

Planning Committee

Date: **3 September 2025**

Time: **2.00pm**

Venue **Council Chamber, Hove Town Hall**

Members: **Councillors:** Thomson (Chair), Cattell, Earthey, Nann, Parrott, Robinson, Shanks, Sheard, C Theobald and Winder

Conservation Advisory Group Representative

Contact: **Shaun Hughes**
Acting Democratic Services Manager
01273 290569
shaun.hughes@brighton-hove.gov.uk

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk.
Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through
ModernGov: [iOS/Windows/Android](#)

This agenda and all accompanying reports are printed on recycled paper.

AGENDA

121 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest or Lobbying

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (d) All Members present to declare any instances of lobbying they have encountered regarding items on the agenda.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

122 MINUTES OF THE PREVIOUS MEETING

7 - 12

Minutes of the meeting held on 6 August 2025.

123 CHAIR'S COMMUNICATIONS

124 PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 28 August 2025.

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

126 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

Please note that the published order of the agenda may be changed; major applications will always be heard first; however, the order of the minor applications may be amended to allow those applications with registered speakers to be heard first.

Public Speakers Note: Any persons wishing to speak at a meeting of the Planning Committee shall give written notice of their intention to do so to the Democratic Services Officer 4 working days before the meeting (the Committee usually meet on a Wednesday, which means the notice has to be received by 12 noon the preceding Thursday).

To register to speak please email Democratic Services at: democratic.services@brighton-hove.gov.uk Speakers are allocated a strict 3 minutes to address the committee. If more than one person wishes to speak, the 3 minutes will need to be shared, or one person may be elected by communal consent to speak for all.

MINOR APPLICATIONS

- | | | |
|---|--|----------------|
| A | BH2025/01191 - Esplanade South of Brunswick Lawns, Kingsway, Hove - Full Planning | 13 - 28 |
| B | BH2025/01377 - 7 Saxon Close, Saltdean, Brighton - Removal or Variation of Condition | 29 - 44 |
| C | BH2025/01527 - Brighton Dome, Church Street, Brighton - Full Planning | 45 - 54 |

INFORMATION ITEMS

- | | | |
|-----|--|----------------|
| 127 | LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

(copy attached). | 55 - 56 |
|-----|--|----------------|

128 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

None for this agenda.

(copy attached).

Members are asked to note that plans for any planning application listed on the agenda are now available on the website at: <http://www.brighton-hove.gov.uk>

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings. The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested. Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

FURTHER INFORMATION

For further details and general enquiries about this meeting contact Shaun Hughes, (01273 290569, email shaun.hughes@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during this web cast will be retained in accordance with the Council's published policy.

Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

ACCESS NOTICE

The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. The lift cannot be used in an emergency. Evac Chairs are available for self-transfer, and you are requested to inform Reception prior to going up to the Public Gallery. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.** Please inform staff on Reception of this affects you so that you can be directed to the Council Chamber where you can watch the meeting or if you need to take part in the proceedings e.g. because you have submitted a public question.

FIRE / EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 6 AUGUST 2025

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Thomson (Chair), Cattell, Earthey, Nann, Parrott, Robinson, Shanks, Sheard, C Theobald and Winder

Officers in attendance: Maria Seale (Planning Manager), Katie Kam (Lawyer), Wayne Nee (Principal Planning Officer), Jack Summers (Planning Officer) and Shaun Hughes (Democratic Services Officer).

PART ONE

112 PROCEDURAL BUSINESS

a) Declarations of substitutes

112.1 None

b) Declarations of interests

112.2 None

c) Exclusion of the press and public

112.3 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.

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

d) Use of mobile phones and tablets

112.5 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'.

113 MINUTES OF THE PREVIOUS MEETING

113.1 **RESOLVED** – The meeting minutes of the meeting held on 2 July 2025 were agreed.

