

**BRIGHTON & HOVE CITY COUNCIL**

**PLANNING COMMITTEE**

**2.00pm 4 SEPTEMBER 2024**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Loughran (Chair), Allen (Deputy Chair), Galvin, Nann, Shanks, C Theobald, Thomson, Winder and Sheard (Substitute)

**Officers in attendance:** Jane Moseley (Planning Manager), Katie Kam (Lawyer), Liz Arnold (Planning Team Leader), Ben Daines (Planning Officer), Helen Hobbs (Planning Officer), Jack Summers (Senior Planning Officer) Steve Tremlett (Planning Officer), Marie Seale (Planning Officer), Nick ? and Shaun Hughes (Democratic Services Officer).

**PART ONE**

**10 PROCEDURAL BUSINESS**

**a) Declarations of substitutes**

10.1 Councillor Fishleigh substituted for Councillor Earthey. Councillor Sheard substituted for Councillor Robinson.

**b) Declarations of interests**

10.2 Councillor Nann declared they had interacted on numerous occasions with the applicant regarding item C: BH2022/02361: 76-79, & 80 Buckingham Road, Brighton and would therefore withdraw from the discussions and decision making process. Councillor Allen stated that they were a member of the CPRE Sussex, who have objected to item A: BH2022/02232: Patcham Court Farm, Patcham, however, they remained of an open mind on the application.

**c) Exclusion of the press and public**

10.3 In accordance with Section 100A of the Local Government Act 1972 ("the Act"), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

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

**d) Use of mobile phones and tablets**

- 10.5 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'.

**11 MINUTES OF THE PREVIOUS MEETING**

- 11.1 **RESOLVED** – The minutes of the meetings held on 22 May 2024 and 7 August 2024 were agreed.

**12 CHAIR'S COMMUNICATIONS**

- 12.1 The Chair stated that the National Planning Policy Framework (NPPF) is being revised and a consultation is being currently undertaken on the website. The Chair also noted that there would be a deputation presented at this committee meeting.

**13 PUBLIC QUESTIONS**

- 13.1 There were no Public Questions.

**14 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS**

- 14.1 No site visits requested.

**15 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS****A BH2022/02232 - Patcham Court Farm, Patcham - Full Planning**

1. The Case officer introduced the application to the committee.
2. A deputation had been submitted regarding the application. The Chair considered the deputation should be heard after the introduction.
3. The deputation was introduced by Paul Mannix on behalf of eight other residents. This Deputation is presented by lead spokesperson P. Mannix and is supported by J. Carr, A. Peacock, T. Mastoris, N. Herrmann, M. Stokes, E. Elton, G. Goliand and J. Carr We wish to highlight two new areas of concern on planning application BH2022/02232, the Royal Mail's depot on council owned Patcham Court Farm, Vale Avenue BNI 8YF. Firstly, we wish to highlight our significant concern to Brighton and Hove City Council of a new threat of contamination to the safety of the Patcham Aquifer which feeds the tap water for residents, businesses, schools, public buildings and NHS services which is very likely to be caused if Brighton and Hove City Council approve planning application BH2022/02232 for the Royal Mail depot in a wholly residential area in Vale Avenue. Brighton and Hove City Council are aware an email from Rachael Powys-Keck, Future Growth Planner of Southern Water dated 14th August 2024 to Ben Davies, Team Leader Development Management - West & Enforcement Team of Brighton and Hove City Council clearly states Southern Water has

