

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 3 AUGUST 2016****THE RONUK HALL, PORTSLADE TOWN HALL****MINUTES**

Present: Councillors Cattell (Chair), Gilbey (Deputy Chair), C Theobald (Group Spokesperson), Mac Cafferty (Group Spokesperson), Bennett, Hamilton, Hyde, Inkpin-Leissner, Littman, Miller, Moonan and Morris

Officers in attendance: Paul Vidler (Planning Manager, Major Applications); Nicola Hurley (Planning Manager, Applications); Kate Brocklebank (Principal Planning Officer); Stewart Glassar (Planning Officer); Tim Jefferies (Principal Planning Officer, Heritage and Design); Steven Shaw (Development and Transport Assessment Manager); Hilary Woodward (Senior Solicitor) and Penny Jennings (Democratic Services Officer)

PART ONE**25 PROCEDURAL BUSINESS****25a Declarations of substitutes**

25.1 There were none.

25b Declarations of interests

25.2 The Chair, Councillor Cattell stated in relation to Application F, BH2016/00015, 51 Westbourne Villas, Hove, that she had been advised that she had been approached by one of the objectors in relation to an earlier application. She had no recollection of that conversation and had not expressed a view or undertaken any work as it was understood she had been about to go on holiday. Councillor Cattell confirmed that she remained of a neutral mind and would remain present during the discussion and decision making in respect of this application. Councillor Cattell also explained that Mr Coomber, the applicant's agent in respect of Application I, BH2016/01931, The Hyde, 95 Rowan Avenue, was known to her as a former colleague, for whom she had undertaken work, since leaving the Council's employ. She had not worked with Mr Coomber since 2006 and remained of a neutral mind and would therefore remain present during the debate and decision making in respect of this application.

- 25.3 Councillor's Miller and Moonan declared a non prejudicial interest by in Application D, BH2016/01438, Land Adjacent, Wellsbourne Health Centre, 179 Whitehawk Road by virtue of the fact that they were both Members of the Housing and New Homes Committee and had voted that money be made available for development of this site for housing. Neither had expressed support for any specific scheme, remained of a neutral mind and would therefore remain present during the debate and decision making in respect of the application.
- 25.4 Councillor Inkpin-Leissner referred to Applications A and B, BH2016/01001 and BH2016/01004, East Slope, refectory Road, University of Sussex, Brighton and; Application E, Unit 4 Home Farm Business Centre, Home Farm Road, Brighton stating that the application sites were located within his ward. He remained of a neutral mind and would therefore remain present during the debate and decision making in respect of those applications.

25c Exclusion of the press and public

25.5 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.

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

25d Use of mobile phones and tablets

25.7 The Chair requested Members ensure that their mobile phones were switched off, and where Members were using tablets to access agenda papers electronically ensure that these were switched to 'aeroplane mode'.

26 MINUTES OF THE PREVIOUS MEETING

26.1 Councillor Mac Cafferty referred to Application BH2015/04577, 78 West Street and 7-8 Middle Street, Brighton stating that had also made reference to the need for robust arrangements to be in place in relation to recycling of on-site waste materials.

26.2 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 13 July 2016 as a correct record subject to the amendment set out above.

27 CHAIR'S COMMUNICATIONS

27.1 There were none.

28 PUBLIC QUESTIONS

28.1 There were none.

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

29.1 There were none.

MAJOR APPLICATIONS

30 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

MAJOR APPLICATIONS

- A BH2016/01001- East Slope Refectory Road, University of Sussex, Brighton - Full Planning** - Demolition of existing buildings and redevelopment to 'East Slope' to create a mixed use six storey building comprising entertainment and assembly venue, bar, meeting space, ancillary office space, flexible retail floorspace (A1, A3, A4) and 249 student bedrooms with associated landscaping and bicycle storage.
- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
 - (2) The Principal Planning Officer, Kate Brocklebank detailed the scheme by reference to site plans and elevational drawings, floor plans and photographs showing the existing buildings and proposals in the context of the Master Plan for the site including those in respect of landscaping. Additional and amended conditions were proposed as set out in the "Late Representations List."
 - (3) It was noted that ten of the University's original buildings had been listed, all of which are based around Fulton Court (nine at grade II* and Falmer House at grade I). These determined the general character, architectural tone and presence of the campus. Similarly, the landscape, played an equally important role to the buildings in setting the tone and character of the campus. The listed buildings, which essentially formed the core of the campus, had a very high degree of architectural significance. The University's boundary lay predominantly within the local planning area of Brighton & Hove City Council although a small area in the south eastern corner of the site (part of Phase 2/Academic Area) falls within Lewes District Council. The application site occupies a central location on the East Slope of the campus and is formed of large areas of hard standing (car parking) along with portions of existing residential blocks nos. 21-32 and the existing East Slope Bar all of which were to be demolished.
 - (4) The main considerations in the determining the application related to the acceptability of the principle of the development and its impact on the outline approval (BH2013/04337), along with design and heritage impact, sustainability amenity and sustainable transport. The verified views submitted with the application demonstrated that the proposed development would not harm the setting of the listed buildings and that there would be negligible impact on the setting of the conservation area or the setting of the registered park and garden at Stanmer. It was considered that the proposed development was of a high standard of design and would integrate well with the overall masterplan and the original Sir Basil Spence design concept without causing harm to the setting of adjacent listed buildings, the Stanmer Park Conservation Area or the South Downs National Park. The development will achieve a BREEAM 'Excellent' rating, will adequately protect amenity and with the imposition of suggested conditions will not have an unacceptable impact on the highway network. Minded to Grant approval was therefore recommended.