114 CHAIR'S COMMUNICATIONS

114.1 The chair addressed the committee and stated that the L3 Emblem House, Home Farm Business Centre, application, refused at committee had been allowed at appeal. The chair considered this disappointing news. The chair considered the training held the previous week had gone well and asked those unable to attend to watch the recording of the meeting. The chair promoted the briefing sessions held each month a week before the committee, where relevant questions could be asked and clarification given by the planning officers. The chair considered the briefings to be very informative.

115 PUBLIC QUESTIONS

115.1 There were none.

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

116.1 No requests were submitted.

117 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

117.1 The Democratic Services officer noted that there were two items on the agenda, one major application, which was automatically called for discussion, and one minor application which had speakers, therefore all agenda items were called for discussion

A **BH2025/00899 - LAND ADJACENT TO WEST STAND AMERICAN EXPRESS STADIUM, VILLAGE WAY, BRIGHTON - FULL PLANNING**

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

Answers to Committee Member Questions

2. Councillor Cattell was informed that there were no details available for how the Bennetts Field development would be started. The development was approved by Lewes District Council.
3. Councillor Robinson was informed that the Bennetts Field scheme was not on land owned by the football stadium. Vehicle access will be from the A27 and Village Way. The first and second decks will be accessed via ramps. There will be no vehicle access from the north and west of the site. Access via Village Way is considered the safest route for employees and directors. On non match days it is considered there will be very little pedestrian traffic. On match days there will be a no movement restriction one hour before and one hour after the match. There will also be stewards on site to assist movements between pedestrians and vehicles. Village Way is under the ownership of the stadium.
4. Councillor Theobald was informed that there will be disabled parking bays on the ground floor, giving level access to the stadium and second deck, access being gained via the

lift. The Falmer Campus of Brighton University is closest the development and no bedrooms are located nearby. It is hoped that the disruption of operations will be kept to a minimum. The agent stated they did not have the timescale of the development to hand.

5. Councillor Shanks was informed that over 500 parking spaces were lost when Bennetts Field lease ran out in 2021. The original planning consent for the stadium included a minimum of 1,500 parking spaces. Currently there are 2,219 parking spaces. Other sites are being looked on land owned by the stadium. New landscaping is proposed. The 6 existing small trees are to be relocated on the site and more trees planted in the development area. The details of the soft landscaping and maintenance are to be provided by condition.
6. Councillor Sheard was informed that the Fan Zone structure is on a different level to the development and is only has pedestrian access.

Debate

7. Councillor Robinson considered the development to be in keeping with the site, with a good layout. It was considered good that the trees are to be replaced and the existing trees to be relocated within the site. The councillor considered more disabled parking bays would be good; however, they supported the application.
8. Councillor Sheard considered the design to be ingenious, with good ramp access. The onsite parking for staff will take the pressure off other car parks and will therefore have a positive impact.
9. Councillor Theobald considered it would be nice to keep the trees and hedges. The application is a good idea since losing Bennetts Field parking area. It was noted that the South Downs National Park have no objections. The design was considered good and the development excellent.
10. Councillor Thomson considered the design to be good, the parking gained was a small amount; however, there were lots of conditions, and they therefore supported the application.

Vote

11. A vote was held, and the committee agreed unanimously to grant planning permission.
12. **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 following Conditions and Informatives, **SAVE THAT** should the s106 agreement not be completed or significantly advanced on or before 6th February 2026 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out at the end of the report.

B BH2025/00936 - 295 Dyke Road, Hove - Full Planning

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

Speakers

2. Jon Newey addressed the committee as a neighbouring resident and stated that they were speaking on behalf of 12 residents who had objected to the application. The proposals are considered over development of the site, with a loss of privacy for neighbours. The speaker lived at 293 and the proposed construction accessway will be inches from the neighbour's house, an Arts & Crafts building and construction traffic will have an effect on the house. The development site slopes, and a huge swimming pool will need to be removed. It is estimated this will take a year at least with lots of disruption. The speaker considered a brick wall along the boundary should be erected instead of the thin wooden fence. The trees to be removed along the boundary will also lead to a loss of privacy.
3. Simon Bareham addressed the committee as the agent acting on behalf of the applicant and stated that the application was for reserved matters and outline permission had already been granted. The proposals have been reduced and will be 4m to 5m away from the boundaries, whilst the garage will be 2.2m from the boundary. The proposals conform the planning policy DM20 and good practice. The 43⁰ rule is not broken. The windows facing the neighbours will be obscure glazed to prevent overlooking. The development is designed to simulate with the surroundings and is acceptable under policy.

