

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****12.00pm 13 SEPTEMBER 2017****COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 4AH****MINUTES**

Present: Councillors C Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bennett, Hamilton, Hill, Hyde, Inkpin-Leissner, Littman, Miller, Moonan, Morris and Yates

Co-opted Members: Jim Gowans (CAG Representative)

Officers in attendance: Paul Vidler (Planning Manager), Hilary Woodward (Senior Solicitor), Liz Arnold (Principal Planning Officer), Chris Swain (Principal Planning Officer), Stewart Glassar (Principal Planning Officer), Gareth Giles (Principal Planning Officer), Sandra Rogers (Planning Manager), Maria Seale (Principal Planning Officer), Steven Shaw (Development and Transport Assessment Manager), Francesca Iliffe (Sustainability Project Officer), Maggie Moran (Flood Risk Management Officer), Kate Cole (County Ecologist), Virginia Pullan (County Landscape Architect) and Cliona May (Democratic Services Officer)

PART ONE**39 PROCEDURAL BUSINESS****39 i Appointment of Chair**

39 ii Councillor Moonan was appointed Chair for the meeting.

39 iii Councillor Morris was appointed Deputy Chair for the meeting.

a Declarations of substitutes

39.1 Councillor Hill was present in substitution for Councillor Cattell.

39.2 Councillor Hamilton was present in substitution for Councillor Gilbey.

39.3 Councillor Yates was present in substitution for Councillor Russell-Moyle.

b Declarations of interests

39.4 The Chair noted that the Committee Members had received correspondence in respect of Application A) Land Off Overdown Rise, Portslade, as they had been emailed

information by the applicant. The Members noted that they remained of a neutral mind and would take part in the consideration and vote on the application.

39.5 Councillor Hyde declared a non-pecuniary interested in respect of Application D) West Blatchington Primary & Nursery School, Hangleton Way, Hove, as her grandson currently attended Kings School. She noted that he would not be attending Kings School on the new site if the application was agreed and she remained of a neutral mind and would take part in the consideration and vote on the application.

39.6 Councillor Littman declared an instance of lobbying in respect of Application L) 2 & 2A Stafford Rd, Brighton, as he had received a phone call from a resident; however, he remained of a neutral mind and would take part in the consideration and vote on the application.

c Exclusion of the press and public

39.7 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.

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

d Use of mobile phones and tablets

39.9 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’.

40 MINUTES OF THE PREVIOUS MEETING

40.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 9 August 2017 as a correct record.

41 CHAIR'S COMMUNICATIONS

41.1 The Chair reminded Members that there was a Special Planning Committee, for the determination of the Preston Barracks application, on 27 September in Hove Town Hall at 1300 hours. There would be a briefing followed by a site visit for Members on 20 September 2017 at 1330 hours.

42 PUBLIC QUESTIONS

42.1 There were none.

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

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

Application:	Requested by:
BH2017/00284 - Wayland Paddock, 41 Wayland Avenue, Brighton	Councillor Bennett
BH2017/00128 - 17 Barnfield Gardens, Brighton	Councillor Morris

44 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

Major Applications

A BH2017/02410 - Land Off Overdown Rise & Mile Oak Road, Portslade - Outline Application

Outline application for the erection of up to 125 dwellings with associated access, landscaping and informal open space and approval of reserved matter for access only.

- 1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Presentation

- 2) Sandra Rogers, Planning Manager, introduced and explained that policy SA4 had identified that 13,200 new homes needed to be delivered by 2030 and 660 per annum was the minimum housing requirement. The Urban Fringe Assessment had identified 39 possible Urban Fringe sites that could be developed, which was 7.5% of the Urban Fringe, to contribute to the city’s housing requirement. Most housing would be sought by developing brownfield sites; however, 1060 units would need to be built on the Urban Fringe. Further assessment was to take place as part of City Plan Part Two for site allocation preparation.
- 3) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings and explained that in addition to the representations on the Additional Representation List a further 11 letters of objection and one comment had been received. The additional representations did not include any new material planning considerations in addition to those set out in section 4 of the Committee report. One letter of support received from the retailer McColls in Graham Avenue had been withdrawn as the comment provided was not that of the business owner as implied in the correspondence received.
- 4) It was noted that there was confirmation in the application that the development would be a maximum of two storeys in height with a mix of dwelling type and sizes provided. The height, scale and design of the development would be assessed at reserved matters stage. 40% of these units were to be affordable housing with the preferred tenure split as set out in the Council’s Affordable Housing Brief.
- 5) It was explained that the application comprised of three sites identified in the Urban Fringe Assessment as having potential for housing development. The indicative layout plan showed the proposed housing would be located on the lower part of urban fringe

site 5 with 4b and 5a left undeveloped. The application was a revised proposal to the previously refused application discussed at the Planning Committee on 12 April 2017. The earlier refusal did not include the principle of development of the urban fringe site.

- 6) The Principal Planning Officer explained that the revisions to the proposal since the earlier refusal were set out in full in paragraph 2.13 of the report; however, the revisions included: five additional dwellings incorporated into site 5 and the removal of five dwellings accessed from Mile Oak Road on site 4b, this would include the removal of Mile Oak Road vehicular access; the provision of various pedestrian and cycle routes within the site which would provide convenient access to the wider area and the existing public rights of way beyond the development site, including within the adjacent South Downs National Park; additional information had been submitted as part of the application with regards to proposed measures for drainage and to mitigate flood risk; the proposal included garden soakaways, permeable paving, infiltration basins and prevention of run-off; and the drainage basins would have a 40% allowance in rainfall intensity to mitigate against climate change.
- 7) A revised proposal retained improvements to the Fox Way and A293 junction by delivering a two arm approach for 40m within Fox Way. An addendum to the Transport Assessment provided further surveys to support those submitted as part of the 2016 application and assessment of traffic volumes from the development travelling south to Portslade and Hove, which concluded that the total increase in traffic movements on local routes to the south of the site would be negligible once traffic had dispersed across the network. The proposed level of on-site, off-street parking provision was considered acceptable by the Highway Authority.
- 8) It was explained that although it was an outline application also seeking permission for access only, the developer had confirmed a commitment to policy CP8 and had provided a supplementary report assessing the proposal against Building for Life 12. Conditions were attached to ensure compliance with minimum energy and water standards as outlined in policy CP8, in addition to a condition requiring the submission of an energy assessment and strategy, a sustainability statement and achievement of a minimum of a Home Quality Mark One Star.
- 9) The retained open space would be formally publicly accessible and as such was a net gain as the site was currently informal recreation space. There was a financial contribution towards open space and indoor sport secured via S106. A greater amount of SNCI was to be retained, enhanced and managed than within the refused scheme and only approximately 42% would now be lost compared to the 45% previously. There was a provisional contribution towards scrub clearance and ten years sheep grazing of Whitehawk Hill Local Nature Reserve which would allow for the translocation of reptiles from the application site. The overall proposal would result in a net gain for ecology and biodiversity when including the proposed enhancements for both the SNCI on the site and the Local Nature Reserve in Whitehawk.

Public Speaker(s) and Questions

- 10) Mr Hodges spoke in objection to the application in his capacity as a local resident and explained that he was speaking on behalf of the Mile Oak residents who had objected to the application. He explained that the Mile Oak residents were unhappy that the

applicant had submitted a second application after the previous one had been refused at Committee. He referenced an article that had been published in The Argus and believed that the agent would not ensure the s106 contributions would be paid or the conditions agreed would be implemented. The proposal would increase the flood risk and would have a detrimental effect on the ecology and archaeology of the site. There was a concern with the comments supplied by Southern Water regarding fire safety due to the lack of water on the site in case of emergencies.

