

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 4 AUGUST 2021

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors: Ebel (Deputy Chair), Childs (Opposition Spokesperson), Barnett, Shanks, Yates and Hugh-Jones

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

Officers in attendance: Nicola Hurley (Planning Manager), Luke Austin (Principal Planning Officer), Ben Daines (Principal Planning Officer), Tim Jeffries (Planning Team Leader), Andrew Renaut (Head of Transport, Policy and Strategy), Jack Summers (Planning Officer), Hilary Woodward (Senior Solicitor) and Shaun Hughes (Democratic Services Officer).

PART ONE

11 PROCEDURAL BUSINESS

a) Declarations of substitutes

11.1 Councillor Hugh-Jones substituted for Councillor Littman

b) Declarations of interests

11.2 Councillor Barnett stated they had submitted letters of representation on item H: B H2021/00795 - Benfield Valley Golf Course, Hangleton Lane, Hove and item J: BH2021/01017 - 20 St Helens Drive and K: BH2021/01272 - 78 Hangleton Valley Drive and would withdraw from the meeting when these items were discussed.

c) Exclusion of the press and public

11.3 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.

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

12 MINUTES OF THE PREVIOUS MEETING

- 12.1 **RESOLVED:** That the Chair be authorised to sign the minutes of the meeting held on 7 July 2021 as a correct record.

13 CHAIR'S COMMUNICATIONS

- 13.1 The Deputy Chair taking the meeting requested that the meeting be as short as possible to ensure officers and councillors were not in the meeting longer than necessary as COVID-19 restrictions still apply in the council chamber. The Deputy Chair stated that the Chair would give communications at the next Planning Committee meeting.

14 PUBLIC QUESTIONS

- 14.1 There were none.

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

- 15.1 There were none.

16 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2016/02850 - 2 Montefiore Road, Hove - Full Planning

1. The case officer introduced the application to the committee.

Questions

2. Councillor Hugh-Jones was informed that the new trees would be birch trees as agreed by the Arboricultural officer. Any replacement trees would need to be agreed by the Arboricultural officer. The development would have an impact on the amenities of the neighbouring block of flats by way of loss of light to side windows, however these are not the main light source for the rooms affected. The overshadowing and loss of daylight are considered acceptable for the single dwelling to the rear of the block of flats. Loss of privacy is also deemed acceptable given the local context. The development will be 11.5m from Russell House.
3. Councillor Shanks was informed that the hospital did not attract CIL as hospitals, private or public, are not included in the charging schedule.
4. Councillor Childs was informed that the development will create an extra 19 additional jobs.

Vote

5. A vote was taken, and the committee voted unanimously that planning permission be granted.
6. **RESOLVED:** That the committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement on the Heads of Terms set

out in the report and the Conditions and Informatives as set out in the report, SAVE THAT should the s106 Planning Obligation not be completed on or before 27 October 2021 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 12 of the report.

B BH2021/01810 - Saltdean Lido, Saltdean Park Road, Saltdean - Full Planning

1. The Planning Manager introduced the application to the committee and highlighted the items on the late list.

Speakers

2. Ward Councillor Mears addressed the committee and stated that they supported the application, and this was an opportunity to bring the Lido back to life. It was considered that the site was a good mix of leisure and community use which shows that the city does not finish at the Marina and extends to Saltdean. The wheelchair access is welcomed as are the swimming lessons. Having visited the site, the councillor understands the application and supports both the planning application and the listed building consent.

Questions

3. Councillor Yates was informed by the case officer that the travel management schedule was not too onerous on the developer. There were 240 spaces in the car park approximately, some of which are shared. Any events at the venue will be covered by licensing arrangements and any knock-on effects are not deemed unacceptable.
4. Councillor Hugh-Jones was informed by the case officer that a cycle parking condition was attached to the application which required details. Additional bays could be used for disabled parking once the designated bays were full. Solar panels are not suitable for this listed building. Insulation will be inserted into the concrete of the proposed extensions with the addition of an air source heat pump. These were accepted under the previous planning permission in 2016. One tree will be affected which would prevent the erection of scaffolding and may undermine the building. The condition for landscaping will cover any trees to be planted at the site.
5. Councillor Shanks was informed that the Beach Access Team would be able to change in the main building.
6. Councillor Childs was informed by the applicant's agent that the plant room is to be located at the side of the building as this will allow more space inside the existing building and be easier to access. It was noted that any asbestos has been removed prior to any works.