Answers to Committee Member Questions

4. Councillor Shanks was informed by the agent that the boundary treatments will be agreed by condition, however, a brick wall potentially could be looked at. The case officer confirmed that there was no condition requiring a construction environmental management plan and it was not usual to request to agree the boundary treatments until occupation.
5. Councillor Earthey was informed that there was no Neighbourhood Plan for this area of the city.
6. Councillor Theobald was informed that the boundary trees on the south side would be removed and replacements planted across the site. There are no direct south facing windows on the development, only one dormer set much further back.
7. Councillor Cattell was informed that there were no Tree Preservation Orders on the site, and it was not in a conservation area. The resident stated they did not speak when the previous application came to committee as they were not advised of the meeting. It was noted that the proposed small dormer windows would obscure glazed and it was considered that there was no impact on privacy.
8. Councillor Robinson was informed that a temporary wall or barrier could be constructed to protect the neighbouring property under a construction environmental management plan. The planning manager stated the boundary wall would however need to be acceptable and may not be practical alongside a construction access, and that temporary fencing may be more suitable. The agent stated that a party-wall agreement would also need to be agreed.

9. Councillor Thomson was informed that a construction environmental management plan was not usually considered necessary for this small scale of development. However, if the committee wanted a plan, this could be added by condition. It was noted that the proposals would be 20m away from the house at 293 Dyke Road and there was one other new dwelling in the road nearby at 285.
10. The resident stated that the extension on their house was not shown on the drawings. The case officer stated this was noted at the site visit.

Debate

11. Councillor Shanks considered a condition requiring a construction environmental management plan should be added. The planning manager stated a standard model condition wording could be used and adapted as necessary with the addition of a temporary fence alongside the access boundary.
12. Councillor Robinson considered the party wall agreement would be difficult and extra protection would be good for the neighbour. The legal officer noted that the party wall agreement was outside planning considerations. It was noted that construction vibration would potentially be covered if a construction environmental management plan was added by condition.
13. Councillor Theobald stated they were not keen on backland developments and these proposals seemed large. The boundary screening is to be removed resulting in a loss of privacy. The development will set a precedence. The councillor was torn about the application.
14. Councillor Sheard considered that a construction environmental management plan would be excessive for the scale of development.
15. Councillor Cattell considered that a construction environmental management plan would not be required, the application is supported as it stands.
16. Councillor Nann considered the digging out of the site would be an issue. The councillor considered there was no reason to refuse the application.
17. Councillor Thomson considered they would approve the application and asked that the applicant be mindful of neighbours.
18. Councillor Shanks proposed a condition to add a construction environmental management plan. Councillor Robinson seconded the motion. The wording to be agreed by the proposer and seconder.

Vote

19. A vote was held on the additional condition and by 7 to 3 the motion was agreed.

20. A vote was held and the committee agreed by 9 to 1 to grant planning permission with the additional condition.

21. **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, with the added condition.