- 3) Councillor Atkinson spoke in objection to the application in his capacity as a Local Councillor and thanked the residents of Mile Oak for all their help with producing leaflets, consulting neighbours and for submitting letters to the Planning department for the Committee to consider. He explained that he was disappointed that an environmental assessment had not been completed as part of the application. He noted that despite the Fox Way roundabout being widened there would be approximately 200 additional vehicles in the area due to the proposed scheme and would therefore not resolve the current problems in the area. He added that the assessment on the existing traffic movements on the network stated that there was one car per minute; however, this was not true. There were current problems with flooding in the area and Councillor Atkinson explained that the Old Village and Valley Road had recently been flooded badly. He explained that he was extremely concerned that the proposal would make the flooding in the area worse. He noted that Southern Water had stated in their comments submitted that there would be additional water in the sewers and drainage system which would result in additional risk in the area. It was noted that the GP surgeries in the area were already at full capacity. The buses that serviced the Mile Oak area were already under pressure and often full in the morning once they arrived at the Old Village. The access to the site from Overdown Rise was too narrow for the increase of vehicles accessing the site and this could also increase street parking in the area.
- 11) Mr Rainier, Mr Callcutt and Mr Kitching spoke in support to the application in their capacity as the agent, applicant and consultant respectively. It was stated that there was a previously refused application and this was now going through the appeal process; however, amendments had been made to the current application due to the comments made by the Planning Committee on 12 April 2017. The five dwellings previously proposed at Mile Oak Road had been removed and there would be a footpath link from the development to the South Downs National Park. The link to the Fox Way roundabout would be improved as part of the s106 requirement and there had not been any objections received from the Highways Authority. As part of the application there would be an ecological enhancement contribution and the reptiles on site would be relocated to Whitehawk Hill Local Nature Reserve. It was ensured that provisions would be put in place to ensure there was no surface water running off the site into the local area. Mr Callcutt concluded and stated that the proposal was a sustainable development in close proximity to local schools and it would contribute to the housing crisis in the city, including 50 affordable houses.
- 12) In response to Councillor C. Theobald it was noted that there were seven additional flats proposed in the scheme compared to the previously refused application; however, these were replacing the five houses removed on the Mile Oak Road access.

Questions for Officers

- 13) In response to Councillor Miller the Senior Solicitor explained that the Planning Officers had decided that a Sussex Police & Crime Commission contribution was not required in relation to this scheme. The Planning Manager added that there was ongoing discussion with the Police Commissioner and a meeting was scheduled to discuss contributions further. It was explained that the methodology needed to secure contributions for Sussex Police had yet to be agreed.
- 14) In response to Councillor Mac Cafferty the Principal Planning Officer explained that an Environmental Impact Assessment was not required for the development. It was noted that a Framework Management Plan had been submitted by the developer and a covenant would be a private matter.
- 15) In response to Councillor Mac Cafferty the County Ecologist clarified that it was recommended that the snakes were retained on site. It was unknown if there were hibernation sites on the site but these would be located in the scrub land which was being retained. The Sustainability Officer noted that condition 32 could be amended if the Committee agreed to require a full sustainability statement and checklist.
- 16) In response to Councillor Morris the County Ecologist explained that there were no recorded skylarks on the site and the grassland was currently not suitable for their habitat. The Principal Planning Officer confirmed to Councillor Morris that there were conditions on the application and the informatives were further details or advisory noted for the applicant.
- 17) In response to Councillor Yates the Flood Risk Management Officer explained that a formal maintenance plan would be submitted and the Flood Officers would ensure the system was maintained.
- 18) In response to Councillor Littman it was explained that the vast majority of the scrub land would be retained and this was most likely to have hibernation potential. It was also explained that there were a number of conditions for surveys to be undertaken before any development took place and this could result in the locations being altered or the reduction in units. The Planning Manager added that condition 4 stated that an Ecological Mitigation Strategy was to be submitted and approved in writing by the Local Planning Authority.
- 19) In response to Councillor Hyde the County Ecologist noted that adders hibernate in the scrub land and woodland and these areas were more sensitive and needed protection. The grassland on the north of the site was to be retained and there were proposed permeable boundaries to ensure badgers and hedgehogs were able to move throughout the site. It was added that there were not any badger sets on site. Measures would be put in place to ensure the animals were safe on the site during construction.
- 20) In response to Councillor C. Theobald the Development and Transport Assessment Manager explained that an assessment had been undertaken where local sensor data predicted the car parking demand. It was noted that the development had sufficient

space to accommodate the estimated parking and the availability of on street parking would increase due to the proposed roads on site.

- 21) In response to Councillor Hamilton the County Ecologist explained that there were a number of criteria when the SNCI was designated and this included public access.
- 22) In response to Councillor Morris the Principal Planning Officer noted that the East Sussex Fire & Rescue Service was contacted; however, no response was received. Southern Water had not submitted an objection; however, there were additional informatives and conditions proposed to protect the underground water supply resources.

Debate and Decision Making Process

- 23) Councillor Miller stated that he had previously abstained on the application due to the issues regarding transport and ecology. He noted that these had been resolved and was pleased that the reptiles would be relocated to the Whitehawk Hill Local Nature Reserve and that the s106 contribution would be used to preserve the area. He explained that he would be supporting the Officer's recommendation.
- 24) Councillor Inkpin-Leissner explained that it was a difficult decision as there were existing problems with traffic, the local GP surgery was full and the schools were at full capacity. The Principal Planning Officer noted that the Education Officer had confirmed that there were places at both the primary and secondary school in the area.
- 25) Councillor Morris noted that he supported the previously refused application and would be supporting the Officer's recommendation for the current application. He stated that the transport aspects and previously raised ecology concerns had been improved. He noted that the scheme would contribute to affordable housing to the city.
- 26) Councillor Littman noted that the Planning Committee was right to refuse the previous application and the majority of the issues raised at Committee had been addressed. He explained that he did not like developing on the Urban Fringe; however, the site had been identified to have potential for housing and housing was needed for the city. He added that he would be supporting the Officer's recommendation.
- 27) Councillor C. Theobald noted that the development was too dense and there should be a higher percentage of family houses rather than flats. She noted concern for the access road and the narrow roads in the area and concerns for the flood risks.
- 28) Councillor Bennett stated that the ecology concerns had been addressed and she welcomed the public access routes to the green spaces and the new trees. She added that she agreed with Councillor C. Theobald and the application should have included more family houses.
- 29) Councillor Hamilton explained that in the past 60 years the electoral roll had gone from 300 residents to 3000. He noted that although Southern Water hadn't formally objected, they had raised issues in their comments regarding flood risk, water drainage and risk of pollution to the water. The improvements to Fox Way roundabout would make minimal difference to the flow of traffic as there were currently two lanes

approaching the roundabout from the west. He added that he would not be supporting the Officer's recommendation. The Development and Transport Assessment Manager clarified that currently the west approach to the Fox Way roundabout was a single lane informally used by two rows of traffic. The improvements would widen the lane to accommodate a left and right turn lane, consequently increasing the capacity and reducing the queues.

- 30) Councillor Yates noted that the proposal would gain public access to the site and would provide 125 new homes for the city. He noted concern for the flooding issues raised; however, explained he would be supporting the Officer's recommendation.
- 31) Councillor Hill noted that she was minded to support the Officer's recommendation as the site had been designated in the City Plan Part One to have potential for development as it would contribute to the housing crisis. It was positive that some of the land would be retained and the public access would be improved. There was a good bus service in the area and if there was a higher demand due to the development then the bus company would accommodate for this. The current application had resolved the queries raised at the previous Planning Committee.
- 32) Councillor Hyde noted that Urban Fringe sites should not be developed and brownfield sites needed to be focussed on. She explained that moderate changes had been made from the previously refused application; however, the removal of the five dwellings at Mile Oak Road had not made a difference as the density had increased on the lower part of the site. She added that she would not be supporting the Officer's recommendation.
- 33) Councillor Mac Cafferty noted that there was a housing crisis and there were thousands on the housing list. The scheme had been much improved since the previously refused application and the applicant had addressed the concerns raised by the Committee. He noted that Councillors did not want to develop on urban fringe sites; however, it was needed to contribute to the housing need in the city. He would be supporting the Officer's recommendation.
- 34) The Chair then put the application to the vote, and the Officer recommendation that the application be minded to grant was **carried** by 8 votes in support, 3 refusal and 1 abstention.
- 44.1 **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, conditions and informatives as set in the report with the amendments to condition 32 below:

No development above ground floor slab level of any part of the development hereby permitted shall take place until a Sustainability Statement and an online Sustainability Checklist robustly demonstrating how the scheme addresses Brighton & Hove City Plan Policy CP8 has been submitted and approved in writing by the Local Planning Authority. The approved measures shall be implemented in strict accordance with the approved details prior to the first occupation of the development and shall thereafter be retained as such.

Reason: To ensure that the development is sustainable and makes efficient use of energy and to comply with policy CP8 of the Brighton & Hove City Plan Part One.

- S106 – Contribution towards Local Employment Scheme - £50,100
- Condition 4 deleted as covered by altered wording of condition 29,
- Conditions 7, 18, 25, 26, 29 & 30, wording altered; and
- Reference to condition 16 added to informative 4.

B BH2016/01903 - Coombe Farm, Westfield Avenue North, Saltdean - Full Planning
Outline application for demolition of existing farm buildings and erection of 67 family dwellings with public open space and approval of reserved matters for access and landscaping.

