



**Brighton & Hove
City Council**

PLANNING COMMITTEE ADDENDUM

2.00PM, WEDNESDAY, 4 APRIL 2012

COUNCIL CHAMBER, HOVE TOWN HALL

ADDENDUM

ITEM	Page
169. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST	1 - 6

Page	Site Address	Application No.	Update
Part One 19	Former Nurses Accommodation, Brighton General Hospital, Pankhurst Avenue	Request for variation of s106 Variation BH2010/01054	<p>Amendments as a consequence of the NPPF None</p> <p>Housing Commissioning Team: Southern have confirmed that notwithstanding the variation they are seeking to the section 106 agreement it is their intention is to deliver all the housing as affordable housing tenure, as detailed in their Framework Development agreement with the Homes and Communities Agency. We understand that the reduction in the level of the quota and flexibility in tenure in the legal agreement will have a positive impact on how their lenders value the development for security. This will assist Southern in maximising their borrowing capacity and ability to further invest in the City.</p> <p>On the basis of this information from the applicant and assurances that the affordable housing will be delivered through the Homes and Communities Affordable Housing Programme, Housing Commissioning support this requested variation in order that this key strategic site can be delivered.</p>
Item A Page 11	Park House, Old Shoreham Road, Hove	BH2012/00114	<p>Officer response: Additional consultation response received and noted</p> <p>Amendments as a consequence of the NPPF Page 26, Section 7. Delete reference to the PPS1, PPS3, PPS4, PPS9, PPS10, PPS22, PPS23, PPS25, PPG13, PPG17 and PPG24. Replace with reference to the National Planning Policy Framework.</p> <p>P28, Para 6 – The definition of Affordable Housing remains unchanged in the NPPF. P35, Para 6 – First line remove reference to PPG24.</p> <p>Public Art: <u>No objection.</u> Comments have been received in relation to public art on site. It is recommended that an ‘artistic component’ schedule is included in the Section 106 Agreement. It is suggested that the public art element for this application is to the value of £67,000.00 based on the internal gross area of the development proposed (8,500 square metres). The final contribution is a matter for the Case Officer to test against requirements for</p>

Item C Page 51	81801103509	<p>Amendments as a consequence of the MPP</p> <p>Page 65, Section 7. Replace reference to PPS 1 and PPS3 with reference to the amended PPS3.</p> <p>This page refers to PPS3 with respect to the Greenfield site of the land. The MPP does not on page 65 define and refer to the CSH entry as an 'agreed'.</p>
Item F Page 96	81801103705	<p>Amendment to the report - Page 96, under the heading SITE, the amount road and kerbs on the site should be and on page 101, first paragraph the number should read as amended to 22.</p> <p>Further email of objection from occupier of no 25 Llewellyn Road on grounds that the proposed development would be a material consideration to which weight should be given in the determination of the application since it is the sitting area in addition to the occupier of the neighbouring property has a particular disability and it is stated that the proposed development will be a material consideration to which weight should be given in the determination of the application.</p> <p>Officer response - The social needs of the neighbouring occupier are not considered to be a material consideration to which weight should be given in the determination of the application.</p>
Item G Page 114	81801103706 81801103704	<p>Amendments as a consequence of the MPP</p> <p>Delete reference to PPS1, PPS4 and PPS6 on section 7 of pages 113 and 125</p>

Late Item List

National Planning Policy Framework (NPPF) Key Points for Planning Committee

- The NPPF was published on 27 March 2012.
- The reports on the planning agenda for 04 April 2012 were written prior to that.
- For decision makers the NPPF has immediate effect
- Where relevant the late item list has been updated with any items that need to be drawn to Members attention to assist them with making decisions on planning applications.
- Set out below is a short briefing note which should assist

Determination of Planning Applications

Development plans

- The development plan continues to be the starting point for decision making
- Proposed development that accords with an up-to-date development plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise
- Policies in development plans should not be considered to be out-of-date simply because they were adopted prior to the publication of the NPPF but policies in the NPPF are material considerations which LPAs should take into account from the date of its publication (27 March 2012)
- Up until 27 March 2013 LPAs may continue to give full weight to policies in local plans adopted since 2004 even if there is a limited degree of conflict with the NPPF
- From 27 March 2013 the weight to be given to policies in existing plans depends on their degree of consistency with the NPPF
- LPAs may give weight to policies in emerging local plans, with weight increasing as the plan progresses, the fewer the unresolved objections and the more consistent the policies to the NPPF

Presumption in favour of sustainable development

For decision making this means that unless material considerations indicate otherwise local planning authorities should:

- approve development proposals that accord with the development plan without delay
- grant planning permission where the development plan is absent, silent or relevant policies are out-of-date unless

- (a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole; or
- (b) specific policies in the NPPF indicate that development should be restricted [eg policies relating to SSSIs, Green Belt, Local Green Space, AONBs]

Decision taking

Local planning authorities should:

- encourage good quality pre-application engagement
- approach decision-making taking in a positive way to foster the delivery of sustainable development
- look for solutions rather than problems
- approve applications for sustainable development wherever possible
- work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area

Planning Conditions and Obligations

- Planning conditions should only be imposed when they are necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects [no change]
- Planning obligations should only be sought where (a) they are necessary to make the development acceptable in planning terms (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development [no change]
- Where obligations are being sought or revised, lpas should take account of changes in market conditions over time and, where appropriate, be sufficiently flexible to prevent planned development being stalled

02 April 2012