Questions of Officers

- (5) Councillor Mac Cafferty referred to this application in the context of the previous applications for this site seeking reassurances that any changes which could impact on the ecology of the site e.g., on the badgers and slow worms would be carefully monitored. The Principal Planning Officer, Kate Brocklebank confirmed that this was the case.
- (6) In relation to the impact of the proposals on the Listed Buildings, particularly the Grade I, Falmer House, The Principal Planning Officer, Heritage and Design, Tim Jefferies, confirmed that the proposals were considered sympathetic to the overall setting of the Listed Buildings.
- (7) Councillor Littman sought confirmation regarding arrangements in relation to the landscaping proposals, with particular regard to tree replacement.
- (8) Councillor C Theobald enquired as to the height of the proposed blocks and whether they would be higher than any of the existing.
- (9) Councillor Morris sought clarification of the location of the lift shaft equipment and whether it would be visible also regarding the materials to be used.
- (10) Councillor Miller sought clarification of the number of parking spaces to be provided across the site. It was confirmed that this would fluctuate during the course of the works. In addition to cycle parking facilities, some parking would be provided for students living on campus and associated with the student union building.
- (11) Councillor Gilbey enquired as to the location of the disabled bays in relation to the accommodation and whether they would be for use by students.

Debate and Decision Making Process

- (12) Councillor Littman stated that whilst he has some concerns in regard to the proposals to relocate the existing Student Union building he recognised that this was not a planning matter. He considered that the application was acceptable overall and supported the officer recommendation.
- (13) Councillor C Theobald considered that some of the blocks were taller than she would have liked but on balance considered the scheme was acceptable. She also considered it appropriate for the Chair, Deputy Chair and Opposition spokesperson's to agree materials in consultation with Planning Manager. Members were in agreement that the word "green" should be removed in relation to the cladding materials to be used.
- (14) The Chair, Councillor Cattell stated that she considered the scheme was acceptable and was happy to support the recommendations.
- (15) A vote was taken and Members voted unanimously that planning permission be granted.

30.1 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendations set out in section 11 of the report and the policies and guidance in section 7 and resolves that it is **MINDED TO GRANT** planning permission subject to a S106 agreement and the Conditions and Informatives set out in section 11 and to the amendments and additional condition(s) set out below:

Additional S106 head of terms – no other building within Phase 3/West Slope of the masterplan area shall exceed 5 storeys in height.

Delete Condition 9

Amend Condition 19 to read:

No development above ground floor slab level of any part of the development hereby permitted shall take place until a sample of the rain screen cladding material to the stair/lift tower, render and concrete used in the external surfaces of the development, including colour, along with details of the following hard landscaping features; hard surfacing/paved areas, handrails to steps, bollards, fixed seating and litter bins have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy CP12 of the Brighton & Hove City Plan Part One.

Additional condition:

No development, including demolition and excavation, shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To maximise the sustainable management of waste and to minimise the need for landfill capacity and to comply with policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

Additional Informative:

The details submitted in relation to materials condition no.19 are delegated to the Planning Manager for agreement in consultation with the Chair, the Deputy Chair and the Opposition spokesperson.

B BH2016/01004 -East Slope Refectory Road, University of Sussex, Brighton - Reserved Matters - Reserved matters application for approval of appearance, landscaping and layout in relation to 'Phase 1 - East Slope' development which includes 1,868 student bedrooms and ancillary accommodation, pursuant to outline approval BH2013/04337 (Demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works).

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
- (2) The Principal Planning Officer, Kate Brocklebank detailed the reserved matters application by reference to plans, elevational drawings and photographs. The application overall related to the first three phases of development on the campus approved under the outline Master Plan and was known as East Slope. East Slope/Phase I was located centrally within the campus on the eastern side of the valley. The site was currently occupied by low level student accommodation and the East Slope Bar.
- (3) The main considerations in the determining the application related to layout, landscaping and appearance only; these matters were reserved in relation to the previously approved outline application (BH2013/04337 allowed at appeal). Impacts on the setting of nearby Listed Buildings, the Stanmer Park Conservation Area and historic park and garden, the downland setting of the South Downs National Park along with amenity had also been considered in relation to these matters. The principle of development, and the associated access, use and scale, had been established as part of outline planning permission BH2013/04337 and did not therefore form part of the consideration of this application.
- (4) The appearance, layout and landscaping of the development, submitted as part of this reserved matters application were considered acceptable in relation to the overall development of Phase 1 of the Master Plan and the wider campus and it was not considered that they would not cause harm to setting of nearby Listed buildings, the Stanmer Park Conservation Area or the downland setting of the South Downs National Park; nor will it cause significant harm to amenity; the application was therefore recommended for grant.

Questions of Officers

- (5) Councillor Mac Cafferty referred to the removal/planting arrangements asking requesting that the applicants be encouraged to replant using native species and to protect and retention of mature trees. Councillor Littman concurred in that view. Reference was also made to the arrangements to be made in respect of site waste management.
- (6) It was confirmed that as this application related solely to reserved matters it was not appropriate to revisit matters which had been dealt with as part of the outline application or covered by the earlier decision of the Planning Inspector.
- (7) Councillor C Theobald sought confirmation of the height of some of the blocks and referred to the comments received from Southern Water regarding additional drainage measures which might be required. It was confirmed that four of the units would be wheelchair accessible.
- (8) Councillor Inkipin-Leissner asked whether it was anticipated that the scheme would generate additional traffic/traffic movements and it was explained robust conditions were proposed to ensure that this was managed effectively and that use of sustainable modes of transport was actively encouraged.

Debate and Decision Making Process

- (9) Councillor Littman stated that he expressed reservations about some elements of the earlier scheme but was content to support this application. Councillor Mac Cafferty concurred.
- (10) Councillor Hyde stated that whilst she was concerned to ensure that render of an appropriate colour and quality was used she supported the application overall and in particular welcomed the additional accommodation which would enable students to live on campus if they wished.
- (11) Councillor C Theobald considered it was important to ensure that suitable replacement trees were provided and welcomed the mix of accommodation to be provided.
- (12) Councillor Inkipin-Leissner welcomed the proposals which he considered would make a positive contribution to the campus.
- (13) Councillor Miller welcomed the improved accommodation and the additional employment which could accrue from the scheme.
- (14) A vote was taken and Members voted unanimously that planning permission be granted.