- 1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Presentation

- 2) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings and explained the site was currently used for car repairs, caravan storage and livery stables. The site was part of the urban fringe; however, it was not a conventional green field site and was a quasi-brownfield site. Large parts of the site had existing buildings and were covered in concrete and there was also a slurry pit. The Urban Fringe Assessment had identified the four parcels which included most of the application site for 70 potential dwellings in total; however, this had been reduced to 55 units in total due to the sensitive location. The applicant had previously applied for 67 dwellings; however this had been reduced to 60 dwellings. It was agreed that eight dwellings would be removed as they would be too visible from the South Downs National Park and one new dwelling had been proposed on another area of the site. These changes had been made due to consultation between the applicant and the County Ecologist and County Landscape Architect.
- 3) The site was set down low in the landscape within the valley and the Principal Planning Officer showed photos from the public footpaths from the South Downs National Park that showed the site would not be visible. If the site was to be developed it would be seen as an extension of the existing residential area and would have buffer landscaping around the site. It was explained that the Planning Members had raised queries regarding the land levels at the site visit and the Principal Planning Officer showed a diagram that gave an indication of the variation of height across the site and added that some levelling would be needed.
- 4) The County Ecologist had consulted with the applicant and was now supportive of the Officer's recommendation. It had been agreed to reduce the number of dwellings, increased buffer landscaping zones and recommended mitigation measures.
- 5) The access to the site would be from Westfield Avenue North and this would be improved as part of the application. The site would provide sufficient parking and was supported by the Highway Authority. There was also a proposed footpath into the site. The traffic would flow onto the A259. The Air Quality Officer had provided comments

which were overall supportive of the application and had made suggestions that were covered by condition.

- 6) The Principal Planning Officer concluded and explained that the proposal was supported by the City Plan Part One and the Urban Fringe Assessment. It was a quasi-brownfield site and the landscape and ecological impact was deemed acceptable. The highway access and transport contribution was suitable and the air quality concerns had been resolved. The scheme would provide housing for the city, including 40% affordable housing, and a contribution to open space, recreational provision and indoor sports facilities of £223,185.71.

Public Speaker(s) and Questions

- 7) Ms Robertson spoke in objection to the application in her capacity as a local resident. She stated that the scale and density of the development should be in keeping with the neighbouring properties. Concerns had been raised by the local residents that the development on the quasi-brownfield site would lead to development on the greenfield sites either side. It was added that the proposed buffer landscape was not enough. She explained that the roads in East Saltdean were in need of repair and the additional vehicles in the area would cause further problems for the existing residents. It was also noted that the vehicle access via Westfield Avenue North was too narrow to accommodate the construction trucks and the vehicles used by the future residents. The GP surgeries in the area and Saltdean Primary School were at full capacity and the other local schools were almost full. The development would cause noise disturbance to the residents and have an effect on the existing air pollution.
- 8) In response to Councillor Hyde it was explained that the construction vehicles used to develop the site would have a detrimental effect on the existing problems. She noted that there was congestion in the area and the buses could not pass each other due to the narrow roads.
- 9) Ms Gallagher spoke in objection to the application on behalf of the Saltdean Residents' Association. She stated that Lloyd Russell-Moyle MP had recognised the existing traffic problems in the area and this would be worsened by the proposed scheme. The pollution would increase and have a detrimental effect on the air quality.
- 10) In response to Councillor Miller it was clarified that Lloyd Russell-Moyle MP had not submitted an objection to the application.
- 11) Councillor Mears spoke in objection to the application in her capacity as a Local Councillor. She expressed concern for the s106 contribution to primary and secondary education as Saltdean Primary school had been expanded and was at full capacity and Longhill High School was almost at full capacity. The bus service would not have access to the site and would be a long walk for the residents to the bus stop; therefore, this would encourage the use of cars. She noted that the traffic report in the agenda was out of date, there were more cars used in the area and the pollution levels in Rottingdean High Street were higher than stated. The GP surgeries in the area were full and the surrounding infrastructure was unable to cope with the additional residents. She explained that there was concern as local residents had seen badgers and bats on the site in the barns that were to be demolished. She noted that the city did need

housing; however, the application should have been for full planning permission, rather than an outline application, for the Planning Committee to have a full debate.

- 12) Mr Burgess and Mr Fender spoke in support to the application in their capacity as the agent and architect. It was stated that the City Plan Part One had identified potential sites for housing and to meet the demand 1060 dwellings would need to be developed on Urban Fringe sites. Mr Burgess explained that the application had been subject to a pre-application presentation and the applicant and agents had consulted with Planning Officers and residents. There had been no objections received from the South Downs National Park Authority, Highways Authority, County Ecologist, County Landscape Architect, Environment Agency, Education Authority or Planning Policy Team. The majority of the site was currently covered in concrete, had derelict farm buildings that were being used for storage and a slurry pit. It was no longer needed for farming use but could be used for housing. The proposed density for the site was 16 dwellings per hectare and this was lower than the surrounding developed areas. The scheme would provide family homes, which would be two storeys high, and 40% of the dwellings would be affordable housing. The application included a contribution to local education, transport, open space and indoor sporting facilities and existing footpaths would be improved.
- 13) In response to Councillor Miller Mr Burgess clarified that a contribution of £223,185.71 for open space and recreation would be made and there was open space included in the proposed development.
- 14) Mr Fender noted to Councillor Miller that the majority of the proposed dwellings would be lower level houses with tiered gardens.
- 15) In response to Councillor Morris Mr Burgess explained that if there were bats in the existing farm buildings then the applicant would prepare for them to be relocated somewhere else before demolishing or developing.
- 16) In response to Councillor Mac Cafferty it was noted that the access road would be widened and a controlled crossing with footpaths would be provided within the site.
- 17) In response to Councillor C. Theobald it was explained that the applicant had suggested an area of land on the site to be made available for the paddocks if there was a desire for them to stay on site.

Questions for Officers

- 18) In response to Councillor Yates the Principal Planning Officer stated that there had been a pre-application presentation for the proposed scheme.
- 19) In response to Councillor Morris the County Ecologist explained that the buildings on the site had been assessed and there was not the potential to house bats. There were trees on site with the potential but these were not being removed.
- 20) In response to Councillor Mac Cafferty the Development and Transport Assessment Manager noted that the S106 contribution would go towards public footway improvements, bus stop improvements including a shelter to be installed and minor

footpath improvements in the immediate area. It was also explained that the queries raised by the objectors regarding the buses would not be a planning matter for the application but would be for Brighton & Hove Buses to investigate and resolve.

- 21) In response to Councillor Littman the Development and Transport Assessment Manager explained that it was likely the future residents would have cars; however, they needed to ensure there were good connections in the area and there were shops and bus stops accessible from the site. It was noted that the use of public transport or cycling needed to be promoted.
- 22) In response to Councillor Miller it was clarified that condition 19 ensured a provision for electric vehicle charging points within the proposed car park. It was also noted that there may not be a demand for a car club due to the size of the proposal and the amount of parking spaces available on site; however, this would be a decision of the car clubs as they were private companies.
- 23) The Principal Planning Officer stated to Councillor Miller that the s106 contribution towards education would be spent in the identified schools within the catchment area. The open space within the site would be open to the public and not private. The Officer's agreed to feedback to Members the identified locations for the open space and indoor sport contribution.
- 24) In response to Councillor Hill the Development and Transport Assessment Manager explained that if the applicant did not wish for the Highways Authority to adopt the access road then the applicant would need to maintain the road. Brighton & Hove City Council would not be involved in the maintenance of private roads and the applicant would need to develop a maintenance plan. It was also noted that the parking standards were set to a maximum and there was not a minimum standard. This ensured control over car parking spaces to ensure there was not a significant overspill into the surrounding areas.
- 25) In response to Councillor Morris it was noted that if the access road and proposed roads within the site were private then the applicant would be solely responsible for street parking.
- 26) In response to Councillor Hyde the Principal Planning Officer explained that if the application was agreed then the applicant would have to comply with the buffer landscaping when the reserved matters application was submitted. It was added that the Committee could agree to offer an informative regarding the buffer landscape.
- 27) In response to Councillor Hyde the Development and Transport Assessment Manager explained that the Committee could agree to extend the bus season ticket offered to residents as part of the Residential Travel Plan and residents could choose between this or the £200 voucher towards the purchase of a bike. It was also noted that the Committee could agree to add an informative to ensure construction vehicles were routed along Coombe Vale and Westfield Avenue.
- 28) The Development and Transport Assessment Manager clarified to Councillor Yates that the construction traffic using both routes would not reduce the number of vehicles

accessing the site but would lessen the impact. It was also noted that it would not be appropriate to suspend a bus stop as the bus route could still operate.