Debate

7. Councillor Yates considered the Lido to be a fantastic community asset and was glad to see it coming back to full use. Transport was a concern with car parks being open to all and disabled users finding spaces full at times, and no electric car charging points. The councillor stated their support for the application.

8. Councillor Hugh-Jones considered the facility to be fantastic and felt the building could generate funds. Improvements to the disabled parking would good.
9. Councillor Childs noted the Lido was easy to get too by bike and events would promote the venue which was an asset to the city. The councillor asked for free swimming lessons for the under 16 year olds. The councillor supported the application.
10. Councillor Hugh-Jones requested an extra condition to ensure the number of cycle parking bays and the number of disabled bays to align with the transport officer's comments.
11. The applicant's agent noted the cycle parking proposed was for 10 cycles and if this was successful more would be added. The agent was not sure that 40 could be achieved, however an additional 10 to 15 spaces would possible. It was noted that there were no restrictions on car parking at the Lido at the moment and more disabled bays would be possible. A lift to access all levels and a hoist into the pool have been added.
12. Councillor Ebel was informed by the agent that increased parking would result in a loss off verging in the car park.
13. The case officer considered that the conditions requiring details for the parking spaces could help to achieve extra disabled spaces.
14. The Senior Solicitor noted an informative could be inserted giving the committee expectations as a condition would not automatically come back to committee.
15. Councillor Hugh-Jones stated the numbers for disabled parking were from the highways team and the committee should ask for 40 cycle and 23 disabled spaces.
16. The applicant's agent stated that the highways statement had been written by the applicant, not the BHCC highways officer. The figures were based on the venue being full all the time.
17. The Head of Transport stated their comments had been based on minimum levels and it would be difficult to confirm the actual number of spaces. A condition relating to car parking management would be the best way forward.
18. The Planning manager informed the committee that the applicant was to supply a parking management plan. The plan would look at what is achievable.
19. Councillor Yates was informed by the Planning Manager that the management plan for car parking would look at the uses of the spaces and cycle parking has not been agreed. Condition 30 would supply the number of parking spaces.
20. Councillor Yates proposed the change to include a car park management plan and cycle spaces for different types of cycle which was seconded by Councillor Childs.
21. A vote was taken, and the committee voted unanimously that there was to be a condition for a car-park management plan.

22. A vote was taken, and the committee voted unanimously that there was to be an informative stating the expectation of the Committee was that 40 cycle spaces would be provided.
23. A vote was taken, and the committee voted 5 for 1 that there be an informative that the expectation of the Committee was that 23 disabled parking spaces would be provided.
24. A vote was taken, and the committee voted unanimously that condition 30 would be amended to require spaces for a variety of types of cycle.

Vote

25. A vote was taken, and the committee voted unanimously that planning permission be granted.
26. **RESOLVED:** That the committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report and the change to condition 30 and a condition requiring a car park management plan (i.e., if not cond.30) and the additional informatives.

C BH2021/01811 - Saltdean Lido, Saltdean Park Road, Saltdean - Listed Building Consent

1. For clarification the planning application and the listed building consent application were considered at the same time by the committee. The applications were taken together for the purposes of questions and debate. However, the items were voted on separately.

Vote

2. A vote was taken, and the committee voted unanimously that listed building consent be granted.
3. **RESOLVED:** That the committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** Listed Building Consent subject to the Conditions and Informatives in the report.

D BH2021/02074 - Nevill Court, Nevill Road, Hove - Full Planning

1. This application was not called for discussion and the officer recommendation was therefore taken as having been agreed unanimously.
2. **RESOLVED:** That the committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement on the Heads of Terms set out in the report and the Conditions and Informatives as set out in the report **SAVE THAT** should the s106 Planning Obligation not be completed on or before the **4th November 2021** the Head of Planning is authorised to refuse planning permission for the reasons set out in section 12.1 of the report.

