

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 10 OCTOBER 2018****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Cattell (Chair), Mac Cafferty (Group Spokesperson), Bennett, Hyde, Littman, Marsh, Miller, Moonan, Morgan and Robins

Co-opted Members: Mr J Gowans, CAG

Officers in attendance: Paul Vidler, Planning Manager, Chris Swain, Principal Planning Officer; Stewart Glassar, Principal Planning Officer; David Farnham, Development and Transport Assessment Manager; Andrew Renaut, Head of Transport Policy and Strategy; Annie Sparks, Regulatory Services Manager, Environmental Protection; Tim Jefferies, Principal Planning Officer, Policy, Projects and Heritage; Steve Tremlett, Principal Planning Officer, Policy Projects and Heritage; Hilary Woodward, Senior Lawyer and Penny Jennings, Democratic Services Officer

PART ONE**49 PROCEDURAL BUSINESS****49a Declarations of substitutes**

49.1 Councillor Marsh declared that she was present in substitution for Councillor O'Quinn. Councillor Robins declared that he was present in substitution for Councillor Gilbey. It was noted that Councillor Janio had been scheduled to attend in substitution for Councillor C Theobald but had been unable to do so due to sickness.

49b Declarations of interests

49.2 Councillor Morgan referred to applications A and B, BH2017/02680 and BH2017/02681, St Aubyn's School, 76 High Street, Rottingdean and stated that he had visited the application site when Leader of the Council. Any views given had been general and did not relate to the applications before Committee that day (which had not been submitted then). He confirmed that he had not predetermined the application, remained of a neutral mind and that he would remain present during consideration and determination of the application.

49.3 Councillors Hyde and Miller also referred to applications A and B, BH2017/02680 and BH2017/02681, St Aubyn's School, 76 High Street, Rottingdean, stating that as Ward Councillors they had received correspondence and had been lobbied both by those who objected to the applications and those who supported them, but had not expressed any view and remained of a neutral mind. During the course of discussion both expressed the view that it would be preferable for elements of the s106 contribution particularly for education to be provided to effect improvements to local schools. It was noted that Councillor Miller was a governor at Longhill School, also Councillor Hyde. The Committee were aware of that when making their deliberations and agreed that Local Ward Members be consulted further in respect of where it would be most appropriate for the agreed levels of funding to be allocated.

49c Exclusion of the press and public

49 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.

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

49d Use of mobile phones and tablets

49.5 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'.

50 MINUTES OF THE PREVIOUS MEETING

50.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 12 September 2018 as a correct record.

51 CHAIR'S COMMUNICATIONS

51.1 There were none.

52 PUBLIC QUESTIONS

52.1 Two public questions had been received and are set out below:

Question from Mr Dungey

52.3 As Mr Dungey was unable to attend the meeting to ask his question in person the Democratic Services Officer, Penny Jennings, put it on his behalf:

"I would like this question put to the planning committee's next meeting on 10th October. This question is a matter of principle although it has arisen in connection with planning application BH2017/02680.

A duty for highway authorities to improve road safety was included in the Road Traffic Act 1988, and the first guidance on RSAs was published in the mid-1990s. The highways design standard for safety audits on Trunk Roads and Motorways was published as part of the Design Manual for Roads and Bridges (DMRB) as HD19/03.

This question is being raised with the knowledge that the chair of the committee (under a recently introduced amendment to the constitution) may refuse to accept the question to be put to committee. It is understood however that there should be reasonable grounds for such a refusal (which it is hoped – under the openness and transparency objectives in the constitution, would be a) documented and b) shared with the requester.

Does the committee regard Road Safety on Rottingdean High Street itself and the junction with Marine Drive as a material consideration?"

52.4 The Chair, Councillor Cattell, responded in the following terms:

"Road safety impact upon these other roads would be a material consideration were an application to affect them. This is because:

(a) the council has a road safety policy in the form of retained local **plan policy TR7;**
and

(b) the National Planning Policy Framework includes various policy on a road safety. In particular –

Paragraph 108 states that, in assessing application it "...*should be ensured that* .

b) safe and suitable access to the site can be achieved for all users".

*c) any significant impacts from the development on the transport network *in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*

Paragraph 109 states that "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*".