118 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

119 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

119.1 There were none for this agenda.

120 APPEAL DECISIONS

120.1 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 3.54pm

Signed

Chair

Dated this

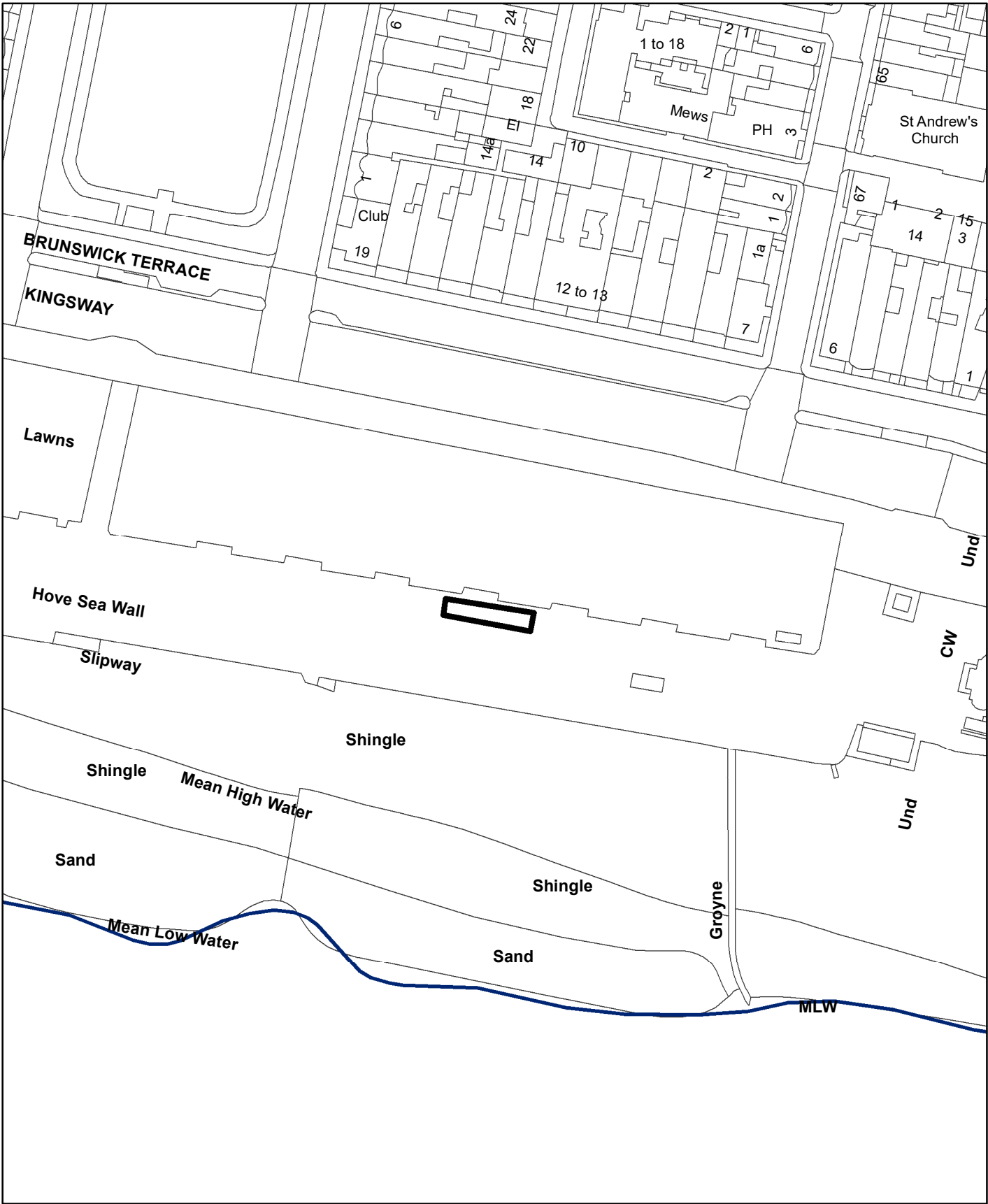
day of

ITEM A

**Esplanade South of Brunswick Lawns,
Kingsway, Hove
BH2025/01191
Full Planning**

DATE OF COMMITTEE: 3rd September 2025

BH2025 01191 - Esplanade, Brunswick Lawns



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2025/01191	<u>Ward:</u>	Brunswick & Adelaide Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Esplanade South Of Brunswick Lawns Kingsway Hove		
<u>Proposal:</u>	Temporary installation of 11no. timber Beach Huts for a 4 month period each year (June-Sept) until end September 2027 (part - retrospective) (amended description and amended plans).		
<u>Officer:</u>	Helen Hobbs, tel: 290585	<u>Valid Date:</u>	02.06.2025
<u>Con Area:</u>		<u>Expiry Date:</u>	28.07.2025
<u>Listed Building Grade:</u>		<u>EOT:</u>	
Agent:			
Applicant:	Kairos Global Limited 167-169 Great Portland Street 5th Floor London W1W 5PF		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Block Plan	3		17-Jun-25
Proposed Drawing	1		17-Jun-25
Location Plan	2		17-Jun-25
Proposed Drawing	4		17-Jun-25