- 29) In response to Councillor C. Theobald it was explained that the access road was to be improved and widened to 5.5 metres and this would be adequate for emergency services vehicles and construction vehicles. There would be a pedestrian footpath to the side of the access road which would incorporate a crossing where pedestrians would need to cross the road.
- 30) In response to Councillor Bennett it was clarified that Condition 20 ensured appropriate street lighting was installed and this would be assessed.
- 31) In response to the Chair the Principal Planning Officer confirmed the site was adjacent to the South Downs National Park and this would not be developed as part of the application.

Debate and Decision Making Process

- 32) Councillor Inkpin-Leissner stated that the site was not a greenfield site and was already concreted. He noted that the traffic and transport issues within the area should be improved after the comments made from the objectors; however, he welcomed the Residential Travel Pack and would agree to condition the season bus ticket to be extended to one year. He explained that he would be supporting the Officer's recommendation as the site would provide housing for the city.
- 33) Councillor Morris noted that it was classed as an urban fringe site; however, it was a quasi-brownfield site. He explained that he was happy for the gardens to be backing each other as it would encourage neighbourliness. He would be supporting the Officer's recommendation.
- 34) Councillor Miller noted concern for the greenfield sites surrounding the development and how these could be effected and the site had been identified for a potential of 55 dwellings and the proposed scheme was for 60. He explained that if the Committee agreed to an informative on splitting the construction traffic between Coombe Vale and Westfield Avenue then this would be an improvement. He welcomed assurance from the Officer's that the s106 contribution towards education and open space would be used within the local vicinity. He stated that the application would be positive if there were a few minor changes and would; therefore, not be supporting the Officer's recommendation.
- 35) Councillor Littman noted that the location of the site was acceptable for housing and it was a quasi-brownfield site. He explained that there were current problems in the area with traffic; however, he thought the Officers had worked hard to resolve these issues and an extension of the bus season ticket to one year would be positive. There was a need for housing in the city and he noted; therefore, he would be supporting the Officer's recommendation.
- 36) Councillor Hyde explained that if the Committee granted the application then it needed to be ensured that the s106 contributions were invested in the local area. She noted concern for the additional cars in the area and using the A259 which would increase

the pollution. She also stated that the GP surgeries and local schools were a concern as the local primary school was at full capacity.

- 37) Councillor Yates noted that there were concerns for the vehicle movement in the surrounding areas and the road conditions; however, if the proposed conditions were enforceable then he would be supporting the Officer's recommendation.
- 38) Councillor C. Theobald explained that there could be concern if the proposed roads within the site were not adopted by the Highways Authority and the access road needed improvements. She also added concern for the local schools, GP surgeries and the currently infrastructure.
- 39) The Chair then put the application to the vote, and the Officer recommendation that the application be minded to granted was **carried** by 9 votes in support, 2 refusal and 1 abstention.

44.2 **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, conditions and informatives as set out in the report and the amended s106 Head of Terms and additional informatives set out below:

- i) Amendment of the S106 Heads of Terms from the sixth bullet point to read:
- A Residential Travel Plan, to include a Residential Travel Pack, to be provided for all first occupiers of the development, to include:
 - Provision of 2, twelve month bus season tickets to each first residential property or
 - Free voucher towards the purchase of a bike – voucher £200 1 per household and
 - Public Transport Information and
 - Local walking & cycling maps.
 - The provision and management of the children's equipped play area (a LEAP), picnic areas, informal open space and landscaping.
 - Financial contribution of £223,185.71 towards open space and recreation.
 - Artistic Component element of £45,000.

Additional Informatives:

- 18) The applicant is advised that the details submitted for reserved matters approval should include appropriate distances between the approved dwellings and existing adjoining dwellings to safeguard the amenities of residents with regard to privacy and overlooking.
- 19) The applicant is advised that the details of construction traffic routes submitted to discharge Condition 8 should include the routing of vehicles along Coombe Vale and Westfield Avenue.

C BH2017/01108 - Site Of Sackville Hotel, 189 Kingsway, Hove - Full Planning

Erection of 5 to 8 storey building to provide 60no residential dwellings (C3) (mix of one, two, and three bedroom units) incorporating balconies and terraces with associated access from Sackville gardens, 21no basement car parking spaces, 6no ground floor car parking spaces, cycle parking, plant and associated works.

- 1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Presentation

- 2) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings and noted that there was a letter published in the Late Representations List from Councillor Bewick providing comments and regarding the scheme. The proposal was for 60 units and these would be: 40 one bedroom and studio flats, 19 two bedroom flats and one three bedroom flat. Following the submission of further viability information since the completion of the report and advice from Housing Strategy, it was recommended that five (8%) affordable rented units be secured in the S106 Agreement.
- 3) The corner of the south elevation would be curved and this had been agreed after consultation at a Design Panel. The four proposed flats on the top storey would be set back. The proposed materials were not traditional within the conservation area; however, the development had traditional elements and was deemed acceptable as a new build.
- 4) It was explained to the Committee that the units complied with the national space standards and the majority of units had a small, external balcony area. It was added that there would not be additional harm of overlooking on the neighbouring properties.

Questions for Officers

- 5) In response to the CAG representative it was explained that the developer had requested that a feature was designed within the site and would be seen from the public realm. It was added that it would be subject to the agreement of Officer's.
- 6) In response to Councillor Morris the Principal Planning Officer explained that the material palette submitted was acceptable for the scheme. Materials could be approved by Officers in consultation with the Chair, Deputy Chair and Opposition Spokespersons attending the Chair's briefing.
- 7) In response to Councillor Inkpin-Leissner it was noted that the scheme at the pre-application presentation was six storeys with two additional penthouse levels; however, the applicant was now applying for seven storeys with an additional one storey penthouse. The majority of the proposed development would be brick and the penthouse level would be cladding.
- 8) In response to Councillor Littman it was noted that the Heritage Officer had objected to the proposal due to the height and that it would "dwarf" the neighbouring properties. It was explained; however, that the Planning Officers thought overall that the height was

acceptable and was replicated in other areas near the site so was in keeping with the street scene.

- 9) In response to Councillor Mac Cafferty the Principal Planning Officer noted that the bronze material had been used on seafront buildings before and the Officers would ensure these would not rust.
- 10) In response to Councillor Littman the Development and Transport Assessment Manager explained that due to the transport links in the area and the cycle provision on site the applicant was not required to contribute towards a bike share scheme.
- 11) In response to Councillor Yates the Development and Transport Assessment Manager noted that the encouragement for the use of public transport was not needed for the residents due to the transport links in the area. A stronger travel plan would be necessary if there was a concern for a high rise with on street parking.
- 12) In response to Councillor Hyde it was noted that the proposed units met the national space standards.
- 13) The Planning Manager clarified to Councillor Miller that studio flats were considered when assessing the affordable housing contribution; however, these would not be considered for the education and transport contribution.
- 14) The Public Realm improvement with an artistic component would not be a financial contribution; however, would be worth approximately £19,000 and the value and location would be assessed.
- 15) In response to Councillor Miller it was explained that the Planning Officers sought the maximum amount of affordable housing for each scheme up to 40%. The District Valuer Services (DVS) assessed the submitted viability information and concluded that 33% affordable housing was viable; however, they could not reach agreement with the applicant. The applicant's consultant had resubmitted viability reports and assessments after the consultation with the DVS.
- 16) In response to Councillor Littman it was explained that there was a difference of opinion between the DVS and applicant on the methodology used to calculate the affordable housing contribution and the Council sought the opinion of a third party, BNP Paribas.
- 17) In response to Councillor Hyde the Principal Planning Officer explained that it was felt necessary to gain a second opinion from BNP Paribas.
- 18) In response to Councillor Morris it was explained that applications were reported to Committee as expediently as possible and the applicant had submitted further information after the agenda had been published.
- 19) In response to Councillor Miller the Planning Manager explained that the Officers had tried to secure an acceptable amount for affordable housing and commissioned a further independent review. Following receipt of this further review and the additional information agreement had been reached.