E BH2021/01735 - 1-3 Bedford Street, Brighton - Full Planning

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

F BH2021/00570 - 169 Portland Road, Hove - Full Planning

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

G BH2021/01985 - 98 Portland Road, Hove - Full Planning

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

Speakers

2. Ward Councillor Henry addressed the committee and stated that the application related to a local Hove business. The basement is 47sqm which is less than minimum standards and the council should not promote substandard housing. The basement was damp and has remained unrented since June 2020. The height of the ceiling is also considered too low for accommodation standards. The company making the application is a good news story for Hove in the Westbourne ward where locals are employed. The councillor wants to help local businesses and the development proposed could help the business grow.
3. The applicant, Michael Routledge, addressed the committee and stated that they considered the basement flat to be poor quality and empty since June 2020. The business had moved into the thriving area with 4 staff at the start which has grown to 7 and the business is looking to expand in the location where there are no other financial support companies. The basement will become a rest room for staff as the company expands to more than 7. The company want to stay in the area, and it would be a loss if the company had to move due to lack of space.
4. The Planning Manager confirmed that the basement area meets national space standards, however, the height does not meet standards.

Questions

5. Councillor Yates was informed that the basement would be renovated to a higher standard before staff or clients were to use the space.

6. Councillor Hugh-Jones was informed that the basement was owned by the applicant's mother-in-law and there had been no discussion regarding the damp. The previous renters moved out due to the damp and other issues.
7. Councillor Childs was informed by the applicant that the offices were at capacity now and without expansion the company would stand still or relocate. The applicant stated they wanted to stay at the site and have the ability to increase staff with 3 more and wanted a comfortable rest area.
8. Councillor Barnett was informed by the applicant that the basement could be a flat again, however this would require investment.
9. Councillor Shanks was informed by the case officer that if the basement were to be split into two units it would require planning permission, however, if two units were reunited into one unit, this would not require planning permission.

Debate

10. Councillor Yates stated they agreed with the officer recommendation to refuse as the accommodation was in a poor state. The councillor noted that the council has a team to support landlords to bring accommodation back to good standards. The councillor noted that office space is needed but not the city also needs housing. The councillor support the recommendation to refuse.
11. Councillor Hugh-Jones agreed the basement had been allowed to fall into disrepair and this was not good. The councillor supported the recommendation to refuse.

Vote

12. A vote was taken, and the committee voted by 3 to 2 and one abstention to refuse planning permission.
13. **RESOLVED:** That the committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **REFUSE** planning permission for the reasons set out in the report.

H BH2021/00795 - Benfield Valley Golf Course, Hangleton Lane, Hove - Full Planning

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

Speakers

2. Ward Councillor Barnett addressed the committee and stated that the chalk has been dumped at the site and there was currently an ongoing Environmental Health investigation which the applicant is appealing against. The chalk needs to be removed and it is noted that it is still there after 6 weeks. The councillor considered the chalk to be a blot on the landscape and the site should be kept in proper order. The council have told the owners to tidy up the area where the biodiversity has been destroyed when bushes and shrubs have been ripped out. The owners have been told to replace these and this has not been actioned. (Having addressed the committee Councillor Barnett withdrew from the meeting).

3. The applicant's agent, Martin Carpenter, addressed the committee and stated that the application would have been dealt with under delegated powers if Ward Councillor Lewry had not called the application into committee. It was noted that part of the site is in a Site of Nature Conservation Interest (SNCI) as part of the chalk downlands. The biodiversity has been enhanced by the tree clearance of infected elms. The proposals will be a good use of the chalk and help to screen the car park. The removal of the chalk would be unsustainable. The committee were asked to approve the application.

Questions

4. Councillor Shanks was informed by the agent that the car park was free and accessible to the public and was shut at night.
5. Councillor Hugh-Jones was informed by the agent that the car park had existed for many years and had changed shape over the last 20 years. The surface consists of chalk and plainings, which are offcuts from tarmac roads. The agent confirmed that there were no markings in the car park and the enforcement investigation was ongoing as the applicant was appealing the action. The councillor was informed by the agent that the chalk not used would be moved elsewhere.
6. The East Sussex County Ecologist noted that the dumped chalk had integrated with the trees, no trees had been lost but there may be some damage. It was proposed to replace three trees whilst the scrub vegetation will look after itself. Any chalk remaining after creating the bunds would be spread around the car park, which is not in the SNCI, which surrounds the car park. All chalk would be pulled back from the boundary with the SNCI.
7. Councillor Yates was informed by the County Ecologist that the existing geology of the site was chalk, and the proposals would form shallow bunds which would be seeded. The bunds would be good for the area and reptiles and keep the mosaic of the diversity in the area. The chalk would be a benefit to the area once the bunds are reduced in height and quantity.
8. The Senior Solicitor informed the committee that if planning permission were granted for the development being enforced against the Council would not have a case to carry forward in the planning enforcement appeal.
9. The agent stated that they would consider withdrawing the appeal if planning permission were to be granted.