52.5 The following supplementary question was then put on Mr Dungey's behalf:

"Will the planning committee regard the increase in traffic which is used to consider impact adequate if the increase used relates solely to the development rather than the cumulative impact of the development and other committed developments using the local network?"

52.6 The Chair, Councillor Cattell, responded in the following terms:

“Current Government Planning Policy Guidance on Transport Plans, Transport Assessment & Statements advises the following in relation to Transport Assessments:-

“It is important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e., development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years). At the decision-taking stage this may require the developer to carry out an assessment of the impact of those adopted Local Plan allocations which have the potential to impact on the same sections of transport network as well as other relevant local sites benefitting from as yet unimplemented planning approval”.

Accordingly, were a Transport Assessment deemed necessary to support an application, then it would be expected that the impact of traffic from other relevant committed developments would be included in some or all of its component assessments that considered traffic impact at relevant points on the road network. The particular committed developments to be included and the locations on the network to be assessed would typically be considered as part of pre-application discussions to agree the scope of the Transport Assessment - though officers would also typically reserve the right to request further assessments as the exercise progressed and results were made available. As per the Planning Policy Guidance, decisions about which committed developments to include would be informed in part by the degree of certainty about whether they would come forward within the specified 3 year timeframe. This same consideration may also influence the amount of development from a particular application that was included – for example where a hybrid application is granted and there is greater certainty that the portion that received full planning permission will come forward in time than the portion that received only outline planning permission.

National Planning Policy Framework paragraph 109 states that -

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

Accordingly, if a committed development that was deemed to be relevant was not included in a traffic impact assessment, then any judgement as to whether this made the impact assessment itself inadequate would depend upon the likely additional impact of the committed development and whether this was sufficient for the overall impact on the road network to be deemed severe.

Question by Ms D Brown

52.7 Ms Brown was invited forward and put the following question:

“When the planning committee considers the opinion of the Highway Authority, will it consider it appropriate to request and discuss the related volume figures and their source to determine whether they agree with the judgement of the officer relating to proportional impact”.

52.8 The Chair, Councillor Cattell responded in the following terms:

“Members of the Planning Committee may ask officers any question or questions, and discuss any matters, they consider relevant to determining the particular application before them.”

52.9 Ms Brown then asked a supplementary question relating to the information which was collected and the basis on which it was assessed. Asking whether when objectors are considering and questioning traffic levels and they differed from the application documentation, would it be appropriate to ask the officer for previously submitted information?

59.10 The Chair, Councillor Cattell, explained that officers were required to carry out assessments using agreed professional industry standards formula and modelling against which all schemes required to be measured. All relevant factors were taken account of when making such assessments.

52.11 **RESOLVED** – That the responses given in response to both questions be noted and received.

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

53.1 **RESOLVED** – There were none.

54 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

MAJOR APPLICATIONS

A BH2017/02680-St Aubyns School, 76 High Street, Rottingdean- Full Planning

Conversion of existing building of Field House and part of its northern extension, Conversion and alteration of existing terraced cottages and Rumneys to residential use (C3). Retention of existing sports pavilion, war memorial, water fountain and chapel; demolition of all other buildings and redevelopment to provide a total of 93no new dwellings (including conversions), incorporating the provision of new/altered access from Steyning Road and Newlands Road, landscaping works, car and cycle parking, refuse facilities, alterations to boundary flint wall along Steyning Road and The Twitten and other associated works.

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

Officer Presentation

(2) The Principal Planning Officer, Chris Swain, introduced the application and gave a detailed presentation by reference to photographs, site plans and elevational drawings detailing the proposed scheme and its constituent elements; views across the site from various aspects were also shown. It was noted that two further late representations objecting to the scheme had been received neither raised any new issues which had

not been addressed in the officer report. The officer presentation covered the planning and listed building applications.

