighbours. Ms Burnett replied that the building was 8.5 metres at its highest point.
- (11) Councillor Simson noted the rooms on the west of the scheme and asked if there would be any light pollution caused by the windows of these rooms. Ms Burnett replied that rooms with balconies were generally orientated on the south facing façade.
- (12) Councillor Smart asked if there was any condition to regulate the retaining wall materials, and how far back the development was from the cliff. Ms Burnett replied that

the existing retaining wall would remain and there would be a fence installed during the construction of the development.

### **Debate and Decision Making Process**

- (13) Councillor McCaffery was concerned at the lack of detail around the erosion of the cliffs and believed specific information regarding erosion at this point should have been submitted.
- (14) Councillor Simson agreed and felt that concrete had been placed at the bottom of the cliffs in the past to help ameliorate erosion, and therefore it must take place at this location. She was also concerned about the effect that digging down into the cliff face would have on its stability. She felt that the life of the building would be very short because of this. Councillor Simson was also concerned about the traffic problems with this scheme. Marine Drive was a very complex road and the access onto the development came out at a dangerous point in the road.
- (15) Councillor Theobald felt the scheme was an overdevelopment of the site.
- (16) Councillor Smart was concerned about the safety arrangements at the top of the cliff and also felt that digging into the cliff might affect its stability.
- (17) Councillor Alford noted that clarification of where Section 106 monies would be spent regarding the transport contribution was not as precise as it could be in the report. Mr Reeves stated that the department could specify where this money is spent, but as it was a contribution and the Council would have to also pay a contribution, it was often more pragmatic to decide at a later date where and how any money was spent. The Chairman suggested that the money could be spent on the bus stop at Neville Road heading north as this was frequently used by residents in Rottingdean and in her opinion needed upgrading.
- (18) Mrs Walsh addressed the Committee and clarified that some erosion did take place on the cliffs. She added that no material would be dug away at the front of the cliff to build the development.
- (19) Councillor Smart felt that this development would form a bunding that would erode after a short time. He asked how far away the development was from the cliff edge. Ms Walsh replied that it was 5.8 metres away at its shortest point.
- (20) Mr Kitcherside stated that the applicants would agree to a condition to provide fencing along the cliff edge. Mrs Walsh suggested that condition 5 could be modified to secure details of the permanent boundary treatment, and that this could be dealt with by officers after the meeting.
- (21) A vote was taken and on a vote of 6 for, 4 against and 2 abstentions minded to grant planning permission was granted subject to a S106 Agreement, the conditions and informatives listed in the report and an amendment to condition 5.
- 166.4 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of the report and resolves it is



mind to grant planning permission subject to the Section 106 Agreement, the conditions and informatives listed in the report and an amendment to condition 5 to ensure the submission of additional information to demonstrate the boundary treatment details.

**D. Application BH2010/02371, 2a Surrenden Close, Brighton** – Erection of first floor front extension incorporating roof alterations, additional dormer and increased roof ridge height.

(1) Ms Burnett introduced the application and stated that the existing dormer had been granted from a previous permission. The proposed dormer would be set forward by 1 metre and would match existing elevations. The neighbouring property was 4 metres higher so there would be no detrimental impact on amenity. There would also be no detrimental impact on the appearance of the building.

(2) A vote was taken and on a unanimous vote planning permission was granted subject to the conditions and informatives listed in the report.

166.5 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to grant planning permission subject to the conditions and informatives listed in the report.

**E. Application BH2010/02883, 32 Hove Park Way, Hove** – Erection of two storey extensions to front and rear and alterations to garage to form habitable room. Erection of new front porch, enlarged parking area and gated entrance. External alterations to windows and doors and insertion of roof lights to North, South and East elevations.

(1) The Area Planning Manager (West), Mrs Hurley, introduced the application and presented plans, photos and elevational drawings. She noted there had been one letter of objection regarding the impact on the building and wider street scene. The new extension would be completed to match the existing, which is to have its front gable reduced to a hip and the upper level tile hanging replaced with render. There were various designs on the street with little consistency. To the rear a 4.8m deep two storey extension is proposed, but this would be limited by the surroundings, a green roof and screening. There would be some impact on the amenity of immediate neighbours, but the extension would sit level with an existing extension at number 34. It was accepted that the extension was large and the glazing excessive, but this was mitigated by the surroundings of the development.