30.2 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 and to the amendment set out below:

Condition 4 to be amended to read as follows:

No development above ground floor slab level of any part of the development hereby permitted shall take place until a sample of the rain screen cladding material to the stair/lift tower, render and concrete used in the external surfaces of the development, including colour, along with details of the following hard landscaping features; hard surfacing/paved areas, handrails to steps, bollards, fixed seating and litter bins have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy CP12 of the Brighton & Hove City Plan Part One.

BH2016/00803 - 1-6 Lions Gardens and the Coach House, Withdean Avenue, Brighton - Full Planning – Demolition of existing dwellings and erection of part two, part three storey building providing 28 residential apartments (C3) with associated landscaping, parking spaces, cycles and mobility scooter store.

- (1) It was noted that this application had been withdrawn at the applicant's request.

30.3 **RESOLVED** – That the position be noted.

D BH2016/01438 -Land Adjacent Wellsbourne Health Centre, 179 Whitehawk Road, Brighton - Council Development - Erection of 1no three storey block and 1no part three part four storey block containing 29no one, two and three bedroom flats (C3) with a separate single storey plant room containing communal boilers. Provision of 12no vehicle parking spaces with cycle racks and associated landscaping.

- (1) The Planning Officer, Stewart Glassar gave a presentation detailing the application by reference to photographs showing the site in the context of the neighbouring development, site plans, illustrations showing the proposed form of the development and elevational drawings. It was explained that the Officer recommendation had been changed and was now “Minded to Grant” subject a S106 agreement and the Conditions and Informatives set out in section 11 of the report. It was noted that notification had been received from Southern Water that that had amended their view and did not now consider that a drainage strategy would be required. This change was reflected in the amended conditions to be attached to any planning permission granted.
- (2) It was explained that the application site was a vacant piece of land located at the northern end of Whitehawk Road on the eastern side of the road between Whitehawk Primary School car park and Wellsbourne Health Centre. Whitehawk Library was to the rear of the site and there were residential properties opposite the site. A public footpath from Whitehawk Road, which provides access to the school and library, separated the site from the school car park. The school, its car park and the library were set at higher ground levels than the application site. The area was a mix of two storey municipal housing and larger institutional buildings which are both traditional and contemporary in their design and appearance.
- (3) The main considerations in the determining this application related to the principle of development, the design and appearance of the proposed blocks, their impact upon the amenity of neighbouring properties and uses, the standard of accommodation created, transport and sustainability issues. The impact of the scheme on the City’s housing supply had also been taken into account. In principle the redevelopment of this unused, previously developed site within the built up area of the City was acceptable for residential purposes. In addition, where residential development is acceptable it will be preferable if the density of development were at least 50 units per hectare in order to use the site as efficiently as possible. At a density of 150 units per hectare the proposed development exceeded the Council’s minimum density requirements although the amenity space provided would be reduced to a single balcony for each flat, it was considered that this was mitigated however, due to the proximity of the site to extensive areas of open space. The proposed buildings were set at a sufficient distance from the nearest houses that they would not have an adverse effect either in terms of overlooking, overshadowing or loss of privacy nor to impact the Health Centre or Primary School, or ecology and would meet the Council’s requirements for sustainable buildings and development; minded to grant approval was therefore recommended.

Questions of Officers

- (4) Councillor Morris sought clarification regarding the colour of the proposed brickwork and it was confirmed that this would be controlled by condition and the materials to be used would require approval.

- (5) Councillor Mac Cafferty sought clarification whether it would be appropriate to make permission subject to a Section 106 in view of the fact that the Council was itself the applicant. He understood that this could not be done where that was the case. The Legal Adviser to the Committee, Hilary Woodward explained that this procedure had been used in relation to some previous applications by the council and was considered to be appropriate in this instance.
- (6) Councillor Hyde enquired whether as the development was being provided by the Council it would remain as 100% rental accommodation. The Legal Adviser to the Committee explained that the development would (as did most council accommodation), fall within the requirements of the “Right to Buy” legislation.
- (7) Councillor C Theobald, sought clarification of the finishes to be used, including in relation to the metal cladding and the location of the disabled parking bays.

Debate and Decision Making Process

- (8) Councillor Moonan stated that this development which would provide some needed affordable housing in the city was welcomed. Whilst the appearance of the blocks could be considered uninspiring they were well designed internally and provided a range accommodation in the form one, two and three bedroom flats.
- (9) Councillor Hamilton concurred in that view stating that the smaller units would provide the opportunity to downsize as well as providing family accommodation.
- (10) Councillor Miller stated that he considered that the development was of a “safe” design and had some reservations about the mix of units, nonetheless he supported the scheme and the officer recommendations; as did Councillor Littman.
- (11) Councillors Littman and Inkipin-Leissner also confirmed their supporter for the scheme.
- (12) Councillor C Theobald stated that she thought that the development was of a rather “boring” design but welcomed the additional housing which would be provided.
- (13) Councillor Cattell, the Chair stated that she also welcomed the scheme considering that the design was of traditional appearance which was in keeping with the neighbouring street scene and would provide much needed housing.
- (14) A vote was taken and Members voted unanimously that minded to grant planning permission be given.

30.4 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 and resolves that it is **MINDED TO GRANT** planning permission subject a Section 106 and to the Conditions and Informatives set out in section 11 and to the amendments set out below:

Minded to Grant subject a S106 agreement and the Conditions and Informatives set out in section 11 of the report.

S106 Heads of Terms

£14,500 contribution towards the Council's Local Employment Scheme.

Submission of an Employment and Training Strategy, with a commitment to using 20% local labour.