Debate and Decision Making Process

- 20) Councillor Inkpin-Leissner stated that he would not be supporting the application as the scheme had changed from the pre-application presentation and more units had been proposed. He also noted that affordable housing was needed within the city and was unhappy that the developer did not initially propose any.
- 21) Councillor C. Theobald explained that she preferred the scheme at the pre-application presentation stage with two penthouse levels. The proposed development was too tall and it should be in line with the neighbouring property as it would overshadow the balconies. She also noted that the proposed 27 car parking spaces were not enough for the amount of proposed units. Due to the lack of affordable housing contribution she explained that she would not be supporting the Officer's recommendation.
- 22) The CAG Representative explained that he was grateful the applicant had extended the pre-application presentation to the members of CAG and thought the design and materials would be aesthetically pleasing. He noted concern for the height of the building; however, CAG were not recommending the refusal of the application.
- 23) Councillor Hyde noted that a condition for an addition three units to rent and four were for shared ownership would be appreciated. She explained that the site had been derelict for too long and there was a need for studio flats within the city. She was satisfied with the south and east elevations; however, the north elevation was too dominating. She added that she was pleased with the amount of proposed parking on site. She would be supporting the Officer's recommendation.
- 24) Councillor Miller explained that he would not be supporting the Officer's recommendation unless the Committee agreed to defer the application to a future Planning Committee. He wished for more information to be gathered regarding the concertina walls in the proposed studio flats and for the viability to be re-assessed by the DVS. He explained that the proposed studio flats meant that a contribution towards transport and education were not needed; however, they appeared to be one bedroom flats with a concertina wall. He had concern for the parking on site and a larger transport contribution would have resolved this.
- 25) Councillor Littman noted that the internal and external design was aesthetically pleasing; however, he did not like the northern elevation and agreed with the comments from the Heritage Officer regarding the proposal dwarfing the neighbouring properties. He added that he would appreciate a slightly amended application.
- 26) The Senior Solicitor explained to the Committee that Members could agree to defer; however, the application would miss the agreed extension of time and the applicant could appeal for non-determination. The Planning Manager added that a further extension of time could be requested from the applicant.
- 27) Councillor Miller proposed to defer the application for the viability to be re-assessed by the DVS and to calculate the s106 contribution from both studio flats and one bed flats. This was seconded by Councillor Morris.

28) The Chair then put the proposal of the deferral and this was **carried** by 7 votes for, 4 against and 1 abstention.

44.3 **RESOLVED** – That the Committee agreed to defer the application.

D BH2017/01891 - West Blatchington Primary & Nursery School, Hangleton Way, Hove - Full Planning

Demolition of existing school buildings. Erection of Primary school and nursery schools (2 form entry) replacing existing school buildings and erection of secondary school (5 form entry including 6th form) including re-provision of sports pitches and provision of new access and parking and associated landscaping.

1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Presentation

2) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings and that in addition to the representations on the Additional Representation List a further six letters of objections had been received. The additional representations did not include any new material planning considerations in addition to those set out in section 4 of the Committee report.

3) The current buildings on the site would be demolished and temporary buildings would be provided for West Blatchington Primary and Nursery School to the west of the site. Kings School needed a new school within the city and this site would also provide a sixth form college and it was estimated that Kings School would reach its maximum size of 1050 pupils within five years. The capacity of West Blatchington Primary School would increase by 20 pupils and an autistic support unit and nursery would also be provided. There were two separate proposed accesses to the site and each school would have two proposed car parks.

4) The buildings would be a combination of one and two storeys in height. There would be a blended brick effect on Kings School and West Blatchington Primary School would have a different colour scheme in brick. It was noted that the final materials were secured by condition.

5) The Principal Planning Officer noted that there would be a loss of playing fields and an objection had been received from Sport England; however, the Brighton & Hove City Council Sport Facilities Team supported the proposal. Some of the playing fields would be retained for Kings School and would provide a senior football pitch, two smaller football pitches, a training grid, a cricket wicket pitch, two athletics tracks and three multi-use games areas. West Blatchington Primary School would retain their multi-use games area and have a smaller football pitch. A financial contribution of £150,000 towards the enhancement of sports facilities would also be secured.

6) As part of the proposal, 20 trees would be removed. There had been no objection received from the Arboriculturist as these trees were not protected and substantive planting would be secured as part of a comprehensive landscaping master plan. Due

to the sensitive location of the site a landscape visual assessment was submitted of the affected views.

Public Speaker(s) and Questions

- 7) Ms Lynch spoke in objection to the application in her capacity as a local resident. She stated that she was the CEO of the Russell Education Trust and was objecting to one of the s106 Heads of Terms regarding the introduction of a minibus service. She explained that the Russell Education Trust could not make the commitment due to the funding and wished to encourage students to walk to school. She explained that Kings School actively discouraged parents from dropping the children off at school and there was a local bus service in the area that could be used. She requested that Members removed the requirement from the s106 Heads of Terms.
- 8) In response to Councillor Yates Ms Lynch explained that she was supportive of the application; however, she wished to object to the one head of term.
- 9) In response to Councillor Hyde the Principal Planning Officer explained that the Russell Education Trust were the prospective occupiers and not the applicant. The Senior Solicitor noted that obligations in a s106 were enforceable against the landowner and it was the duty of the landowner to ensure the obligations were complied with.
- 10) In response to Councillor Hill Ms Lynch explained that she did not want the Committee to refuse the application but to remove the requirement for a mini bus.
- 11) Councillor Janio spoke in his capacity as a Local Councillor. He stated that he was fully supportive of the application and the facilities were desperately needed. It would be beneficial in the Hangleton area; however, he had concerns for the traffic in the area as there would be twice the amount of pupils. He requested a zebra crossing in the area as it was currently dangerous and would be made worse with the extra trips a day. The roads were currently too narrow for two buses to pass. He noted that although he was supportive of the application, transport solutions were needed.
- 12) In response to Councillor Hyde Councillor Janio explained that he often received complaints from local residents that they could not get the bus in the morning as they were full.
- 13) In response to Councillor Miller it was explained that the local residents did not have any consultation with the applicant and noted that it would be positive if the Ward Councillors, interested parties and the applicant could meet to discuss transport options.
- 14) In response to Councillor C. Theobald it was agreed that additional buses in the area could help; however, it was already chaotic in the area during the rush hour.
- 15) Ms Tipper spoke in support to the application in her capacity as the agent and stated that the proposal had been the subject of a detailed pre-application presentation to Planning Committee Members and pre-application discussions with officers. She explained that the proposal would increase the capacity of West Blatchington Primary

School and provide a site for Kings School which could potentially help provide school places to the increase that would be produced from the Toads Hole Valley proposal. There was a loss of playing fields; however, it was considered that this was the most effective development of the site. The proposal would meet the individual needs of both schools and included a significant enhancement of sports facilities.

- 16) In response to Councillor Yates Ms Tipper noted that all elements of the travel plan had been considered and they were satisfied that the development would be suitable for the area. She had spoken to the Case Officer regarding the amendment of the S106 Head of Terms regarding the wording being broader for the requirement of a minibus.
- 17) In response to Councillor Morris Ms Tipper explained that the applicant had met with Sport England as part of the pre-application presentation and it was considered that the diversity and quality of the provision being offered for both schools and it being available to the public through leasing agreements was considered acceptable.
- 18) In response to Councillor Mac Cafferty it was noted that advice had been sought from the structural engineers and due to the location of the development any solar panels installed would not meet health and safety regulations. It was also noted that the applicant was mindful of the visual element from the South Downs National Park.

Questions for Officers

- 19) In response to Councillor Hamilton the Senior Solicitor noted that the Security of State could call the application in for his own decision and this could delay the decision by months.
- 20) Councillor Miller queried whether the sport contribution could be released at the earliest opportunity to mitigate the loss; however, the Principal Planning Officer explained that this would not be appropriate as it was standard practice for the contributions to be pre-commencement.
- 21) In response to Councillor Miller it was noted that it would be acceptable for the Committee to agree to an informative encouraging the applicant to meet with the Ward Councillors to discuss travel options.
- 22) In response to Councillor Mac Cafferty it was noted that condition 23 secured that the development would achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent'. This was the responsibility of the applicant and officers would help them to achieve this.
- 23) In response to Councillor Yates the Development and Transport Assessment Manager explained that there was no requirement specified as to how the minibus would be funded.
- 24) In response to Councillor Morris the Principal Planning Officer believed that the proposed panels were both decorative and for insulation. It was explained that the fire safety aspect of these would be a building regulation matter.