Debate

10. Councillor Yates stated they were initially sceptical of the application. However, the environmental gains, the visual improvements to the area and car park are all good. The councillor did not want a precedent to be set. The councillor supported the application.
11. Councillor Shanks supported the application and considered the bunds to be a good idea, especially when well seeded and would be an improvement.
12. Councillor Hugh-Jones supported the application.
13. Councillor Ebel considered the proposals be an improvement and supported the application.

Vote

14. A vote was taken, and the committee voted unanimously that planning permission be granted. (Councillor Barnett was not present for the vote and took no part in the decision-making process).
15. **RESOLVED:** That the committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

I BH2021/01914 - Flat 2, 236 New Church Road, Hove - Full Planning

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

J BH2021/01017 - 20 St Helens Drive, Hove - Householder Planning Application

1. The Planning Manager introduced the application to the committee and highlighted the matters on the late list.

Speakers

2. Ward Councillor Lewry addressed the committee and stated that the application had been a matter of great stress to the local community as there had been many applications on the site and this has been distressing for residents. An application submitted in 2020 was refused for the effect on the neighbours and surrounding area. Each of the following applications reduced or altered the proposals only a little. The local residents are upset with the proposals in this area of bungalows. The development is considered to depart from the style of the area. If granted the application would open the floodgates to more. The proposals would result in loss of views, overlooking and overshadowing. The committee were asked to refuse the application.
3. The applicant's agent, Courtney Darby, addressed the committee and stated that the applicants grew up in the area and have a strong relationship with it, with their parents still in the area for which the applicants have an emotional connection and where they plan to retire. The applicant has made many concessions to the planning officer by reducing the scheme, removing the porch, reducing the width of the development, removing the side extension, altering the roofscape and changed the fenestration. Different proposals could have been made under permitted development, but these would have been complicated, however, a certificate of lawfulness has been granted to the property, but the applicants want a better design. It is noted that other development in the area built under permitted development has not been good.

Vote

4. A vote was taken, and the committee voted unanimously that planning permission be granted. (Councillor Barnett was not present for the vote and took no part in the decision making process).
5. **RESOVLED:** That the committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

K BH2021/01272 - 78 Hangleton Valley Drive, Hove - Full Planning

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

Speakers

2. Ward Councillor Lewry addressed the committee and stated that the bungalows in the area are built for downsizing, located as it is in a good neighbourhood which is well planned. Planning applications are chipping away the area and squeezing out retirees. A five- bed property in Hangleton will be too expensive and too big for the area. The development will be 4 1/2 inches from the neighbour. The low level 1960s design of the area will be affected where most residents look after their properties.
3. The agent acting on behalf of the applicant, Sean Garrick, addressed the committee and stated that the quality of the support given by the local authority was fantastic and considered the service offered to be excellent with a great dialogue between the agent and the council. The agent stated they had listened and worked with the officers and made changes by reducing the roofscape etc. The site needed to work harder. There were no overlooking issues here. The applicants want to get on with neighbours and feel the proposals are good for all.

Vote

4. A vote was taken, and the committee voted unanimously that planning permission be granted. (Councillor Barnett was not present for the vote and took no part in the decision making process).
5. **RESOLVED:** That the committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

L BH2021/00427 - The Mews House, Adelaide Mansions, Hove - Listed Building Consent

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

M BH2021/00426 - The Mews House, Adelaide Mansions, Hove - Householder Planning Application

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

N BH2021/01064 - 173 New Church Road, Hove - Householder Planning Application

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

17 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

18 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

- 18.1 There were none for this agenda.

19 APPEAL DECISIONS

- 19.1 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.

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

- 20.1 There were none.

The meeting concluded at 4.54pm

Signed

Chair

Dated this

day of