- (2) It was noted that the main considerations in determining the application related to the principle of the proposed development including the partial loss of the playing field, financial viability and affordable housing provision, the impacts of the proposed development on the visual amenities of the site and surrounding area, including the Rottingdean Conservation Area and its setting and the impact upon the special architectural and historic significance of the listed buildings located within the site and their setting, the proposed access arrangements and related traffic implications, air quality, impacts upon amenity of neighbouring properties, standard of accommodation, ecology and sustainability impacts. A planning brief for the site had been prepared in order to guide the future redevelopment of the former school site following its closure in April 2013. Whilst Planning Briefs did not form part of the Local Development Framework and so could not be given full statutory weight the guidance within the brief had been subject to public consultation and had been approved as a material consideration in the assessment of subsequent planning applications relating to the site.
- (3) The brief had been prepared in partnership with Rottingdean Parish Council and the purpose of the brief had been to provide a planning framework which would bring forward a sensitive redevelopment of the site which also needed to be considered in the context of the presumption in favour of sustainable development. Determining the acceptability of the principle of development on the playing field was also a key consideration. Weighing against the proposal was the partial loss of the playing field where there was a conflict in policy terms (including an objection from Sport England) and the potential heritage harm associated with the redevelopment of the playing field which would erode the visual separation between the development associated with the historic Rottingdean village and the suburban development to the east.
- (4) In relation to the playing field which was currently in private ownership and inaccessible to the public a significant proportion of this space would be made open to the public in perpetuity. Notwithstanding the objection received by Sport England the gradient of the field was such that it did not provide an ideal surface for turf sports. An off-site contribution would also be provided to compensate for loss of the playing field which would be secured via the s106 agreement. It should be noted that the previously refused planning application had not cited loss of the playing field as a reason for refusal.
- (5) It was also acknowledged that loss of part of the playing field would enable a viable policy compliant redevelopment of the campus site to take place which would include the existing vacant listed buildings, this had been confirmed by the District Valuer Service. The proposed use would secure the re-use and conversion of the principal Grade II listed building Field House and the listed cottages, including Rumneys which were currently vacant and were subject to ongoing dereliction and decay. These would be brought back into use which would secure their future conservation. Removal and replacement of the modern buildings in conjunction with the conversions and new builds would significantly improve the site in heritage terms. The Chapel and Sports Pavilion would also be secured and whilst the future use of these retained buildings could not be secured, conditions were recommended regarding repairs to the retained

structures in addition to a conservation management plan in order to ensure that they were restored and preserved. Whilst there would be some impact on the road network this was not considered to be severe, had been assessed and was considered to be acceptable.

- (6) The public benefits from the proposal would include the contribution of 93 residential units towards the city's housing target, 40 % of which would be affordable units. The overall design approach of the development on both the campus and playing field was also considered to be appropriate in height, scale, form, density and materials and other factors including impacts relating to amenity, standard of accommodation, ecology, archaeology, sustainability and land contamination had been assessed and were considered to be acceptable.
- (7) Overall, it was considered that the public benefits of the scheme as a whole were such that they outweighed any harm that would occur due to partial loss of the playing field and the proposed redevelopment. Approval of planning permission was therefore recommended subject to the Secretary of State deciding not to call the application in for determination, the completion of a s106 planning legal agreement and to the conditions and informatives set out in the report and to the amendments and corrections set out in the Late/Additional Representations List.

Public Speakers

- (8) Mr Flanagan spoke on behalf of local objectors detailing their representations. He stated that notwithstanding that Members had received detailed information in respect of the application and had visited the site the proposed scheme was not compliant with the council's own policy and was deficient in many respects. The viability case put forward by the applicants was not accepted and loss of the existing green space would be detrimental and would give rise to overlooking and loss of privacy. The additional traffic which would be generated would exacerbate congestion problems in the local area including the High Street to/from Woodingdean and along the coast road in an area which was far too narrow to take the increased volume which would be placed upon it. Air quality was also an issue, nitrogen dioxide levels were already very high and could only significantly worsen as a result of this scheme.
- (9) Councillor Mears spoke in her capacity as a Local Ward Councillor setting out her objections to the proposed scheme. Whilst pleased to see development of the schools frontage which sat on the High Street and was in dilapidated state and had been subject to constant vandalism, she was concerned with the density and overall appearance of the proposed development on the greenfield area of the scheme. It appeared that the scheme would only be viable if a large area of the former playing field was built which was concerning as this could seriously impact on the character of the village. Given the proposed number of units there were concerns about the impact due to additional traffic detrimental in terms of higher levels of pollution and increased congestion as well as impact on the local primary, school, doctors' and dental surgeries which were already oversubscribed.
- (10) Councillor Hyde enquired whether/what arrangements were in place to ensure that the affordable housing was allocated to local people and it was confirmed that lay with another committee and fell outside the responsibilities of the Planning Committee.