concerns that upon reviewing “the technical note dated 1st August 2024, which documents the developer's proposed winter working suggestions Southern Water notes that this would allow the development to commence during the winter period, when our source is most at risk from contaminating activities. Construction activities during the winter presents a heightened risk, even with the inclusion of the proposed mitigation measures.” Southern Water's email of 14th August 2024 goes on to state, “Therefore, our previous request that no winter working be conducted remains unchanged.” Southern Water’s email explains that the technical note of 1st August 2024 has errors in it and Southern Water very clearly state, “The on-site Amazon filters are designed to treat seasonal turbidity fluctuations only. The Amazon filters are not designed to absorb additional turbidity loading, which could occur during or shortly after the construction of external structures as a consequence of this specific development. The current presented mitigation plan for turbidity will therefore possibly not reduce the risk of the source going offline due to turbidity.” Southern Water states they “would like to highlight that Brighton A is a Strategic Water Source. Should this source be forced offline, we would not be able to source water from elsewhere to ensure a continuous water supply to our customers. Brighton A supplies approximately 139,000 properties in the area. Given the sensitivity of our groundwater abstraction, Southern Water is unable to remove our previous conditions for this planning application.” Southern Water’s email then clarifies that it is still a condition that “below-ground construction works are limited to the summer months, i.e. April to September of any given year.” It is clear from Southern’s Water’s latest concerns that Royal Mail is not adequately taking into account the previous conditions set by Southern Water to ensure the safety of the water of Brighton A which is a Strategic Water Source. There are many vulnerable residents in the area very close to Patcham Court Farm; children, elderly and younger adults who are immunocompromised who could suffer significant health concerns and even a risk of death if their tap water supply is contaminated. Brighton and Hove City Council must protect the water supply of its residents with a higher priority than any economic benefit it may gain from its lease offered to Royal Mail for the use of Patcham Court Farm after approving Royal Mail's depot Brighton and Hove City Council must therefore refuse planning permission for application BH2022/02232. Secondly, Brighton and Hove Bus & Coach Company Limited have stated in a letter dated 13th August 2024 to Alasdair Walmsley, Principle Transport Development Officer of Brighton and Hove City Council that they will only guarantee to divert the first bus of the day to accommodate Royal Mail’s workers at Patcham Court Farm for one year and, “This service will require a minimum of twenty passengers per day to justify the continued operation of the diversion. Should this threshold not be met consistently, we reserve the right to review and potentially discontinue the diversion after the initial year of operation.” Therefore, Brighton and Hove City Council would be badly advised to rely on a bus service that is only guaranteed for one year to Patcham Court Farm in order to approve application BH2022/02232. It is public knowledge that Royal Mail in Brighton and Hove are still losing more staff and having to heavily rely on agency staff. A high turnover of staff does not guarantee this bus service will get the minimum passenger numbers to continue the service after the first year of service which in turn will lead to more staff parking in residential streets around the site than anticipated by Royal Mail if the bus service is cancelled. Therefore, this planning application should be refused.

4. The Chair noted the deputation and requested that the committee Members ask questions of Paul Mannix after the speakers had been heard.

#### Speakers

5. Rebecca Fellingham addressed the committee as a resident and stated that they had clear and robust evidence regarding the second parking survey, contrary to the officer evidence, which is a material consideration. Rebecca Kimber addressed the committee as a resident and stated that the land was previously developed and therefore the claims of it being improve was weakened in the planning balance and should be considered along with the flooding issues. This type of development has not been permitted elsewhere in a conservation area. Philip Hardy addressed the committee as a Planning Consultant and stated that the this was within the setting of a conservation area and therefore protected; also, partially an Area of Outstanding Natural Beauty (AONB) and adjoining the South Downs National Park. Planning policy CP3 restricts the hard standing proposed for the site. The use class B8 excludes this type of development. The neighbouring National Park will be affected. The development will cause harm to the form and character of the area.
6. Ward Councillor Meadows addressed the committee and stated that they noted the conservation area should be preserved or enhanced by the proposals. 20-tonne lorries would cause vibrations to the cottages nearby. The area must be protected, and the application therefore refused. The ground water aquifer provides water for 139,000 households. If the rainwater is not allowed to supply the aquifer, then there will be less water for residents. Flooding has taken place in the area in 2000, 2021 and 2023. Further flooding will taint the water supply. The Royal Mail will cause noise, light and air pollution affecting the neighbouring residents. The proposals will affect the residential and conservation area that should be protected.
7. Paul Bridson addressed the committee as the applicant and stated that they were working with local residents. The proposals will replace two existing town centre sites and will be a flagship development and efficient workplace. To support the environment, electric vehicles will be used, and the site will be carbon net zero by 2027. The land is mixed use in the city plan and will have minimum effect by using an entrance next to the A27, away from residential properties. Acoustic fencing will be erected to reduce noise levels. The site will have huge environmental improvements. The committee were requested to approve the application.
8. The case officer clarified that the new bus stop will be introduced near the site with usage of the revised bus service monitored to see if it should be retained. There are existing bus stops nearby. The second parking survey took account of the gas works being undertaken in July 2024.
9. The Planning Manager noted that the site was not within an AONB and that the South Downs National Park was on the other side of the A27.