2. The eleven beach huts hereby permitted, shall only be in situ for a 4-month period each year (beginning 1st June ending 30th of September), until September 2027. The beach huts hereby approved shall be removed on or before 30th September each year of this permission and the land restored to its former condition immediately after their removal.

Reason: The beach huts hereby approved are not considered suitable as a permanent form of development, to safeguard the character and setting of the site and the Brunswick Terrace Listed Buildings as well as the surrounding Conservation Area, and to comply with policies CP12, CP13 and CP15 of the Brighton & Hove City Plan Part One; and DM26, DM28 and DM29 of the Brighton & Hove City Plan Part Two.

3. Unless otherwise agreed in writing, within three months of the date of this permission, a management plan for the development hereby permitted, shall be submitted to and approved by the Local Planning Authority. The management plan should set out how the beach huts will be operated so as to minimise the impact upon the amenity of neighbours and shall include, but not be limited, to:
- Details of hours of use
 - Details of the booking system and how information is relayed to customers about appropriate use of the huts
 - Crime prevention measures
 - Monitoring and management of the condition and use of the huts
 - Contact details for local residents to report any concerns/issues
 - Encouraging guests to utilise sustainable modes of travel

The development shall be carried out in full compliance with the approved management plan.

Reason: In the interests of protecting the amenity of neighbouring residents and to comply with Policies DM20 and DM40 of the City Plan Part Two.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

Biodiversity Net Gain

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the Environment Act 2021.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, unless an exception or a transitional arrangement applies, the planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

2. SITE LOCATION

- 2.1. The application relates to a section of Hove Promenade, measuring approximately 23.5m in length, immediately adjacent to Hove Lawns (which are Locally Listed) within the Brunswick Town Conservation Area.
- 2.2. The location of the proposed huts would be on the southern side of the esplanade located on the hardstanding adjacent to the beach opposite and

within the setting of Nos 7-19 Brunswick Terrace which are Grade I Listed Buildings separated from the site by the lawns and the A259 Kingsway.

- 2.3. The site location is to the west of the nearby The Meeting Place Café.

3. RELEVANT HISTORY

None identified.

4. APPLICATION DESCRIPTION

- 4.1. The application seeks temporary permission to install 11 beach huts, adjacent to Hove Lawns. The beach huts are currently in place and will be removed at the end of September. Permission is sought to allow the huts to be reinstalled for a further 4-month period (June-Sept) each summer until 2027.
- 4.2. The huts will be available for day hire and used in the traditional manor as the existing permanent beach huts positioned along Hove seafront.
- 4.3. The huts have been in situ for most of this summer season, without planning permission having yet been granted. They are due to be removed at the end of September as set out in this current application. If the application is approved, the huts will return for the same 4 month period for the next two years (until and including 2027).

5. REPRESENTATIONS

- 5.1. In response to publicity, responses were received from **19** individuals, objecting to the application and raising the following issues:
- Impact on the views of the listed Brunswick Square, Brunswick Terrace and Heritage assets
 - The dimensions are not in keeping with the traditional beach huts
 - Incongruous siting
 - Visual clutter
 - Security cameras and impacts on public privacy
 - No benefits to residents
 - Increase of parking on the promenade
 - Creating opportunities for camps to be set up behind on the lawns
 - Inadequate consultation
 - No consideration of the heritage impacts in the application submission
 - Concerns about the use of the huts in conjunction with the adjacent Meeting house Café
 - Conflicts with the rules and regulations of beach huts
 - Obstruction of views of the seafront
 - Inaccurate site location
 - Inaccuracies on the application form

- 5.2. **Councillor Ollie Sykes** has objected to the application and the full objection is attached to this report.
- 5.3. Full details of representations received can be found online on the planning register.