Debate and Decision Making Process

- 25) Councillor Miller stated that he did have concerns regarding the sports facilities; however, he had been reassured through the discussion. He would be supporting the Officer's recommendation.
- 26) Councillor Inkpin-Leissner explained that the proposal would provide a new teaching facility which was positive. He stated that he did not agree with the Sport England objection because although there was a loss of playing fields, additional facilities were being provided. He explained that he would be supporting the Officer's recommendation.
- 27) Councillor Hyde agreed with Councillor Inkpin-Leissner regarding the objection submitted from Sport England. She noted that she attended the site visit and was surprised about the size of the site. The design and colours were aesthetically pleasing.
- 28) Councillor Yates noted that the minibus would provide a good service as children attending the school would not necessarily be in the catchment area. He noted that he would be supporting the Officer's recommendation.
- 29) Councillor C. Theobald noted that a new school was much needed in the city and the design of the proposal was good. She noted concern for the current traffic issues in the area; however, she hoped the review of the traffic plan would resolve this.
- 30) Councillor Littman noted that he would be supporting the Officer's recommendation.
- 31) Councillor Morris suggested that the applicant could install wind turbines on the roof of the development. He also noted that there was a need for a school in the city and would be supporting the Officer's recommendation.
- 32) Councillor Hamilton noted that the temporary building for Kings School in South Portslade was currently at full capacity and it was important for this site to be developed.
- 33) Councillor Bennett noted the positive design and that it was a large site. The school was needed in the city and included a huge improvement to the West Blatchington Primary School and the nursery.
- 34) The Chair then put the application to the vote, and the Officer recommendation that the application be minded to granted was **carried** unanimously.
- 44.4 **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 the Secretary of State deciding not to call in the application for determination, and the s106 agreement, conditions and informatives set out in the report as amended by the amended S106 Head of Terms, amended conditions and the additional informative set out below:

- i) Amend S106 heads of terms 7th bullet to read:
- A Travel Plan including car park/drop-off area management plan, commitment to introduction of a dedicated bus or mini bus service or enhancement of existing bus services, inclusion of the construction period and use of the site outside school hours;

- ii) Amend Condition 21 to read:

Prior to first occupation of each respective phase of the development as agreed under condition 3, unless an alternative timescale is agreed by the Local Planning Authority, details of the car park layout to include circulation roads, vehicle swept paths, drop-off areas, disabled parking, motorcycle parking and pedestrian routes including dropped kerbs shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the respective phase of the development and shall thereafter be retained for use at all times.

Reason: To ensure the development provides for the needs of pedestrians, disabled staff and visitors to the site and motorcycle users and to comply with policies CP9 of the City Plan Part One and policies TR7 and TR18 of the Brighton & Hove Local Plan and SPD14 guidance.

- iii) Amend Condition 22 to read:

Prior to first occupation of each respective phase of the development as agreed under condition 3, unless an alternative timescale is agreed by the Local Planning Authority, details of secure cycle parking facilities for the occupants of, and visitors to, the development and safeguarded areas to allow for future expansion of cycle parking shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the respective phase of the development and shall thereafter be retained for use 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.

- iv) Amend Condition 26 to read:

No development above ground floor slab level for each respective phase of the development as agreed under Condition 3 shall commence until a Scheme to Enhance Nature Conservation interest within the site has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include provision of a minimum of 8 bird nesting boxes (house sparrow and swift), 2 bat nesting boxes, and provision logpile and meadow habitats, and the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;

- d) extent and location/area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

The approved Scheme shall be implemented before first occupation of each respective phase of the development (or in the first planting season following occupation with regard to meadow habitat) and retained thereafter.

Reason: In the interests of enhancing biodiversity, to comply with policy CP10 of the Brighton and Hove City Plan Part One.

Additional Informative:

The applicant is requested to discuss the transport provisions associated with the development with ward councillors and local residents at the earliest opportunity.

E BH2017/02256 - Royal Sussex County Hospital, Eastern Road, Brighton - Full Planning

Erection of a 4no storey extension to existing Emergency Department building with associated alterations.

- 1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Presentation

- 2) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings and noted that the development would accommodate 70 short stay assessment beds for the Accident and Emergency department. It was explained that the ambulance and emergency police parking spaces would be retained.
- 3) The main considerations for Members were: the design and appearance, including the impact on the neighbouring conservation areas; the introduction of a tall building and a different architectural style; the highly contemporary design, including the use of metal; the impact to the amenity of nearby residents; and the sustainability and infrastructure demands.

Questions for Officers

- 4) In response to Councillor Miller the Officer explained that they had consulted with the applicant regarding the material and it had a lifetime guarantee and would not rust.

- 5) In response to Councillor Morris the Planning Manager explained that the Artistic Influence sort was a broader terminology used for an art contribution.
- 6) The Principal Planning Officer clarified to the CAG representative that there was less metal mesh in comparison to the designs at the pre-application presentation as the Planning Department felt it was important to have more windows.
- 7) In response to Councillor Hyde it was noted that the applicant wished to have a contemporary building with its own identity and for it to be a statement that the NHS was modernising.
- 8) In response to Councillor Yates it was explained that there was a suggestion for an enhancement scheme to improve the wall adjacent to Bristol Gate.
- 9) In response to Councillor Mac Cafferty it was noted that the two listed posts at the bottom of Bristol Gate were to be removed during construction of the 3Ts project and replaced after the work had been completed.
- 10) The Development and Transport Assessment Manager responded to Councillor Inkipin-Leissner and explained that the reflection of light from the building would not be a highways concern as the development was higher than street level. It was also explained that the access would be retained to the Accident and Emergency department.
- 11) In response to Councillor C. Theobald it was explained that the metal mesh material would not cover the windows.

Debate and Decision Making Process

- 12) Councillor Yates stated that it was a much needed building; however, he did not like the design and it was not in keeping with the area or the other hospital department buildings. He noted that despite this he would be supporting the Officer's recommendation.
- 13) Councillor Hyde agreed with Councillor Yates regarding the design of the building. She noted that the facilities the building would provide were good and needed for the city; however, the design of the building would impact hugely on the neighbouring conservation area. She noted that she would not be supporting the Officer's recommendation.
- 14) Councillor Littman noted that he was undecided if he would support the Officer's recommendation as the design was not in keeping with the surroundings.
- 15) Councillor C. Theobald noted that she believed the design would look good once the building had been completed. The facilities were needed for the city and she was pleased about the proposed building.
- 16) Councillor Mac Cafferty noted that the building should be easily identifiable from the outside and the design was bold and would complement the buildings in the area.

- 17) Councillor Hill explained that the wall adjacent to Bristol Gate needed to be improved and the scheme would provide this. There was a mix of design in the area and the proposal would be an interesting contribution; therefore, she would be supporting the Officer's recommendation.
- 18) Councillor Miller stated that he liked the design and was pleased to see more investment in the NHS. He noted that the public art contribution may not be necessary due to the deficit of the NHS.
- 19) Councillor Morris noted concern for the lack of overall design strategy for the hospital and stated that there were other visual ways to differentiate departments. He explained that he wanted to support the application due to the facilities it would provide; however, he was mindful to refuse the application due to the design.
- 20) Councillor Inkipin-Leissner agreed with Councillor Morris and noted that the facilities were needed for the city; however, a design strategy was needed for the hospital. He noted that he would not be supporting the Officer's recommendation.
- 21) The CAG representative noted that CAG had not raised any objections because the views from the conservation areas would not be affected. He explained that the conservation officers had worked hard to ensure there wasn't an impact and CAG were overall happy and supportive of the design.
- 22) The Chair noted that she liked the design of the building and that it would be bold and modern. She noted that she would be supporting the Officer's recommendation.
- 23) The Chair then put the application to the vote, and the Officer recommendation that the application be minded to grant was **carried** by 8 votes in support, 2 refusal and 1 abstention.
- 44.5 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report, and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement, conditions and informatives as set out in the report.

Note: Councillor Bennett was not present for the consideration and vote on the application.

F BH2017/01176 - Land At Goldstone Street, Hove - Full Planning

Erection of a 3 storey office building (B1) with 2no disabled parking spaces, bin storage and roof terrace.

- 1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Presentation

- 2) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings and explained that there were two disabled spaces provided as part of the application. It was explained to the

Committee that the main considerations for the application were: the principle of the planned use, policy compliance, design and appearance, impacts on amenity, sustainable transport and sustainability. It was noted that the proposal was for a three storey building and whilst it was disappointing that it was not part of a wider scheme, the proposal would not prejudice the future redevelopment of the area, including the adjoining site and would provide benefits to the street scene. The contemporary design was considered acceptable by the Planning Officers. There would be no detrimental effect on the amenity of the surrounding high rise blocks. A parking survey was completed by the application, and this showed there would not be a significant overspill of cars in the residential area and the Transport team was satisfied with the scheme.