£54,421 education contribution

£87,070 open space contribution

£31,800 sustainable transport contribution towards real time public transport information at Wellsbourne Centre southbound bus stop on Whitehawk Way and pedestrian crossing and footway improvements at the junction of Manor Road and Whitehawk Road (including dropped kerbs and narrowing the junction to improve the crossing).

Delete Conditions 6, 7, 18 and 21

Amend Condition 3 to read:

Prior to first occupation of the development hereby permitted a scheme for the provision of a minimum of 40% affordable housing, as part of the development, shall have been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme which shall include:

Delete Conditions 6, 7, 18 and 21

Amend Condition 3 to read:

Prior to first occupation of the development hereby permitted a scheme for the provision of a minimum of 40% affordable housing, as part of the development, shall have been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme which shall include:

- i) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- ii) the tenure, mix and location of the affordable units, including floor plans;
- iii) the arrangements to ensure that the affordable housing remains as affordable housing for both first and subsequent occupiers of the affordable housing; and
- iv) the occupancy criteria. For the purposes of this condition 'affordable housing' has the meaning ascribed to it by the National Planning Policy Framework.

Reason: To ensure the provision and retention of an appropriate amount of affordable housing in accordance with policy CP20 of the Brighton & Hove City Plan Part One.

Additional condition:

The wheelchair accessible dwelling(s) hereby permitted as detailed on drawing no. HOU010 005 received on 22/04/16 shall be completed in compliance with Building Regulations Optional Requirement M4(3)(2b) (wheelchair user dwellings) prior to first occupation and shall be retained as such thereafter. All other dwelling(s) hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter.

Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

BH2016/01414 - Unit 4 Home Farm Business Centre, Home Farm Road, Brighton - Full Planning - Change of use from light/general industrial (B1c/B2) to offices (B1a).

- (1) The Planning Officer, Stewart Glassar gave a presentation detailing the scheme by reference to site plans, a floor plan and photographs. It was explained that the application was considered to be “major” due the size of the unit rather than the complexity of the proposals. The existing occupier of Unit 3 was intending to refit and use this unit in conjunction with their existing business use.
- (2) It was explained that the main consideration in determining the application was whether the change of use accorded with planning policy and whether the change of use could have a detrimental impact upon amenity. Sustainability and Highways issues had also required consideration.
- (3) The change of use was considered to be acceptable in principle as a Class B1 use would be in accordance with Policy CP3 of the City Plan. The external changes to the building to enable this use to take place had previously been agreed and as the building was already capable of being used for light and general industrial purposes allowing office/research and development/light industrial uses this would not prejudice the amenity of any of the adjoining sites or wider area. The Highway Authority had raised no objection and approval was therefore recommended.

Questions, Debate and Decision Making Process

- (4) Councillor C Theobald referred to another recently approved scheme and enquired whether there were similar issues in relation to vehicle parking at this site. The Development and Transport Assessment Manager confirmed that the Highway Authority had no objection to the principle of the use of the building and that the layout of any associated parking and the provision of a Travel Plan could be controlled by the proposed conditions.
- (5) Councillor Hyde stated that she considered the proposals to be acceptable and was pleased to note that an existing business was flourishing and would be extending their operations into this unit.
- (6) A vote was taken and Members voted unanimously that planning permission be granted.

30.5 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

MINOR APPLICATIONS

F BH2016/00015 - 51 Westbourne Villas, Hove - Householder Planning Consent - Alterations to rear elevation incorporating erection of timber conservatory and new balcony at ground floor level.

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
- (2) The Planning Manager, Applications, Nicolas Hurley, gave a presentation by reference to site plans, elevational drawings, drawings showing the proposed floor plans and photographs showing views to/from the site showing it in the context of neighbouring street scene and showing the rear elevations. At the request of the Chairman, Councillor Cattell, plans were displayed in respect of the previously approved scheme for comparative purposes.
- (3) It was explained that the application site related to a two storey plus basement detached property, located on the east side of Westbourne Villas and backing directly onto Westbourne Place. The property had recently been converted back into a single dwelling following the part implementation of planning permission BH2010/04001. A rear extension has been recently completed at basement level and the row of garages which had fronted Westbourne Place had been demolished.
- (4) The main considerations in determining the application related to the impact of the proposed extensions and alterations on the appearance of the property, the street scene and wider Sackville Gardens Conservation Area, and the amenities of adjacent occupiers. Planning permission BH2010/04001 had been part-implemented by virtue of the works having been largely completed to convert the main building into a single dwelling. A recent application BH2015/02110 had been approved for a basement rear extension and an annexe to replace the rear garages. At the time of the site visit it was noted that the rear basement extension had been completed. It was not considered that the proposed extension and alterations would not harm the appearance of the site, street scene or Sackville Gardens Conservation Area, nor significantly impact on the amenities of adjacent occupiers and were in accordance with development plan policies; approval was therefore recommended.

Questions of Officers

- (5) Councillor Mac Cafferty referred to the issues that he had raised in connection with the daylight impact assessment asking whether this information had been received and whether in the light of any information contained in it the scheme was still considered to be acceptable. It was explained that no further details had been received and officers had therefore been unable to verify that information. Notwithstanding that element formed part of the overall assessment of the scheme. The scheme was considered to be acceptable and none of the queries raised

Debate and Decision Making Process

- (6) Councillor Miller stated that in his view the proposals represented an improvement on the previously approved scheme which would be more sympathetic to the host building and would have less impact.
- (7) Councillor Hyde concurred in that view stating that having had the opportunity to visit the site she considered that the form of development proposed was acceptable.
- (8) Councillor Morris considered that the current application would result in a narrower structure which would be less intrusive stating that he supported the officer recommendation.
- (9) A vote was taken and the eleven Members present voted unanimously that planning permission be granted.