6. CONSULTATIONS

Internal:

6.1. **Heritage:** Objection

The setting of Brunswick Terrace is by direct views across the seafront and Hove lawns to and from the listed building and in kinetic views along the promenade, which affords open views of these assets and listed buildings further west which line the Kingsway.

- 6.2. Although temporary, the proposed beach huts would create visual clutter and interrupt these views, resulting in harm to the setting, and therefore significance of the listed buildings and would fail to preserve the character and appearance of the conservation area.

6.3. **Seafront Development:** Comment

The Council's Outdoor Events Team have granted Kairos Global (the applicant) a license for this summer season up to the end of September to install the beach huts.

- 6.4. The huts are considered to be a positive addition, giving the opportunity for day or weekly hire to residents and visitors not currently on offer elsewhere on the seafront.

External:

6.5. **Sussex Police:** Comment

Sussex Police do not object to the application as submitted. Suggested crime prevention measures have been included in the response relating to use of the outside areas of the huts, fire assessment, and physical security.

6.6. **Conservation Advisory Group:** Objection

The group object to the development on the following grounds;

- The application proposals conflict as to content, and in principle with the Council's Seafront and Heritage policies
- The proposals conflict with the Brunswick Square and Terrace Act 1830 Section 113
- The development is inappropriate to the Brunswick Lawns and Hove Lawns, blocking open unobstructed views of listed buildings and of the sea from the listed buildings
- The development is inappropriate in the setting of the Grade I, II* and II listed buildings known as Brunswick Square and Terrace, Embassy Court and Peace Statue and Seafront shelter
- The development is inappropriate being adjacent to locally listed Brunswick Lawns and seafront railings

- The group expressed concern that the temporary consent would become permanent
- 6.7. Full details of consultation responses received can be found online on the planning register.

7. MATERIAL CONSIDERATIONS

- 7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report.
- 7.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
 - Brighton & Hove City Plan Part Two (adopted October 2022);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013; revised October 2024);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Harbour JAAP (adopted October 2019).

8. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
SA1	The Seafront
CP5	Culture and tourism
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP15	Heritage
CP16	Open Space

Brighton & Hove City Plan Part Two:

DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM26	Conservation Areas
DM27	Listed Buildings
DM28	Locally Listed Heritage Assets
DM29	The setting of Heritage Assets
DM39	Development on the Seafront

DM40 Protection of the Environment and Health - Pollution and Nuisance

Supplementary Planning Documents:
SPD17 Urban Design Framework

Other Documents
Brunswick Town Conservation Area Character Statement

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of development and any effects upon the amenity or character of the area, including the adjoining Heritage assets, which include the Brunswick Town Conservation Area, the adjoining Brunswick Terrace Listed Buildings and the adjoining Locally Listed Hove Lawns. Regard will also be given to any transport issues and highway safety as well as Biodiversity.

Principle of development:

- 9.2. Policy SA1 of the CPP1 is of particular relevance to the proposal as it relates to the seafront. It states:

The council will work in partnership to ensure the on-going regeneration and maintenance of the seafront in an integrated and coordinated manner. Proposals should support the year-round sport, leisure and cultural role of the seafront for residents and visitors whilst complementing its outstanding historic setting and natural landscape value. Proposals should ensure a good marine environment, enhance biodiversity in accordance with Biosphere objectives and consider options for small scale renewable energy provision.