(2) Mrs Harris spoke as an immediate neighbour in objection to the application. She stated that she lived at number 34 and believed the development was too large and would overshadow her home. There was less than a metre separation at points from the boundary fence and the development would create a loss of light. There was no precedent on the street for two storey extensions and the proposed glazed walls would remove all privacy from the garden. She added that her disabled husband could now only use the patio area of the garden, and this would be completely overlooked by the development. There was a window in her house that would lose significant light as a result of the development. She added that she would not have objections to a single storey extension.

- (3) Mr Howells, agent for the applicant spoke in support of the application and stated that Mrs Harris's side window was a high level window and the proposal would not significantly reduce daylight in this room as there were other windows on other elevations. Mrs Harris's garden was surrounded by 6 metre high trees that provided significant privacy, and the extension would be level with these trees. He understood her concerns regarding loss of light to the patio, and offered to extend the patio for her as part of the development.

#### **Questions/Matters on Which Clarification was Sought**

- (4) Councillor Cobb asked whether the glazed walls were fixed and how the rooms would be ventilated. Mr Howells replied that ventilation would be gained through the south side elevation as the glazed walls did not have openings.
- (5) Councillor Davey recognised that a condition could not be added to include the agent's offer to extend the patio, but asked that an informative be added noting this offer. The Chairman responded that this was not possible as it would be a private matter between the neighbours and not part of the remit of the Committee.
- (6) Councillor Theobald asked for more information on overlooking of the windows and Mr Howells replied that the windows to the side elevation did overlook number 30, but onto a roof extension with no fenestration and so there would be no actual overlooking.

#### **Debate and Decision Making Process**

- (7) Councillor Theobald had concerns that a two storey extension would unduly affect the neighbour's amenity and set a precedent for the street. She felt the windows were totally out of place and alterations to the property would impact on its mock-Tudor design.
- (8) Councillor Alford referred to policy QD2 of the Local Plan and felt that the mock-Tudor design would not be compatible with a glass wall. He also felt there would be a grave loss of light to certain parts of the neighbour's garden.
- (9) Councillor Simson felt the alterations to the front of the building were acceptable but the rear extension was too high and would impinge on the neighbour's amenity. She also felt the fenestration for the rear extension was excessive and unacceptable.
- (10) A vote was taken and on a vote of 9 for and 3 against planning permission was granted subject to the conditions and informatives listed in the report.

- 166.6 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to grant planning permission subject to the conditions and informatives listed in the report.

**F. Application BH2010/02794, 55 Tongdean Avenue, Hove** – Part excavation to form new driveway incorporating part demolition of existing front wall to form new opening and installation of new pillars and gates to match existing (part retrospective).

- (1) Mrs Hurley introduced the application and presented plans, photos and elevational drawings. There had been 8 objections to the scheme and a letter of objection from the local ward Councillor regarding the design impact on the property and on the Tongdean Conservation Area. However, other properties in the area already had this design feature and therefore it was not considered there would be a detrimental design impact. There would be no impact on residential amenity as a result of this application.
- (2) Mr Crossman, a local neighbour, spoke in objection to the scheme and stated that he lived at number 53 Tongdean Avenue. He did not feel the proposed application enhanced or preserved the conservation area and felt the impact was unacceptable. Demolition of the wall had broken the continuity of the street and the shape of the driveway was irregular, and did not avoid planting on site. The original entrance had been a very pleasing design with tall pillars and gates, but the new entrance would compound the house. He did not feel that this application was designed originally for an “in and out” driveway as it also provided access to the rear garden.

#### **Questions/Matters on Which Clarification was Sought**

- (3) Councillor Kennedy asked about the trees on site and Mrs Hurley replied that no mature trees would be removed as a result of the works.
- (4) Councillor Simson asked whether the driveway accessed the rear of the building. Mrs Hurley replied that the sweep of the driveway was irregular, but pointed to the plans to show it was not shown to extend to the rear.
- (5) Councillor Simson was concerned that the driveway did not seem to match the submitted plans. Mrs Hurley replied that an extension was granted in October 2010 and what could be seen was likely to be works relating to this.
- (6) Councillor Theobald asked if the applicant had been granted the right to cross the pavement. Mrs Hurley replied that this would have to be sought separately from the Highways Team.
- (7) Councillor Cobb asked whether the new entrance had been positioned off-centre to save mature trees on site and Mrs Hurley replied that she did not know this. The scale and design was appropriate.
- (8) Councillor Smart asked if Conservation Area Consent was needed for demolition of the wall and Mrs Hurley replied that it was not as the wall was only partly demolished.

#### **Debate and Decision Making Process**

- (9) Councillor Kennedy felt that there were numerous questions outstanding as to why the driveway was designed in this way, and she felt it was disappointing that the agent or applicant was not present to answer these questions.