## Answers to Committee Members Questions.

10. Councillor Fishleigh was informed by officers that the allocated use class of the site under local plan policy CP3 was for B use – employment, with a supporting table indicating office use for the site. Marketing had taken place for some considerable time, however, need for offices in the city has reduced and those who want offices prefer the city centre. The proposals will include 360 jobs, which included those relocated from the exiting sites. The development is acceptable in principle.
11. Councillor Nann was informed by officers that the van movement figures were based on existing movements at the post office sites. It was noted that night-time movements will be restricted to 10 movements between 11pm and 7am. There are no restrictions on general movements. John Lea-Wilson (the applicant's drainage specialist) stated that industry standard modelling software had been used to assess the water impact.
12. Councillor Theobald was informed that trees were being removed as part of the development to allow a new ramped access to the site. A 1:20 slope will be created to allow step free access to the site. The biodiversity net gains are to be north of the site within the South Downs National Park, as a compensatory habitat location. Reptiles will be relocated. The location of fire hydrants will be agreed through Building Regulations. An archaeological dig will be required by condition. Mark Taylor (the applicant's transport specialist) stated that there was a 5-year travel plan with regular surveys.
13. Councillor Shanks was informed that other Royal Mail sites are not to be considered by the committee. The Transport Planning Technical Lead noted there was no parking scheme in the area. The legal officer noted that the application should be decided on its own merits and not in the context of the other sites being redeveloped, though the planning manager noted that the reduced noise and disturbance to the areas around the Brighton and Hove depots was relevant.
14. Councillor Sheard was informed that the site is allocated for B class uses, which includes B1 (now within class E), B2 and B8.
15. Councillor Thomson was informed that no high-quality trees were found on the site frontage that were to be removed to allow a new access onto the site. Appropriate replacements would be planted by condition. The arboricultural officer has not objected to the scheme. A drainage strategy has been proposed with details to be secured by condition and no objections have been received from consultees. The case officer confirmed that only pre-commencement conditions need to be agreed by the applicant but are imposed if needed to make the development acceptable. It was noted that Southern Water have confirmed they can manage any extra water capacity, and the arrangements are adequate to deal with 1-in-100 years events. John Lea-Wilson stated that robust water mitigation was incorporated into the scheme to ensure that it would not increase run-off. Mark Taylor (transport specialist for the applicant) stated that staff at the existing sites were being surveyed regarding moving to a new site. Use of cycles

and car sharing schemes are being encouraged. It was noted that there were trees with Ash Die Back and low-quality trees being removed. The landscaping would need approval by condition as would the size and species of the replacement trees. Mark Taylor for the applicant stated that the Royal Mail wished to make the site sustainable, and the target was for no overspill parking.