30.6 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

G BH2016/01318 - Pembroke Hotel, 2 Third Avenue, Hove - Full Planning

Change of use from nursing home (C2) to 1no eight bedroom house (C3) including erection of orangery to first floor and other associated alterations.

- (1) It was noted that this application had been subject to a site visit prior to the meeting.
- (2) The Planning Manager, Applications, Nicola Hurley, detailed the proposed scheme by reference to site plans, elevational drawings and photographs which included views from the rear of King's Gardens.
- (3) The application related to a Grade II Listed Building in the Avenues Conservation Area. It is a substantial detached yellow brick villa dating from c1880, subsequently used as flats and more recently a care home with a Class use of C2 (currently vacant). The interior had been affected by modern uses with unsympathetic subdivision of spaces, however many original features survived at least in part. The main considerations in determining the application related to the loss of the care home, the impact of the proposed external alterations on the appearance of the listed building and surrounding conservation area, the standard of accommodation to be provided, and the effects on residential amenity, sustainability and traffic impact.
- (4) It was considered that the proposed works would cause less than substantial harm to the listed building. The repair and re-use of the listed building was a material consideration. The proposed development would not result in the loss of a viable care home and would provide a residential unit with a good standard of accommodation. The external alterations would not harm the appearance of the listed building or the surrounding Conservation Area, would not harm the amenities of neighbouring properties or create a harmful demand for travel. The proposal was considered to be in accordance with development plan policies and approval was therefore recommended.

Questions of Officers

- (5) Councillor Littman queried why the letter submitted by Councillor Nemeth had been referred to, given that it was not located in his ward. The Planning Manager, Applications explained that all representations made were referred to. However, Members were only afforded the opportunity to speak in respect of applications made within their ward.

Debate and Decision Making Process

- (6) Councillor Morris stated that whilst supporting the application and the improvements which it would effect to the host building he was anxious that any brickwork would match the original as closely as practicably possible. The Planning Manager, Applications, Nicola Hurley that proposed condition 5 dealt with materials and would need to be met as a condition of grant of planning permission.
- (7) Councillor C Theobald welcomed the scheme stating that she welcomed the significant improvements that would be effected to the building as a result.
- (8) Councillor Hyde concurred and sought clarification as to the configuration of the orangery and the location of the obscurely glazed windows. Councillor Hyde stated that she did not consider that overlooking would occur from that direction and the proposed condition was therefore unnecessary. Councillor Miller supported that view.
- (9) Councillor Hyde then proposed removal of condition 9 relating to the provision of obscure glazing. The proposal was seconded by Councillor Miller. The recommendations were then voted on to include the removal of condition 9.
- (10) A vote was taken and Members voted 6 to 5 that planning permission be granted to include removal of condition 9.

30.7 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 (to include removal of condition 9) and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

H BH2016/01319 - Pembroke Hotel, 2 Third Avenue, Hove - Listed Building Consent
Change of use from nursing home (C2) to 1no eight bedroom house (C3) including erection of orangery to first floor and other associated internal and external alterations.

- (1) It was noted that this application had been subject to a site visit prior to the meeting.
- (2) A vote was taken and the eleven Members present voted unanimously that listed building consent be granted.

30.8 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 and resolves to **GRANT** Listed Building Consent subject to the Conditions and Informatives set out in section 11.

I BH2016/01931- The Hyde,95 Rowan Avenue, Hove - Full Planning - Erection of 4no four bedroom houses and access road leading to Rowan Avenue.

- (1) It was noted that this application was subject to a site visit prior to the meeting. Letters received in support of the scheme signed jointly by all three Local Ward Councillors had been circulated to the Members of the Committee for their information.
- (2) The Planning Officer, Stewart Glassar, gave a presentation detailing the scheme by reference to site plans, elevational drawings and photographs detailing the proposals and showing the adjacent dwelling houses which were nearing completion. The application related to part of the area of grassed land to the rear of Nos. 17-21 Maytree Walk and to the east of the five new dwellings currently under construction to the rear of Nos. 57-81 Rowan Avenue. To the north of the application site was a two/three storey block of flats (Lions Gate), and to the east, beyond the remaining area of grassed land were the dwellings in Elm Drive; the overall character of the area was residential.
- (3) The application site was rectangular in shape and measured approximately 15 metres in width and 76 metres in length. The land is generally flat although it does have a gentle north to south slope. The application proposed the erection of four new dwellings which would be laid out as two pairs of semi-detached dwellings, facing each other and separated by a central access road. This application was a resubmission following the recent refusal of an identical proposal (BH2016/00361). The main considerations in the determination of this application relate to the loss of the open space, the impact of the development upon the amenity of neighbours and the character and appearance of the area. The issue of housing supply is also addressed.
- (4) The application site was currently part of a larger area of grassed land which had previously been playing fields belonging to a private members club that occupied the site. As part of the agreement to develop the Lions Gate flats, this land had been leased to the Council for use as “an open space for leisure and recreation purposes with ancillary changing facilities”. An agreement had been reached subsequently between the landowners and the Council to vary the terms of the agreement so that all this land could be used for allotments or other informal open recreational use excluding formal football pitches but including tennis courts. The land leased to the Council specifically excluded the area which had been developed for 5 houses. This site had obtained a lawful development certificate as a builders yard in 2010 and was eventually granted planning permission for residential redevelopment in 2015.
- (5) The application would result in the loss of land which had been identified in the City Plan as being for open space. Policy CP16 seeks to prevent the loss of open space. The applicant’s had indicated that in their view the site had little value, would not prejudice the delivery of the allotments and therefore notwithstanding Policy CP16 should be seen as an exception to the wider objectives of retaining open space. Pursuant to the varied legal agreement, the site had been leased to the Council for allotment or informal recreational uses and there is no indication that the Council did not wish to use all the land for these purposes little weight could be attached to the applicant’s contentions. It was therefore considered that the development of this land for residential purposes would result in the loss of open space and was contrary to City Plan Policy CP16. The smaller curtilages of the proposed houses would mean that that the elevation to elevation distances would rely on the size of the neighbour’s amenity space rather than there being more equal distribution and separation. It was considered that this would have a knock on effect on the amenity enjoyed by existing residents and would diminish their sense of privacy and amenity, would not respect the character of the area and would harm amenity.