- (10) Mr Reeves addressed the Committee and stated that it was his belief that the driveway had been designed in an irregular way due to the gradient of the access. This design would enable cars to use the access without slipping.
- (11) Councillor Simson agreed that it would have been helpful to have the agent or applicant present. She added that vegetation had been removed from the site and felt there were outstanding questions around this also.
- (12) Councillor Hamilton did not feel it mattered what shape the driveway was and was not something the Committee should be discussing. He believed that the application preserved what was in existence and should be granted.
- (13) Councillor Theobald also felt it was unfortunate that the agent or applicant was not present and that a site visit was needed to assess the situation better.
- (14) A vote was taken on whether a site visit was necessary and this vote was lost.
- (15) A vote was taken and on a vote of 9 for, 1 against and 2 abstentions planning permission was granted subject to the conditions and informatives listed in the report.

166.7 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of the report and resolves to grant planning permission subject to the conditions and informatives listed in the report.

**G. Application BH2010/02741, 86A Boundary Road, Hove** – Erection of additional storey to create 1no two bedroom flat and 1no one bedroom flat.

- (1) Mrs Hurley introduced the application and presented plans and elevational drawings. She stated that the application would have a negative impact on the street scene, on neighbouring properties and on the lives of future occupiers. The first floor proposals were of a contemporary design and whilst there was no objection to this in principle the bulk, scale and proportions failed to make a positive contribution to the urban landscape. The amenity of the existing flats would be impacted, and bedroom and bathroom windows would face onto the site. The application was around 3.2 metres away from the windows of the existing residential units. Visitors to the development would pass these windows to access the building and although screening was proposed, it would further reduce the amenity of existing residents.
- (2) Mr Burgess, agent for the applicant spoke in favour of the application and stated that the current building was an ugly utilitarian building at present and harmful to the street scene. The propose development would fill in an obvious gap and complement the building below introducing striking and contemporary architecture. There had been no objections received from local residents and there was support from the MP and local Ward Councillor.

**Questions/Matters on Which Clarification was Sought**

- (3) Councillor Kennedy asked if any pre-application discussions with officers had taken place when designing this application. Mr Burgess replied that there had not been, but felt that design was based on subjective principles and there was a need to encourage modern architecture.
- (4) Councillor Steedman asked about the proposed screening outside the existing residential units and Mr Burgess replied that it would not go to the height of the windows, but would act as a barrier to prevent people from getting too close to the windows.

**Debate and Decision Making Process**

- (5) Councillor Davey did not feel that the plans did the actual development justice, but did believe that the applicant needed to do a better job at inspiring officers and the Committee and convincing them of the quality of the application.
- (6) Councillor Smart agreed that urgent attention needed to be paid to the building but did not feel this was the right application as there was nothing attractive about the design.
- (7) The Chairman was very concerned about the impact on amenity of the existing residents.
- (8) Councillor Hamilton believed it was possible to provide access to the new development without passing the windows of the existing residents and felt this needed to be addressed before the application could be passed.
- (9) Councillor Alford believed that the application had to have a better relationship with its surroundings and believed it stood out too much at present.
- (10) A vote was taken and on a vote of 11 for, 0 against and 1 abstention the application was refused for the reasons give in the report.

166.8 **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 reasons given in the report.

**167. TO CONSIDER AND NOTE THE CONTENT OF THE REPORT DETAILING DECISIONS DETERMINED BY OFFICERS UNDER DELEGATED AUTHORITY**

167.1 **RESOLVED** – That those details of applications determined by the Head of Planning and Public Protection under delegated powers be noted.

[Note 1: All decisions recorded in this list are subject to certain conditions and reasons recorded in the planning register maintained by the Head of Planning and Public Protection. The register complies with legislative requirements.]

[Note 2: A list of representations received by the Council after the Plans List reports had been submitted for printing was circulated to Members on the Friday preceding the meeting. Where representations are received after that time they should be reported to the Chairman and Deputy Chairman and it would be at their discretion whether they should in exceptional circumstances be reported to the Committee. This is in accordance with Resolution 147.2 of the then Sub Committee on 23 February 2006.]

**168. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF ITEMS ON THE PLANS LIST**

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

Application:	Requested by:
BH2010/03061, 25 Hazeldene Meads, Brighton	Councillor Simson
BH2010/00692, Land west of Redhill Close, Brighton	Head of Development Control

The meeting concluded at 4.45pm

Signed

Chair

Dated this

day of