16. Councillor Loughran was informed by Richard Lansley for the applicant that the applicant had worked with Southern Water on a hydrogeological survey. A construction risk assessment included mitigation measures and seasonal working. John Lea-Wilson for the applicant noted it was not possible for infiltration from the site into the aquifer due to the impermeable membrane proposed and other measures. It was also noted by the flooding officer that ground water source protection zone was identified by the Environment Agency and that most water in the city comes from the chalk aquifer with a zero-to-50-day extraction. Mark Taylor for the applicant stated that HGV lorries would only approach the site from A27, unload and return to A27. It was also noted that no red fleet vehicles would be allowed to use Church Hill. Staff would be working in shifts. Resident speaker Rebecca Kimber noted that previous applications for the site have been refused. The case officer noted previous applications had been approved but some time ago, and that the overriding consideration relating to the site was its allocation with CP3 City Plan Part 1 policy. The Principal Transport Development Officer noted the gasworks during the parking survey taken in July 2024 and considered the results along with the previous survey were sound. Mark Taylor for the applicant stated they were aware of the gasworks and the impact had been taken into account.
17. Councillor Fishleigh was informed by Mark Taylor for the applicant that car sharing will be encouraged, and specific parking spaces provided, as will cycling and walking to the site. It was noted by Steve Tremlett (Planning Policy Team Leader) that the use class allocation was for B – employment use. The proposals are considered more appropriate than office use. Ward Councillor Meadows stated that the council could open up the sewers and soakaways. The Council flood officer stated that the council were the lead flood authority in the area and are responsible for ground and surface water flooding, and sewers are covered by Southern Water. A groundwater flood risk management scheme was established in 2014. Flooding is primarily caused by excess runoff from housing and buildings not connected to the sewers. Resident speaker Rebecca Fellingham stated that they had video evidence showing nine households had been able to access their homes due to gasworks so were parking on the street. Resident speaker Rebecca Kimber noted they had material showing that the site was within an area of outstanding natural beauty (AONB) and this was a material consideration for this and previous applications.
18. Councillor Winder was informed by Paul Derry for the applicant that the design of the scheme was bespoke to the Royal Mail. The development is to be set back from Vale Avenue and the conservation area. It was noted that there is Ash Die Back on the site.

Debate

19. Councillor Theobald considered the application to be very important and the site, next to a conservation area and listed buildings, should be for light office work only. It is noted that the Conservation Advisory Group (CAG) objected to the application. The traffic will be considerable with 28 HGVs per day leading to congestion on the A27 roundabout. Parking is a concern as it will overflow. Water contamination is also an issue. The removal of trees will lead to the residents being exposed to light and noise, and the replacement trees will offer no screening. Flooding is an issue in Patcham each year. The neighbouring cottages will be affected by the traffic and there is no bus stop nearby. It is considered that the impact will be 24/7. It was noted that 1,176 objections have been received and all are upset about the application. The councillor objected to the application.
20. Councillor Galvin considered Southern Water had given contradictory information for and against the application and the effect on the water supply. The Planning Manager noted that Southern Water did not object to the application and gave their support subject to the conditions and informatives.
21. Councillor Allen considered the 46 conditions attached to the application had allayed their concerns regarding water and drainage. It was considered that the application would not exacerbate the existing flooding issues. The existing Royal Mail sites within the city were not good. The councillor supported the application.
22. Councillor Nann supported the application as they considered the design to be good and the reduction of traffic into the city would be better. The site was considered suitable for the development.
23. Councillor Thomson stated they were reassured by the answers given to councillor questions. The councillor supported the application.
24. Councillor Sheard noted the flooding and the objections to the application. The councillor supported the application.
25. Councillor Winder stated they saw the need to move sites, however, they considered more adaptations and mitigations were needed. The councillor considered that the Royal Mail should listen to residents.
26. Councillor Shanks noted there had been a lot of mitigation and there were bus stops nearby. The councillor noted there was lots of opposition. The councillor supported the application.
27. Councillor Fishleigh noted the site had been on the market for some years, however, other options were not explored. Issues on site need to be resolved. The councillor was against the application.
28. Councillor Loughran noted the applicant had put in a huge amount of work and the public had been consulted with properly and clearly fully engaged, especially given the number of representations and people at the meeting. Adaptions and mitigations were in the conditions and informatives attached to the application. The parking on site seems reasonable and noted the 5-year travel plan which would give ongoing transport improvements. The design is good. The

replacement trees are good, and it was considered that there was a less than substantial impact on the conservation area. The councillor was pleased with the biodiversity arrangements and lighting conditions. The councillor supported the application.