- (11) Councillor Bennett enquired regarding arrangements for use of local doctors' surgeries, noting the comments received from the surgery situated in Saltdean, the fact that the practice located in Woodingdean was in the process of closing down.
- (12) Mr Bryant spoke on behalf of Rottingdean Parish Council detailing their general support for the scheme. The proposals to convert the original Field House and retention of other features including the flint boundary wall, historic twitten and Rumney cottages and restoration of the retained buildings were welcomed as was the proposal to make some of the former playing field available for public recreational use. The style and design of the brownfield elements was considered acceptable. There were concerns however in respect of air quality and the potential impact of any increase in vehicular traffic in the High Street.
- (13) Councillor Miller enquired regarding the progress of negotiations with the developers' representatives in relation to the future responsibility for the playing field.
- (14) Councillor Hyde asked whether there was a date by which it was anticipated that this matter would be resolved. It was confirmed that negotiations were on-going and that whilst the Parish Council had concerns in relation to some elements of the scheme as outlined, they were supportive.
- (15) Councillor Morgan enquired as to the status of any agreement reached in relation to future use and availability by the public of the retained playing field should the planning application be agreed. It was confirmed that any agreement reached would be legally binding into the future as would any obligations agreed as part of the s106.
- (16) Mr Allin spoke on behalf of the applicants in support of their application. He stated that the application before the Committee that day had resulted from work in concert with the planning department and sought to deliver 40% affordable housing provision whilst respecting the character setting and heritage elements of the site.
- (17) Mr Gowans, CAG, referred to the garage building located to the left of the Field House enquiring regarding treatment proposed to the roof and, enquiring whether the applicants would be prepared use a pitched roof rather than a flat roof, the former being more in keeping with the character and appearance of that building.
- (18) Councillor Mac Cafferty referred to the number of dwellings proposed on site and whether in view of that thought had been given to whether it would be appropriate to make the development car free, particularly in view of the concerns which had been expressed regarding the volume of traffic which would be generated. Councillor Mac Cafferty also referred to the concerns which had been expressed in relation to air quality and the level of nitrogen oxide emissions which were already very high.
- (19) Mr Allin explained that whilst making the development car free had not been explored specifically, travel plans and traffic management plans had been discussed in some detail, as had the option of introducing car clubs and electric charging points within the site for use by those using electrically powered vehicles.

- (20) Councillor Mac Cafferty stated that he was surprised given the density of the proposed form of development and the availability of public transport nearby that this option had not been explored.
- (21) Councillor Marsh referred to the number of cycle parking spaces to be provided on site and to the number of car parking spaces which also seemed high, enquiring regarding the rationale for that. It was explained that the number of spaces set would exceed the maximum standard and that on-site provision had been set in order to ensure that overspill parking did not occur.
- (22) Councillor Moonan enquired regarding cycle ways access across the site.
- (23) Councillor Littman referred to planting in order to screen the site enquiring regarding arrangements proposed especially along the High Street frontage where they would need to be of sufficient density.
- (24) Councillor Robins sought clarification regarding the circumstances which triggered the requirement that a development be car free, stating that it was his understanding that was considered appropriate when a development was proposed in a Controlled Parking Zone. It was confirmed that was so.