- (6) Whilst it was acknowledged that the development would make a positive contribution towards the city's housing supply figures the loss of the open space and the impact on the amenity of neighbouring residents needed to be weighed against this. It was considered that in assessing the severity of these factors, the adverse impacts of the development would outweigh the provision of four houses. On that basis the application was recommended for refusal.
- (7) **Reason for Refusal 2** had been amended to better accord with the report which accepts the form and density of the development:

The proposal by virtue of its proximity to, and overlooking of, neighbours in Lions Gate and Maytree Walk, represents an unacceptable development which will cause a loss of amenity to these adjacent residents. In addition, the proximity of the proposed dwellings to the open space would prejudice the level of amenity future adjoining occupiers should reasonably expect to enjoy. Accordingly, the proposal is considered to be contrary to Policy QD27 of the Brighton & Hove Local Plan.

Public Speakers

- (8) Councillor Barnett spoke in support of the application in her capacity as a Local Ward Councillor and on behalf of her fellow ward councillors who also supported the scheme. Councillor Barnett explained that the situation in respect of the of parcel of land in question which remained as unused scrubland had dragged on for some time; they as Ward Councillors and local residents wanted it resolved. There was a demand for family homes in the city and these proposals would provide four houses which were in keeping with those nearing completion on the adjacent parcel of land.
- (9) Mr Coomber spoke on behalf of the applicant in support of their application. He stated that the history of the site had been complex and lengthy in terms of the legal agreements which had been varied and the laying down of the allotment spaces. This piece of land was scrub which could be built on without detriment to the neighbouring allotment space or existing development, these proposals were modest and were in keeping with the site as a whole. In the absence of concrete proposals this space would remain as under developed scrub.

Questions of Officers

- (10) Councillor Bennett enquired regarding the parking spaces and access to the allotment area and it was confirmed that this was considered to be sufficient.
- (11) Councillor Miller sought clarification of the situation in respect of the allotment, responsibility for their maintenance and the status of any proposals in respect of the application site. The Legal Adviser to the Committee confirmed that the applicants had been required to lay out the area as allotments which were leased to the Council as a requirement of the Section 106 Agreement. This remaining area was designated as recreation space which would be retained as a buffer between the allotments and the housing development. It was understood that its use as a community orchard for in conjunction with a local food partnership was under discussion.

- (12) Councillor Moonan asked for confirmation of the arrangements in respect of the responsibility for the proposed community orchard and clarification as to whether the existing legal agreements would require further variation in the event of that option being pursued. Also, what would happen to that area of land should the orchard or another recreational use not materialise. She presumed it would then remain as a piece of unkempt scrubland.
- (13) Councillor Mac Cafferty requested further clarification regarding how the situation had arisen whereby this “lozenge” of land for which no one appeared to have direct responsibility had occurred. This, notwithstanding the various legal agreements which had been entered into.
- (14) Councillor Theobald expressed surprise that had taken so long for the allotments to be laid out, asking whether that use had been agreed following consultation with local residents and whether that constituted recreational use.
- (15) Councillor Gilbey asked at what point the suggestion had been put forward that this “buffer” area be used as an orchard.
- (16) Councillor Hamilton queried why a greater number of allotments had not been laid out in order to use the allocated space in totality, or failing that larger plots had not been designated to the same end.
- (17) The Legal Adviser to the Committee, Hilary Woodward advised that following consultation it had been agreed that the developer would provide 28 allotment plots which on completion would be leased to the Council. Responsibility for setting them out lay with the developer. This parcel of land remained once the plots had been delineated and remained set aside for recreational purposes. One purpose suggested for its use was as a community orchard which would retain it as a buffer strip between the allotments and the neighbouring dwellings. Arrangements for that use and responsibilities for it had yet to be determined.

Debate and Decision Making Process

- (18) Councillor Miller stated that he was somewhat perplexed by the recommendations that the application be refused. He considered that as all that it had been agreed needed to be provided (28 allotment spaces), had been that would be difficult to sustain grounds for refusal. Given that there was extensive screening between the site and Maytree Walk and Lion’s gate he did not agree that there would be overlooking, likewise in respect of the distances between the houses nearing completion and the proposed scheme.
- (19) Councillor Hyde agreed stating that the suggestion in relation to the orchard use seemed to be of very recent date. In the absence of worked up proposals there was a probability it would not materialise. She did not consider that overlooking would result from the proposed development which would provide a continuation of the existing development and would provide a modest number of family homes, for which there was an identified need.

- (20) Councillor Mac Cafferty stated that he did not consider the proposals would be out of keeping or overly dominant. He did not consider that the proposed reasons for refusal were sustainable. In the absence of concrete proposals the existing scrub could remain indefinitely.
- (21) Councillor Littman concurred stating that whilst recreational use of the whole area was desirable, there was no certainty that would happen and he did consider that the proposed development could be provided without detriment to the neighbouring dwellings.
- (22) Having heard all that had been said, Councillor Morris stated that he was also of the view that the application should be granted and regrettably did not feel able to support the officer recommendation.
- (23) Councillor Moonan agreed stating that by providing housing this “difficult” lozenge of land would be put to good use without detriment to the neighbouring developments. Future community use seemed at best distant/uncertain and on that basis she supported the proposed use for housing.
- (24) Councillor Gilbey stated that she had been “torn” in terms of the recommendation to refuse but did not ultimately consider that the proposed development would result in loss of outlook and amenity.
- (25) Councillor Cattell, the Chair stated that having read the papers thoroughly and having heard all that had been said, regrettably she did not feel able to support the officer recommendation on this occasion, considering that it would be very difficult to defend the reasons for refusal at appeal and against the backdrop of a suggested orchard which might not materialise.
- (26) Note 1: A vote was taken and of the eleven members present when the vote was taken and on a vote of 9 with 2 abstentions planning permission was granted for the reasons set out below.