Vote

29. A vote was taken, and by 7 to 2, with 1 abstention, the committee agreed to grant planning permission.
30. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to be MINDED TO GRANT planning permission subject to a s106 agreement on the Heads of Terms set out in the report and the Conditions and Informatives as set out in the report, SAVE THAT should the s106 Planning Obligation not be completed on or before 27 November 2024 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 12 of the report.

## **B BH2022/03483 - Court Farm, Hove - Full Planning**

1. The Case Officer introduced the application to the committee.

Answers to Committee Member Questions

2. Councillor Shanks was informed by the Principal Transport Development Officer that National Highways own the roundabout on the A27 and would not allow an exit into the site from the roundabout. Alistair Close for the applicant stated that the impact on all users had been assessed.
3. Councillor Fishleigh was informed by the Principal Transport Development Officer that the bus number 21 will receive a contribution to run an evening service to the site and to make bus stop improvements with digital displays. The bus stop will be a terminal stop.
4. Councillor Nann was informed by the Principal Transport Development Officer that a north-south bus route was not feasible as this was not a megastore.
5. Councillor Loughran was informed by the Principal Transport Development Officer that there would not be an extra stop for number 21 bus, however, the pedestrian access will also be improved to the existing stop. The impact of extra traffic has been assessed by an independent consultant. Alistair Close for the applicant stated that surveys were undertaken of existing shopping habits, showing other stores particularly in Portslade were over capacity so it was likely some shoppers would come here instead which were not therefore additional trips on the road network. The Principal Transport Development Officer noted that the site was adjoining a major urban extension with future residents likely to shop there. Nick Bradshore for the applicant stated that the bus stop was 350m from the site. The plan was for 107 car parking spaces. All users of the roundabout have been considered including cyclists and walkers. The travel plan is for 5 years. The Principal Transport Development Officer noted that the access had been audited for safety, and that although the site was not the most accessible in the city there was no



reason to refuse the application on highway grounds. The amount of traffic was found acceptable.

6. Councillor Theobald was informed by the Principal Transport Development Officer that 50 members of staff would be on a rota. The parking scheme assumes staff will travel by other modes; however, they can park on site if necessary. Nick Bradshore for the applicant stated that there would be a central turning lane into the site, designed to slow traffic flow, not to queue. The Principal Transport Development Officer noted a Transport Assessment had taken place and National Highways had been very involved. Alistair Close for the applicant stated that modelling for traffic onto the roundabout, including weekends, which was found to be less than weekdays.
7. Councillor Thomson was informed by Nick Bradshore for the applicant there would be 107 car parking spaces. The travel plan is based on no overspill.

#### Debate

8. Councillor Allen supported the application as considered the scheme to be a good design and the transport issues have been adequately mitigated.
9. Councillor Sheard noted the supermarket would be available for Toads Hole Valley residents, with good bus access. The councillor supported the application.
10. Councillor Nann supported the application.
11. Councillor Theobald considered traffic to be an issue in the mornings and evenings. The build is considered ugly with an impact on the South Downs National Park. The councillor considered the number 21 bus not to offer a good service.
12. Councillor Winder supported the application as the area had no amenity. The proposals were good and would encourage housing.
13. Councillor Shanks considered an out-of-town supermarket not to be good in this area for country walks. The councillor considered there were other existing supermarkets to use. The councillor was against the application.
14. Councillor Fishleigh considered that the council had spent large sums on bike lanes and buses and an out-of-town supermarket was not a good idea. The councillor was against the application.
15. Councillor Thomson supported the application as they considered there would be no increase in traffic and Toads Hole Valley residents would need a supermarket in walking distance.
16. Councillor Allen considered the s106 would be beneficial to this part of the city, as would the transport.
17. Councillor Sheard considered that shopping by bus was to be encouraged and the supermarket would split up journeys.