Questions of Officers

- (25) Councillor Littman referred to the previous reasons for refusal seeking confirmation that they had been addressed. It was explained that they had and that in preparing the reports before the Committee that day that they had been incorporated across the two. In considering the current scheme an assessment had been made by the impact of the constituent elements of the scheme overall.
- (26) Councillor Miller referred to the open space/play provision contributions stating that he considered it would be more appropriate for the sum agreed or a greater proportion of it to be used in Rottingdean itself and in closer proximity to the site itself, asking whether it would be possible for that to be done and whether if Local Ward Councillors could be consulted regarding where those monies would ultimately be spent. He had the same view in respect of the provision towards education. Councillor Hyde sought confirmation in respect of the same issues. It was confirmed that advice had been sought regarding the sums to be included/requested as constituent elements of the s106 legal agreement. Whilst the overall sums to be provided were determined using an agreed formula, Local Ward Councillors could be consulted and consideration could be given to the sums within the overall allocated figure, if it was permitted/practicable to do so.
- (27) Councillor Hyde stated her preference would be for money to be provided to a local charity PARC which provided play equipment locally and towards provision at the nearby Stanley Deason Leisure Centre and Improvements at St Maragaret's, which was the local LEA school and which to her knowledge had a number of significantly undersized classrooms which would benefit from improvement. Councillor Miller concurred in that view stating that he considered that a proportion of the Education contribution should also go towards provision at Longhill School, the local LEA

secondary school. It was noted that although Councillor Miller that was a governor of Longhill School that did not constitute a declarable or prejudicial interest.

- (28) Councillor Hyde enquired regarding the rationale for inclusion of comments received from Hove Civic Society in the officer report, as they did not have any locus in the Rottingdean area. It was explained that comments received were included and Members could see where they had originated from.
- (29) Councillor Hyde pointed out that dropped kerbs had recently been installed in proximity to the frontage of the site and it was confirmed that the where monies were allocated within the transport/traffic management allocation could be amended accordingly. Councillor Hyde also referred to the provision of "live time" boards stating that the locations at which these were proposed were not the most appropriate siting for them, requesting whether consideration could be given to alternative locations. The Development and Transport Assessment Engineer, David Farnham, explained that this could be looked at. The Legal Adviser to the Committee, Hilary Woodward, confirmed that contributions sought would need to be assessed in accordance with the Council's developer contributions' guidance and monies allocated to an agreed formula but that subject to that proviso whether there could be any flexibility around the allocations made could be explored.
- (30) Mr Gowans, CAG, referred to the garage proposed to the south wing and requested to see drawings showing that structure which in his view appeared to be at variance with that of the neighbouring building. The Principal Planning Officer, Policy, Projects and Heritage, Tim Jefferies, referred to the amendments which had been made during the course of the application confirming that the materials had yet to be agreed, that the proposed structure was not considered to be harmful to the setting of the conservation area and that it was considered that a pitched roof would be more prominent in that location.
- (31) Councillor Moonan sought confirmation regarding how parking was to be distributed throughout the site and in respect of access to the playing field area. Further to her earlier question in relation to cycle arrangements it was confirmed that there would be full accessibility across the site for cyclists and that the arrangements to be put into place would be secured by condition.
- (32) Councillor Littman enquired whether it would be possible to encourage provision of all-weather pitches.
- (33) Councillor Mac Cafferty queried whether the proposal was policy compliant or, contrary to SU9, stating that he had grave concerns in relation to the amount of vehicle parking to be provided on site and the impact that the commensurate increase in vehicular activity would have on the neighbouring road network when it was acknowledged that air quality was already an issue. He failed to see how what was proposed would not affect the area negatively, enquiring regarding any independent assessment which had been carried out. He also asked why the developer had not been encouraged to make the development car free, he referred to the fact that this had been pressed for on other major developments. The Regulatory Services Manager, Environmental Protection, Annie Sparks explained that a thorough assessment had been carried out by her Senior Technical Officer which had taken account of local conditions and

national guidance. Modelling had been carried out on that basis and, the proposed mitigation measures were considered to be acceptable.

- (34) The Legal Adviser to the Committee, Hilary Woodward, confirmed that under current legislation, car free developments could not be sought unless a proposed development fell within an existing Controlled Parking Zone. As this development failed to meet that test the applicants could not be required to meet that requirement.