Questions for Officers

- 3) In response to Councillor C. Theobald the Development and Transport Assessment Manager explained that there were transport links in the area and there were residential parking bays the employees could use nearby. It was added that if the applicant deemed there was a problem once they had developed then they could offer parking to their employees on one of their nearby sites.
- 4) In response to Councillor Miller the Principal Planning Officer noted that there was a small proposed terrace area on the roof and roof plant. In response to Councillor Morris it was noted that the remainder of the roof could not be used and this was secured by condition.
- 5) In response to Councillor Yates it was explained that a travel assessment had been carried out and the results were the potential parking problems would not have a significant impact and therefore officers were not recommending refusal. There was a s106 contribution to improve the travel routes and access from the railway station.
- 6) In response to the Chair the Principal Planning Officer explained there was a pre-application presentation for the scheme and the applicant had explored applying for additional storeys; however, the Councillors must determine the application on its own merits. It was added that the site was currently an empty car park and on balance the Officers deemed the application acceptable.

Debate and Decision Making Process

- 7) Councillor Bennett stated that there was not a problem with the design; however, it was disappointing that the scheme did not include parking. She explained that it was currently difficult to find a parking space in the area due to the station, local schools and residential properties.
- 8) Councillor C. Theobald noted that undercroft parking would have been ideal for the scheme.
- 9) Councillor Hyde agreed with both Councillors Bennett and C. Theobald and noted that the scheme was aesthetically pleasing; however, parking needed to be provided.
- 10) Councillor Inkipin-Leissner agreed with parking concerns; however, noted that this could be resolved if the future employees were provided with a season bus ticket.

- 11) Councillor Hamilton noted that the applicant could arrange for the workers to park in the bus depot when the buses were not parked during the day.
 - 12) Councillor Miller noted that he would not be supporting the Officer's recommendation due to the parking and that the scheme was under developed.
 - 13) The Chair noted that parking needed to be provided on site and the site was under developed for the location.
 - 14) The Chair then put the application to the vote, and the Officer recommendation that the application be minded to granted was **refused** by 5 votes in support and 7 refusals.
 - 15) Councillor Miller proposed an alternative to the Officer recommendation to refuse the application on the grounds of low density and underdevelopment, loss of existing car parking and substantial parking impact on surrounding area. Councillor Miller's alternative recommendation was seconded by Councillor Inkipin-Leissner.
 - 16) A recorded vote was taken on the proposed alternative recommendation by the 12 Members present. This was **carried** with Councillors C. Theobald, Bennett, Hyde, Inkipin-Leissner, Miller, Morris and Moonan in support, Councillors Mac Cafferty, Hamilton, Hill, Littman and Yates against.
- 44.6 **RESOLVED** – That the Committee has taken into consideration but disagrees with the reasons for the recommendation, and resolves to **REFUSE** permission for the reasons set out in paragraph 16.

Minor Applications

- G BH2017/00767 - 7 Meadow Close, Hove - Householder Planning Consent**
Erection of additional storey with associated alterations and single storey rear extension.
- 1) It was noted that the application had been the subject of a site visit prior to the meeting.

Officer Presentation

- 2) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. It was noted that there was a previously refused application for a three storey dwelling, with a basement level, of a contemporary design. The current revised application had a reduction in height and bulk with a more sympathetic design that was in keeping with the street scene. The removal of the top storey would ensure there was not a significant problem with overlooking to the neighbouring properties. The main consideration was the impact of the proposed development on the character and appearance of the street scene.

Public Speaker(s) and Questions

- 3) Mr Reeves spoke in objection to the application in his capacity as a local resident and stated that he lived in the property adjacent to 7 Meadow Close. The applicant did not consult the local residents until Councillor Brown had requested it on their behalf. He explained that the plans submitted by the agent were incorrect. This height would be higher than the previously refused application. He requested that the Committee agree to defer the application to ensure accurate plans could be considered. It was stated that a reduction in the roof pitch by 30% would improve the application considerably.
- 4) In response to Councillor Yates Mr Reeves explained that the design was not in keeping with the street scene and if the pitched roof was reduced by 30% then this would reduce the overall bulk.
- 5) Mr Carter spoke in support to the application in his capacity as the agent. He stated that the applicant wanted to extend their house as more space was needed to move their mother in. The proposed scheme was significantly reduced compared to the previously refused application and it would be in keeping with the street scene. The Planning Officers had deemed that the application was acceptable and there would not have a negative impact on the neighbouring properties. He explained that the plans submitted were accurate and suggested that if Members had concerns then they could agree a condition to restrict the height.

Questions for Officers

- 6) In response to Councillor Morris it was explained that the pitched roof significantly reduced the bulk compared to the flat roof proposed in the previously refused application. It was also explained that Councillors could agree a condition to restrict the height to what had been applied for if it was felt necessary.
- 7) In response to Councillor Inkpin-Leissner the Principal Planning Officer explained that the height, mass and bulk were assessed when the application was submitted.

Debate and Decision Making Process

- 8) Councillor Hyde stated that the design was much improved since the previously refused application; it would not overlook the neighbouring properties and would fit well within the street scene.
- 9) Councillor Bennett noted that the design would be in keeping with the street scene and would not if the pitched roof was reduced.
- 10) Councillor Hill explained that she was surprised that 33 objections had been received regarding the overlooking and overshadowing of the proposed scheme. She added that she would be supporting the Officer's recommendation.
- 11) Councillor Morris noted that the applicant had reduced the bulk of the proposal since the previous application and would be supporting the Officer's recommendation.

- 12) Councillor Inkpin-Leissner thanked the Officers for working alongside the applicant and noted that he would be supporting the Officer's recommendation.
- 13) The Chair then put the application to the vote, and the Officer recommendation that the application be granted was **carried** unanimously.
- 44.7 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation, and resolves to **GRANT** permission for the reasons set out in the report and the additional condition set out below:

Additional Condition 5:

No development shall commence until full details (referenced as Ordnance Datum by means of spot heights) of the ridge heights of the existing properties at Nos 6, 7 and 8 Meadow Close and the proposed finished floor levels and ridge height of the development hereby approved at No 7 Meadow Close, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policies QD27 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

H BH2017/00284 - Wayland Paddock, 41 Wayland Avenue, Brighton - Householder Planning Consent

Re-modelling and extensions to dwelling including associated works.

- 44.8 **RESOLVED** – That the Committee agreed to defer the application and attend a site visit.

I BH2017/01818 - 1 Denmark Road, Portslade - Full Planning

Erection of a 2 storey dwelling with room-in-roof (C3) adjoining existing dwelling house with off street parking.

Officer Presentation

- 1) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. He explained that the proposed dwelling was set back to be in keeping with the street scene and would provide undercroft parking. The previously refused applications were over developed and not in keeping with the street scene; however, the proposed application would not cause overlooking or a loss of privacy to the neighbouring properties.
- 2) The Chair then put the application to the vote, and the Officer recommendation that the application be granted was **carried** unanimously.

- 44.9 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation, and resolves to **GRANT** permission for the reasons set out in the report.

Note: Councillor Hamilton was not present for the consideration and vote on the application.

- J** **BH2017/00128 - 17 Barnfield Gardens, Brighton - Householder Planning Consent**
Erection of part single part two storey rear extension with associated alterations.

- 44.10 **RESOLVED** – That the Committee agreed to defer the application and attend a site visit.

- K** **BH2017/00636 - Sussex Heights, 14 St Margarets Place, Brighton - Full Planning**
Installation of render to all elevations, and associated works.

Officer Presentation

- 1) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and a sample material. It was explained that the current small tiles were covered with a membrane and there was existing damage to these. The applicant had completed a comprehensive survey to determine the urgency of the repair work and it was explained that a further waterproof membrane could not be guaranteed by the manufacture for a year. The proposed material had been applied on buildings in a marine environment and it was considered a durable product that was appropriate to cover the existing tiles. The Principal Planning Officer explained that the product had been used on the Van Alen Building in June 2016. It was noted that both the Heritage team and CAG were satisfied with the application and that it would not harm the appearance.
- 2) It was stated to the Committee that the Officers were proposing the removal of condition 4 regarding the maintenance scheme. It was explained that it was not possible to predict how often the building would need to be maintained and it was possible that specialist paint could be applied on the render if the building became discoloured.

Questions for Officers

- 3) In response to Councillor Morris the Principal Planning Officer explained that currently some of the windows were PVC and others were not. As part of the scheme all of the window sills would be plastic and the fire risk of these would be assessed through Building Regulations.
- 4) In response to Councillor Miller it was explained that the Officers were recommending the removal of condition 4 as it was unknown how long it would be until the building discoloured and, therefore, it would be unreasonable to condition a maintenance plan. The Senior Solicitor added that conditions needed to be precise and reasonable. If the appearance of the building became an issue then the Council could serve an amenity notice.