18. Councillor Loughran supported the application as the area was not well served with retail and the Toads Hole Valley residents will need food shopping.

Vote

19. A vote was taken, and by 6 to 3 the committee agreed to grant planning permission. (Councillor Galvin took no part in the discussions or decision-making process).
20. **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 and the Conditions and Informatives, **SAVE THAT** should the s106 Planning Obligation not be completed on or before the 7th December 2024 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in the final section 12 of the report.

**C BH2022/02361 - 76 - 79 And 80 Buckingham Road, Brighton - Removal or Variation of Condition**

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

Answers to Committee Members Questions

2. Councillor Shanks was informed that the costs of building had risen since the COVID 19 pandemic. The Head of Planning noted that the existing use value was to be considered for viability rather than how much the site had been bought for some years ago. The Heads of Terms covered the whole development. The Head of Planning confirmed that the application was policy compliant.
3. Councillor Winder was informed by the Head of Planning that the commuted sum would be ring-fenced to buy affordable homes.
4. Councillor Thomson was informed that the scheme would be car free by informative not condition.
5. Councillor Allen was informed that the space standards were complied with.
6. Councillor Loughran was informed that the length of build was not a material consideration.
7. Councillor Theobald was informed that the application was not started again, and the extant permission had to be considered.
8. The legal officer advised that the amendment to the legal agreement could be refused if members so wished.

Debate

9. Councillor Theobald considered it was a pity no affordable housing was included on site. The site had been an eyesore for so long, it was hoped that the developer would take action.

10. Councillor Thomson supported the application as it was policy compliant.
  11. Councillor Shanks considered the development needed to be completed. Affordable housing was needed in the city, and it complied with policy.
  12. Councillor Sheard considered that 14 units did not equal £500,000, however, the application needed to be agreed as it was policy compliant.
  13. Councillor Allen noted that the application was policy compliant and therefore needed to be agreed.
  14. Councillor Winder considered the committee had to go along with the application and the scheme needed to be completed.
  15. Councillor Fishleigh noted the last administration at the council wanted to compulsory purchase the site.
  16. Councillor Loughran noted that the price of the land had risen creating difficulties. The councillor considered the application should be deferred to revisit the methodology.
  17. The Head of Planning noted the Planning Policy Guidance sets out a methodology for calculating the value of the land and the viability assessment had considered this and was reviewed by the DVS. The scheme needs to be viable. This scheme in terms of policy and national guidance is acceptable.
  18. Councillor Thomson considered there was no point in deferring.
  19. Councillor Fishleigh queried what questions would be answered if the committee deferred the application.
  20. Councillor Loughran considered they would benefit from more investigation and counsel advice.
  21. Councillor Winder considered deferring did not mean a refusal.
  22. The Head of Planning noted that further legal advice would be unlikely to assist in viability matters, that the government were looking at changes to National Planning Policy Framework and City Plan Part Two was currently being reviewed and that this was when the methodology for assessing viability would be considered.
  23. Councillor Allen noted the framework would not change in the next 4 weeks.
  24. Councillor Loughran proposed a motion to defer the application, seconded by Councillor Theobald.
- Vote
25. A vote was taken to defer the application, and by 3 to 5 against. The committee did not agree to defer the application.

26. A vote was taken, and by 5 to 3 the committee agreed to grant planning permission. (Councillors Nann and Galvin took no part in the discussions or decision-making process).

27. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to be **MINDED TO GRANT** planning permission subject to a s106 agreement on the Heads of Terms set out in the report and the following Conditions and Informatives as set out in the report, **SAVE THAT** should the s106 Planning Obligation not be completed on or before 27<sup>th</sup> November 2024 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 12 of the report.