Debate and Decision Making Process

- (35) Councillor Hyde stated that she had found consideration of this application which was located in her own ward very difficult. She was aware of strong views both in favour of and in opposition to the scheme. Having visited the site she was aware that it had deteriorated significantly since she had visited in conjunction with the previous application. A number of the listed buildings were now close to being derelict, the site had been subject to acts of arson and vandalism and the proposed scheme would ensure their renovation and use. The scheme would provide much needed housing for local people and would provide an open space use which would be available for public access. Whilst the current space was larger, it was not available to the public. Councillor Hyde did not consider it would be appropriate for this out of town development to be car free considering that to do so would give rise to unacceptable levels of overspill parking. The site had remained empty since the school had closed and was deteriorating rapidly. On balance she considered that the benefits of the scheme outweighed any detrimental impact and she would be voting in support of the officer recommendation.
- (36) Councillor Morgan concurred that there were a number of factors to weigh up in determining the application. Whilst he had some concerns about traffic generated by the site which would undoubtedly be of a greater volume than when it was a school, he considered that was a broader issue to be addressed as was the allocation for funding for education and open spaces and impact on the local doctors' surgeries; the proposed conditions and terms of the s106 needed to be applied robustly. The proposed development would provide much needed housing and had been sympathetically designed and would restore the listed buildings on site; the real time bus signage was also welcomed, on balance he would be voting in favour of the application.
- (37) Councillor Littman stated that it was very much a matter of balance considering that it was clear that a great deal of work had been carried out in order to overcome the previous reasons for refusal. Whilst there were some issues remaining to be addressed the protection of local heritage assets and housing provision were welcomed and he felt able to support the application.
- (38) Councillor Miller stated that the application before the Committee that day was significantly different from that which had previously been refused. The buildings on site had deteriorated greatly during that period and would continue to do so if not attended to. Whilst he had concerns about air quality issues in the area, that was not caused by locally generated traffic and the imposition of a Controlled Parking Zone, or making the development car free would exacerbate rather than remedy that. The mix of units was welcomed as was the involvement of Rottingdean Parish Council. The

availability of the albeit reduced green space for public use where that was not currently so was also positive. Councillor Miller was also pleased to note that approval of materials and finishes would be referred back for approval by the Chair, Deputy Chair and Opposition Spokesperson's and that the Local Ward Councillors would be advised/consulted further in relation to where s106 monies would be allocated; he would be voting in support.

- (39) Councillor Cattell, the Chair, commended the scheme and the hard work which had taken place in bringing forward this application and the efforts made to counter any negative impacts. She had been shocked by the level to which the buildings on site had deteriorated, including the listed pavilion which was currently weed choked and would be restored as would Field House and the other listed buildings on site. In its current condition the site benefitted no-one. The percentage of affordable housing to be provided and public open space use would be positive.
- (40) A vote was taken and in a vote of 9 to 1 by the 10 Members of the Committee who were present Minded to Grant planning permission was granted.
- 54.1 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves that it is **MINDED TO GRANT** planning permission subject to the Secretary of State deciding not to call the application in for determination, a Section 106 agreement to secure the Heads of Terms and subject to the Conditions and Informatives set out in the report, **SAVE THAT** should the s106 Planning Obligation not be completed on or before 16 weeks from the date that the Secretary of State decides not to call in the application the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 9 of this report. This permission is also subject to the additional conditions and informatives set out below and in the amendments and corrections set out in the Additional/Late Representations List.

S106 Heads of Terms

Open space contribution should be £64,606.94, rather than £291,502.30.

Additional Head of Terms - Walkways Agreement

Conditions

Alterations to Conditions 10, 22, 23, 37, 38, 39 and 42 and additional Condition 48 as in Late List.

Additional Condition 49:

Notwithstanding the details shown on the drawings hereby approved, no development above ground floor slab level of the bin store to the west of the front elevation of Field House shall take place until elevational details of the bin store have been submitted to and approved in writing by the Local Planning Authority. The bin store shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

Informatives

Additional Informative 13:

Condition 19 requiring the approval of samples of external materials will be determined by the Head of Planning following consultation with the Planning Committee Chair, Deputy Chair and Opposition Spokespersons.

MINOR APPLICATIONS

B BH2017/02681-St Aubyns School, 76 High Street, Rottingdean - Listed Building Consent

Conversion of existing buildings of Field House and part of its northern extension. Conversion and alteration of existing terraced cottages and Rumnays to residential use (C3). Retention of existing sports pavilion, war memorial, water fountain and chapel, demolition of all other buildings and alterations to boundary flint wall along Steyning Road and the Twitten.