- 5) In response to Councillor Hyde it was explained that the building was built in the 1960s and the tiles applied began to break and they were not replaced. A membrane was applied on top of these.
- 6) In response to Councillor Yates it was noted that areas would need to be repaired and replaced before the render was applied. The work would be costing approximately £1,000,000 and was not a cheap option; however, all the options had been explored and this would be the most appropriate.
- 7) Councillor Mac Cafferty noted that there should be a proposed maintenance plan which would be complied with by the applicant regardless of whether the cleaning was needed as it was a prominent building within the city. The Officer responded and explained that it was difficult to propose a condition as it could not be predicted when the building would weather and need repainted.
- 8) In response to Councillor C. Theobald it was stated that the previously refused application was for an insulation render. It was also noted that the details of the 16 letters of support were published online.
- 9) In response to Councillor Hyde the Planning Manager clarified that condition 5 covered the protection of peregrines when the proposed scheme was being completed and during maintenance work in the future.
- 10) In response to Councillor Miller the Principal Planning Officer noted that the render had been used on similar buildings in the UK, including; Camber Sands, Torquay and Bognor Regis. It was clarified that due to the location of the building the material would discolour; however, it was not possible to predict when this would happen.
- 11) In response to the Chair the Planning Manager clarified that the location of residents submitting letters of support and objection were no longer published in the agenda; however, the information was available online. This had been agreed at the Planning Members Working Group but this could be discussed again if Members felt it was necessary.

Debate and Decision Making Process

- 12) Councillor Inkpin-Leissner noted that the Van Alen building was exposed to the sea; therefore, the material must be resilient. He noted that he would be supporting the Officer's recommendation.
- 13) Councillor Yates agreed with Councillor Inkpin-Leissner and added that Members needed to be mindful that the repair work needed to be completed and it was an appropriate solution. He explained that it would enhance the street scene and would; therefore, be supporting the Officer's recommendation.
- 14) Councillor Morris noted concerns for the material potentially being flammable; however, he would be supporting the Officer's recommendation.

- 15) Councillor Miller noted that the same render on Bognor Regis hotel had become discoloured and was not aesthetically pleasing. He noted that he would welcome an application for a smooth render as it would be easier to maintain.
 - 16) The Chair put the proposal of the removal of condition 4 to the Committee and this was **refused** unanimously.
 - 17) The Chair then put the application to the vote, and the Officer recommendation that the application be granted was **carried** by 7 votes in support, 1 refusal and 3 abstentions.
- 44.11 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation, and resolves to **GRANT** permission for the reasons set out in the report.

L BH2017/00042 - 2 & 2A Stafford Road, Brighton - Full Planning

Demolition of garages and erection of 1no one bedroom dwelling, alterations to existing flats including alterations to fenestration, installation of front rooflights and rear dormers and associated works.

Officer Presentation

- 1) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings and explained that the site was currently a garage building adjoining a terrace building that was converted into two flats. The proposal was to demolish the garage and construct a three storey, one bedroom dwelling.
- 2) It was explained that the bedroom would be on the first floor and the living accommodation would be situated on the third floor. The standard of accommodation was deemed acceptable and there would be no direct impact on the neighbouring properties.
- 3) The design of the proposed dwelling was modern with zinc material and it was felt the area could accommodate a different design. There was a proposed turret on the third storey and the Officer's deemed that this was acceptable and in keeping with the neighbouring properties.

Public Speaker(s) and Questions

- 4) Mr Major spoke in objection to the application in his capacity as a local resident. He stated that it was not a conservation area; however, the site was in the centre of Prestonville neighbourhood and used to be a garden. Proposed development for the area needed to be of a sensitive design and be in keeping with the neighbouring properties. It was a corner plot that faced both Stafford Road and Buxton Road and would overlook the neighbouring properties. The windows on the ground and first floor level were full length and would not relate to the properties in the area, which had been stated by the agent. It was also noted that the turret was not in keeping with the area as they style was different to the neighbouring properties. Comments had been raised by local residents that the turret would appear as a watch tower and affect Prestonville.

- 5) Councillor Allen spoke in objection to the application in his capacity as a Local Councillor. He stated that the report recognised that the turret would be “highly prominent”; however, it would appear like a watch tower and dominant the area. The property would be the first thing one would see when approaching the area from Old Shoreham Road and it needed to be sensitively designed. The dormers at the rear of the elevation would overlook the properties on Buxton Road.

Debate and Decision Making Process

- 6) Councillor Yates and Councillor C. Theobald both stated that they liked the design and it was an improvement on the current garage and junction. They noted that they would be supporting the Officer’s recommendation.
- 7) Councillor Inkpin-Leissner agreed with Councillor Yates and noted that letters of support had been received and one of these had stated that the garages were not in keeping with the area. He noted that the design was in keeping with the street scene with a modern design.
- 8) Councillor Hyde agreed with the Members and explained that it was a compromise between a modern design and reflecting the neighbouring properties to ensure it was in keeping with the street scene.
- 9) Councillor Miller noted that additional housing was needed for the city and that he would be supporting the Officer’s recommendation.
- 10) Councillor Littman explained that developing the site for housing would be positive; however, he did not like the design for the area. He noted that he would not be supporting the Officer’s recommendation.
- 11) The Chair then put the application to the vote, and the Officer recommendation that the application be granted was **carried** by 11 votes in support and 1 refusal.
- 44.12 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation, and resolves to **GRANT** permission for the reasons set out in the report.

M BH2016/05598 - Land rear of 43 Brunswick Place, Hove - Full Planning And Demolition In CA

Demolition of 2no existing garages and erection of 1no two bedroom dwelling (C3).

Officer Presentation

- 1) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. It was noted that the proposal for a similar dwelling on the adjoining site to the north had been refused and dismissed on appeal as it was impacting on the neighbouring property.

Questions for Officers

- 2) In response to Councillor C. Theobald it was explained that the house at the rear of the proposed dwelling was divided into six individual flats. The dwelling would impact on the light of the garden; however, the light would not be restricted into the units of 43 Brunswick Place.
- 3) In response to Councillor Hyde the Principal Planning Officer noted that the previously refused application on the adjoining site to the north was 5.4 metres distance from the rear of 43 Brunswick Place; however, the current application proposed the dwelling to be 8.6 metres from the rear.
- 4) The Principal Planning Officer clarified to Councillor Mac Cafferty that the proposal was designed to meet the guidance regarding sunlight and daylight restriction. It was not felt necessary to request a daylight assessment from the applicant.
- 5) In response to Councillor Mac Cafferty the Development and Transport Assessment Manager explained that contributions towards drop curbs and additional improvements to the road would be required.
- 6) In response to Councillor Hill it was explained that the application was being discussed at the Planning Committee as it had received six objections from residents within the local vicinity.

Debate and Decision Making Process

- 7) Councillor Inkpin-Leissner stated that he would be supporting the Officer's recommendation as it was in keeping with the neighbouring properties.
 - 8) The Chair then put the application to the vote, and the Officer recommendation that the application be granted was **carried** unanimously.
- 44.13 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation, and resolves to **GRANT** permission for the reasons set out in the report.

- N BH2017/01742 - 30 Roedean Crescent, Brighton - Householder Planning Consent**
Erection of a single storey rear extension, first floor rear extension & creation of lower ground floor room under existing rear terrace. Roof alterations to include raising ridge height to create additional floor, rear balconies, revised fenestration & associated works. Alterations include new landscaping, widening of existing hardstanding and opening with new front gates.

Officer Presentation

- 1) The Principal Planning Officer introduced the application and gave a presentation with reference to plans, photographs and elevational drawings. It was highlighted that the site had an extensive planning history and noted that an appeal was allowed on a refused application in 2011. This design was very similar to the current application.

Questions for Officers

- 2) In response to Councillor Morris it was noted that the timber cladding was feature cladding to the rear of the property.
- 3) In response to Councillor Hill it was explained that the permission granted on appeal in 2011 was not implemented and had therefore expired.

Debate and Decision Making Process

- 4) The Chair put the application to the vote, and the Officer recommendation that the application be granted was **carried** unanimously.
- 44.14 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation, and resolves to **GRANT** permission for the reasons set out in the report.

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

- 45.1 There were no further requests for site visits in relation to matters listed on the agenda.

46 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

- 47.1 This information was not provided in the agenda.

48 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

49 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

50 APPEAL DECISIONS

- 50.1 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 8.45pm

Signed

Chair

Dated this day of