**D BH2024/00373 - 90 - 92 Elm Drive, Hove - Full Planning**

1. This application was not called for discussion and the officer recommendation was therefore taken as having been agreed unanimously.

**E BH2023/00947 - 15 Shirley Avenue, Hove - Full Planning**

1. The Case Officer introduced the application to the committee.

Answers to Committee Member Questions

2. Councillor Theobald was informed that the first floor north and west elevation windows were conditioned to require obscure glazing to the bathroom and a secondary window in the second bedroom.
3. Councillor Thomson was informed that the terrace would have privacy screening and was an acceptable distance from the neighbouring properties. It was considered there was no loss of privacy. It was noted that there had been previous extensions in 1960s and 1990s.
4. Councillor Sheard was informed that the balcony faces north.
5. Councillor Nann was informed that the principle of development had been established.
6. Councillor Winder was informed that the applicant intends to use the property as a home. A House of Multiple Occupancy (HMO) would require planning permission.

Debate

7. Councillor Theobald considered the development to look good, even though backfill is usually not good. The Councillor supported the application.
8. Councillor Thomson supported the application as it was a good use of land.
9. Councillor Sheard supported the application as the design was good.

10. Councillor Allen considered there was no character to the area, therefore the development was acceptable. The councillor supported the application.
11. Councillor Loughran considered the impact had been addressed.

Vote

12. A vote was taken, and the committee agreed unanimously to grant planning permission.
13. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

**F BH2024/00309 - Land Adjoining the Farriers, 24G Hythe Road, Brighton - Full Planning**

1. The Case Officer introduced the application to the committee.

Speakers

2. Ward Councillor submitted a speech which was read out to the committee: I have been asked by residents in Hythe Road to object to this planning application. The original planning application in 2014, which never mentioned subdividing this building - was first turned down because it was felt that the developer was trying to fit too many properties into the site, I do hope you will take this into account when considering approving planning permission for this development. One of the main concerns about this is that new owner of the site is: <https://www.houseofsnaps.co.uk/developments> who as you can see specialises in turning old buildings into Air B&B properties. The previous owner confirmed to the resident that the developer told him that his plans were to convert the stable building and part of number 24 into AirBnB's. The development of holiday rentals in residential areas should not be encouraged as the noise and disruption it creates for those who have to live alongside them in what is already a densely populated area. If this planning application is approved could there be a stipulation that they cannot be turned into AirBnB's. Please can you look at the safety implications of this application and that Emergency Services will not be impeded to the development at the back of this development.
3. Paul Joyce addressed the committee as the agent acting on behalf of the applicant and stated that the application was for a two-bed house, which had been reduced to a one bed on this brownfield site. The site was previously a garage. The price point was good. The objections were based on the wrong information, as there would be no overlooking. There would be 1m access through to the rear. The development was for a house not an AirBnB, which will add to the housing stock.

Answers to Committee Member Questions

4. Councillor Thomson was informed by Paul Joyce that the intention was to sell the house on the open market not to be used for AirBnB. The Planning Manager noted that a holiday let would be sui genus use so would require planning permission. It was noted

that the applicant’s portfolio was 60/40 short term lets and the remaining were homes for sale. They considered owner occupier was best for this site.

- 5. Councillor Allen was informed that if the property were used for a short term let, then enforcement action could be taken.
- 6. Councillor Theobald was informed by the case officer that the width of the extension was 2.4m and 3m with the garage door.

Debate

- 7. Councillor Shanks considered that an extra house would be good.
- 8. Councillor Allen considered more housing was good.
- 9. Councillor Theobald noted the space standards were met.

Vote

- 10. A vote was taken and by 7 to 2 the committee agreed to grant planning permission. (Councillor Galvin took no part in the discussions or the decision-making process).
- 11. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives in the report.

**16 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**

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

**17 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

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

**18 APPEAL DECISIONS**

- 18.1 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 7.45pm

Signed

Chair

Dated this

day of