- (1) It was noted that this application had been subject to a site visit prior to the meeting.
- (2) A vote was taken and the 10 Members present when the vote was taken voted unanimously that Listed Building permission be granted.

54.2 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** Listed Building Consent subject to the conditions and informatives also set out in the report.

C BH2018/00341-295 Dyke Road, Hove - Outline Planning Application

Outline application with some matters reserved for the erection of 1no single dwelling (C3).

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

Officer Presentation

- (2) The Principal Planning Officer, Stewart Glassar, introduced the application and gave a presentation by reference to photographs, site plans and indicative drawings, including the location of the proposed access way in relation to the existing building. The existing frontage had been re-aligned in order to protect mature trees which provided screening which also respected neighbouring dwellings. The proposed development would be located on the site of the existing swimming pool at a distance from the existing dwelling and had been sited on this large plot such that it was considered that it would not harm neighbouring amenity. The Committee were being asked to agree the principle of the development and access arrangements with all other matters reserved.
- (3) The proposed driveway would result in a more intensive use of an area of the site which was currently underutilised as it would provide the only vehicle and pedestrian access to the proposed new dwelling. However, for one additional house it was not considered such to warrant refusal of the application. The proposed access

arrangements were therefore considered acceptable and approval of outline planning permission was therefore recommended.

Questions of Officers

- (4) In answer to questions by Councillor Littman it was confirmed that there were a number of similar back-land developments in the vicinity of the, if permission was given for this development it was not considered that it would set a precedent.
- (5) Councillor Hyde enquired regarding the properties nearby which had been re-developed and which had similar access arrangements. It was confirmed that that nos 285, 287 and 289 had received similar treatment.
- (6) Councillor Bennett enquired regarding the height, layout and scale of the proposed development. It was explained however, that as the Committee were being asked to agree the principle of development and access arrangement in granting outline permission the precise form of development remained to be determined. It was confirmed in answer to further questions by Councillor Bennett that a bungalow could be built on the site dependant on any subsequently submitted plans. Details were also requested to show the precise location of developments built in the rear gardens of other properties nearby. Councillor Bennett stated that she was concerned that a string of similar developments had been erected to the rear of existing properties in that location which was altering on the character of the area and the neighbouring street scene.
- (7) Councillor Cattell stated that having attended the site visit she was concerned that the proposed development would be permanently in shade, given that the existing swimming pool was located in a sheltered part of the site and was surrounded by trees. It was explained that final details of landscaping of the site were a reserved matter and would need to be agreed.

Debate and Decision Making Process

- (8) A vote was taken and on a vote of 8 to 1 with 1 abstention, the 10 Members present at the meeting voted that outline planning permission be granted.

57.3 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

D **BH2018/02184, 30 Roedean Crescent, Brighton - Removal or Variation of Condition**

Application for Variation of Condition 1 of application BH2017/01742 (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 & opening with new front gates) to permit amendments to approved drawings for alterations including

removal & relocation of doors to garage and front elevation, removal of external staircase, revised balustrade height and cladding materials.

Officer Presentation

- (1) The Principal Planning Officer, Stewart Glassar, introduced the application and gave a presentation by reference to elevational drawings, photographs and site plans which highlighted works which had been carried out and differences between the previously approved and proposed schemes. Permission was being sought to vary Condition 1 of BH2017/01742 and related solely to the changes to the drawings to the proposed development and these proposed alterations were part of the officer presentation.
- (2) The overall appearance of the proposal would not be significantly different to that of the approved scheme and the relationship between the proposed dwelling and the neighbouring properties and the wider street scene would be similar to that of the approved scheme. The proposed changes would reduce any impact of the scheme on neighbouring amenity. Overall, alterations made to the originally approved plans were considered to be minor, would not harm the character or appearance of the proposed development, were considered acceptable and approval was therefore recommended.

Debate and Decision Making Process

- (3) A vote was taken and the 10 Members who were present voted unanimously that planning permission be granted.

58.4 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report also to include the following amendments:

Condition 1 to be amended to include:
 details of slate tile to be provided;
 amended location and block plan 108A;
 comparative heights plan 20.

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

55.1 There were none.

56 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

57 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

58 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

59 APPEAL DECISIONS

59.1 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 5.40pm

Signed

Chair

Dated this

day of