Note 2: Councillor Hyde proposed that planning permission be granted. Councillor Miller seconded the proposal. A recorded vote was then taken. Councillors Cattell, (the Chair) Gilbey, Hyde, Littman, Mac Cafferty, Miller, Moonan, Morris and C Theobald voted that planning permission be granted. Councillors Bennett and Hamilton abstained. Councillor Inkipin-Leissner was not present at the meeting during the debate or decision making process in respect of this application.

- 30.9 **RESOLVED** – That the Committee has take into consideration the recommendations set out in section 11 of the report and the policies and guidance in section 7 but resolves to **MINDED TO GRANT** planning permission subject to a S106 Obligation to secure £6,000 sustainable transport contribution

Reason for granting:

The proposed development is not detrimental to the amenity of neighbours and is of an acceptable density. The benefits of four additional residential units go some way to assist reaching the City’s targets for new homes. Conditions and Informatives to be

approved by the Planning Manager in consultation with the Chair, Deputy Chair and two opposition spokespersons.

J BH2016/01151 - Albion Court, 44-47 George Street, Brighton - Full Planning

Creation of additional floor to create 2no one bedroom flats, 1no two bedroom flat and 1 no three bedroom flat with associated works.

- (1) the Planning Manager, Applications, Nicola Hurley, by reference to site plans, elevational drawings, floorplans and photographs showing the frontage of building and views along George Street.
- (2) It was considered that the proposal would make an effective and efficient use of the site by providing the city with additional dwellings without significantly compromising the quality of the local environment. Subject to compliance with the attached conditions no significant harm to neighbouring amenity would result and the scheme is acceptable with regard to traffic and sustainability issues; approval was therefore recommended.

Questions, Debate and Decision Making Process

- (3) Councillor C Theobald asked whether the proposals would make the building taller in height than its neighbours and it was explained that although it would be marginally higher this would not be apparent from George Street itself or from the properties to the rear.
- (4) Councillor Morris considered that as George Street was narrow and the dormers would be visible obliquely, that the scale and form of the roof would be visible and could therefore have an impact on the neighbouring street scene.
- (5) Councillor Mac Cafferty asked to see photographs showing the wider area and having seen them, considered that the proposals were acceptable.
- (6) A vote was taken and of the eleven members present when the vote was taken planning permission was granted on a vote of 7 to 2 with 2 abstentions.

30.10 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

K BH2015/04408 - 332 Kingsway, Hove - Full Planning

Erection of additional two full floors and one half floor to create 9no residential units (C3) over existing office building and alterations to existing fenestration (part retrospective).

- (1) The Planning Manager, Applications, Nicola Hurley introduced the application by reference to site plans, photographs and elevational drawings and floor plans which also highlighted the differences between the previously approved and current schemes. It was noted that the design of the current scheme was significantly different from that for which approval had previously been given.

- (2) The application related to an office building occupied by an Architects company (Use Class B1). The existing building was arranged as two floors of office space over a floor of garage parking, due to ground level differences between Kingsway and Basin Road North, the building has a single storey frontage onto Kingsway with two further floors fronting Basin Road North. A public house abuts the site to the east and a small business unit abutted the site to the west.
- (3) It was noted that the merits of the scheme had been substantially discussed as part of the preceding applications. The principle of development, impact on the amenities of adjacent occupiers, standard of accommodation, transport and sustainability issues had been found to be acceptable as part of the previous planning applications. The quantum, siting and scale of the development had not altered significantly and the assessment of this application related therefore to those aspects of the current scheme that differed from the previous application. The main considerations in the determining the application related to the design changes and any material changes to the site, or change in local and national policy.
- (4) It was considered that the proposal would make an effective and efficient use of the site by providing the city with additional dwellings without significantly compromising the quality of the local environment. No significant harm to neighbouring amenity would result and the scheme is acceptable with regard to traffic and sustainability issues. Minded to Grant approval was therefore recommended.

Questions of Officers

- (5) Councillor Cattell, the Chair stated that aside from any complexities associated with the Deed of Variation the Committee were being asked to agree the scheme before them on its planning merits.
- (6) In answer to questions of Councillor Gilbey it was explained that the applicants could implement the extant scheme should they wish to do so.
- (7) Councillor Littman asked for clarification as to whether the current and previous schemes were of a comparable height and it was confirmed that they were.

Debate and Decision Making Process

- (8) Having sought clarification of the materials to be used, Councillor Mac Cafferty confirmed that he considered that the sample provided was in his view of the wrong colour and was of a texture and quality which would “hold” pollution and grime which would result in the building having a dilapidated appearance very quickly. In his view the finishes used should be of a higher specification.
- (9) Councillor Hyde concurred in that view. Councillor Hyde stated that in her view although the scheme was acceptable her preference would be for a finish other than a monocouche render to be used and for materials to be agreed in consultation with the Chair, Deputy Chair and Opposition spokespersons following further negotiation by the officers.
- (10) Councillor C Theobald was in agreement with all that had been said referring to the external appearance of the Vega building situated opposite. Councillor Theobald also

enquired which building had received permission first considering that this development could impact on the Vega building.

(11) A vote was taken and of the eleven Members present at the meeting minded to grant planning permission was granted on a vote of 10 to 1.

30.11 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission subject to a Deed of Variation to the Section 106 Agreement dated 8 August 2012 and the Conditions and Informatives set out in Section 11 and the amendments set out below:

Condition 4 to be amended to read:

Notwithstanding the samples submitted, no further works of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used, including details of their treatment to protect against weathering
- c) samples of all hard surfacing materials
- d) samples of the proposed window, door and balcony treatments
- e) samples of all other materials to be used externally

Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

Additional Informative:

The details submitted in relation to materials condition no.4 are delegated to the Planning Manager for agreement in consultation with the Chair, the Deputy Chair and the Opposition spokespersons.

L BH2016/01000 - 238 Elm Grove, Brighton - Full Planning

Conversion of existing house to form 2 No. one bedroom and 2 No two bedroom flats (C3) with associated alterations including erection of a part one part two storey rear extension and installation of rooflights.

- (1) The Senior Planning Officer, Stewart Glassar presented the report by reference to elevational drawings and photographs showing the application site in the context of Elm Grove and its boundary with Hallett Road. It was noted that both letters submitted in support of the scheme by Councillor Page, one of the local Ward Councillors had been circulated to all Members of the Committee.
- (2) Reference was made to the previous scheme which had been dismissed on appeal and the differences between the two were illustrated. Although the current scheme had been amended in order to overcome the previous reasons for refusal. It was considered however, that the proposed extension was unacceptable in its own right

and would result in a flank wall which would result in an excessively long building which would be out of keeping with the character of the area and would dominate the host building. That this was supported by the previous appeal decision and the observations of the Inspector that a similar lengthy extension had an unacceptable in terms of its visual impact.

- (3) Whilst there was no objection in principle to conversion of the property into flats, or to it being extended, the scale of works proposed was considered to be unacceptable. The size and visual impact of the two-storey extension house and on the wider area. An extension which was more proportionate would be improve the accommodation and amenity space provided. Whilst four flats would provide a contribution to the city's housing supply this was not considered to be sufficient to outweigh the harm which would be caused to the character and appearance of the area by the proposed form of development. As the proposed extension would, by virtue of its length, bulk and overall scale of development relative to the size of the plot represented overdevelopment and was therefore recommended for refusal.

Public Speakers

- (4) Mr Nash the applicant spoke in support of his application. He explained that discussions had taken place with the planning department and that further work had been undertaken to overcome the previous reasons for refusal. The proposals would improve the appearance of the building especially to the rear by removing the existing ugly flat roof extensions. It should be noted that the extension would be hidden behind the existing boundary wall and would replace the existing shallow poorly proportioned (especially when viewed from the side). The application site occupied a substantial corner plot which was wider and larger than that of the neighbouring dwellings.

Questions of Officers

- (5) It was confirmed in answer to questions that pre-application advice was not given in relation this type of application.
- (6) In answer to questions by Councillors Hyde and Morris it was explained that it was proposed that materials would be matching brickwork with some render.
- (7) Councillor Hyde sought clarification regarding whether the proposed units were considered to be of an acceptable size, especially in the case of any units proposed in the roof space. It was confirmed that there was no objection in principle to units being placed in the roof space.
- (8) Councillor Cattell, the Chair, asked to see floor plans of the proposed development including those relating to the ground floor extension.

Debate and Decision Making Process

- (9) Councillor Morris stated he considered the development was acceptable and would not in be overly dominant in the street scene and did not feel able to support the recommendation that the application be refused.

- (10) Councillor Miller concurred in that view considering that the proposed works would improve the appearance of the building by removing the existing ugly flat roof extensions. He considered that the Inspector's reasons for refusal had now been overcome.
- (11) Councillor Mac Cafferty stated that given the corner location of the site he considered he considered that there was the capacity to undertake the proposed works without detriment to the neighbouring street scene.
- (12) Councillor Moonan suggested that it might be appropriate to defer consideration of the application pending a site visit in order to better understand the building within the context of the surrounding street scene. That proposal was not supported however.
- (13) The Chairman, Councillor Cattell stated that she considered that the creation of extensions in order to create additional units in the manner proposed represented bad planning practice and she therefore supported the officer recommendation.
- (14) Councillor Littman noted that as the application had been recommended for refusal the applicant had not entered into a travel plan. He requested that if planning permission was granted this be addressed.
- (15) Note 1: A vote was taken and of the eleven Members present when the vote was taken planning permission was granted on a vote of 7 to 2 with 2 abstentions. Councillor Mac Cafferty proposed that planning permission be granted for the reasons set out. Councillor Morris seconded the proposal.

Note 2: A recorded vote was then taken. Councillors Bennett, Hamilton, Hyde, Littman, Mac Cafferty Miller and Morris voted that planning permission be granted. Councillor Cattell (the Chair) and Councillor Gilbey voted that the application be refused. Councillors C Theobald and Moonan abstained. Councillor Inkipin-Leissner was not present during consideration of this application or when the vote was taken.

30.12 **RESOLVED** – That the Committee has taken into consideration the reasons for the recommendation set out in section 11 of the report but has decided to **GRANT** planning permission for the reasons set out below:

- 1a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used, including details of their treatment to protect against weathering
- c) samples of all hard surfacing materials
- d) samples of the proposed window, door and balcony treatments
- e) samples of all other materials to be used externally

Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 of the City Plan Part One.

- 4) The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made

available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

5) Within three months of the date of first occupation, a Travel Plan for the development shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be fully implemented in accordance with the approved details.

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

31.1 There were none.

32 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

32.1 The Committee noted the position regarding pre application presentations and requests as set out in the agenda.

33 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS)

33.1 That the Committee noted the details of applications determined by the Executive Director Economy, Environment & Culture under delegated powers. It was also noted that on this occasion the information provided related solely to arboricultural matters.

[Note 1: All decisions recorded in this list are subject to certain conditions and reasons recorded in the planning register maintained by the Executive Director Economy, Environment & Culture. 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 Chair and Deputy Chair 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.]

34 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

35 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

36 APPEAL DECISIONS

- 36.1 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 6.20pm

Signed

Chair

Dated this

day of