- 9.3. Priorities for the whole seafront are to:

- Enhance and improve the public realm and create a seafront for all; to ensure the seafront has adequate facilities for residents and visitors (including public toilets, waste disposal facilities, seating, signage, lighting and opportunities for shelter and shade) and continue to improve access to the beach and shoreline and ensure the seafront is accessible to everyone;
- Promote high quality architecture, urban design and public art which complements the natural heritage of the seafront and preserves and enhances the character and appearance of the Conservation Areas, and the historic squares and lawns that adjoin the seafront;

- 9.4. Priorities for the part of the seafront [Medina Terrace to Palace Pier] are:

- *To secure on going improvements to and maintenance of the upper and lower promenade, including Hove Lawns, which respect the more tranquil areas west of the Peace Statue.*
- *Develop a future vision and landscaping option for the lower promenade either side of the West Pier.*
- *Secure improvements to traffic flow, air quality and pedestrian and cycle routes.*

- *Ensure any future proposal for the West Pier is of high quality and complements seafront regeneration.*
- 9.5. The installation of the 11 beach huts in this location will enhance visitor and resident facilities, support the seafront and is considered to meet the objectives of Policy SA1.
- 9.6. Other relevant policies are CP16 (Open Space) and DM39 (Development of the Seafront).
- 9.7. Policy CP16 (Open Space) seeks to safeguard, improve, expand and promote access to Brighton & Hove's open spaces (public and private) and the diverse range of experiences offered by these spaces. There is a presumption against the loss of open space, however, proposals may be acceptable where they are ancillary to the use of the open space and will result in only a small loss of open space, provide improvements to and better use of the remaining space and optimise public access.
- 9.8. Policy DM39 (seafront development) seeks to ensure proposals safeguard the importance of the seafront and beach as an open space and maintain and enhance public access to and along the coast and access to sea-based activities. It states that there will be a presumption against development extending onto the shingle beach. As an exception the Council will support the provision of new small scale public amenities of an appropriate design (such as toilets and facilities for coastal sport uses such as showers, changing rooms and lifeguard facilities) or improvements to existing areas of hardstanding or access to the beach, shoreline and sea-based activities.
- 9.9. The proposal is relatively small scale (approx. 40m²) and supports and encourages use of the seafront and thus is considered to comply with the aims of policies CP16 and DM39. The beach huts are appropriately located close to the beach and whilst the proposal does result in the loss of some open space on the esplanade for the months of June to September (for 2 more years), this impact is minimal and it is noted that the majority of the promenade would remain in this location for public use, and its function would not be compromised.
- 9.10. Sussex Police have raised issues relating to the associated use of the huts spilling out onto the promenade and creating a potential obstruction. A condition is recommended to secure a management plan for the huts, to ensure that all use of the huts is appropriate and would not impact on the safety of the public.
- 9.11. The proposal is therefore considered acceptable in principle.
- 9.12. The impact on the heritage assets within the vicinity of the site are considered below.

Design and Appearance and the Impact on Heritage:

- 9.13. In considering whether to grant planning permission for development which affects a listed building or its setting, the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Moreover, when considering whether to grant planning permission for development in a conservation area the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the area.
- 9.14. Case law has held that the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses, and the desirability of preserving or enhancing the character or appearance of a conservation area should be given "considerable importance and weight".
- 9.15. The Council's Heritage Officer has objected to the siting of the huts, due to their siting directly opposite the Grade I Listed Brunswick Terrace, stating that the huts would affect the setting of these historic buildings and interrupt views and would therefore fail to preserve the historic character and appearance of the Listed Buildings and surrounding Conservation Area. Whilst this concern is acknowledged, the development is of a temporary nature (for 4 months of the year until 2027), and there is a separation distance of 70m which includes the busy coastal road (the A259) separating the development from the Listed Buildings. It is considered that the development would cause less than substantial harm to the significance of the Brunswick Town Conservation Area and the setting of the nearby Listed Buildings, and in this instance the public benefits of facilities that supports the use of the seafront (coupled with the temporary nature of the permission), outweigh the harm identified.
- 9.16. The eleven beach huts would be constructed of 10mm External Quality Plywood (as per existing Brighton and Hove City Council Specification guide). The design and paintwork would also match the specification guide. The huts would measure 1830mm in width, 1830mm in depth and 2940mm in height and be aligned in a row west to east facing the sea (south). The huts on site are slightly taller than the standard beach hut size. The agent has reasoned that this is for the storage of paddle boarding which has become popular within this stretch of beach. The huts can easily be cut down in height when relocated (which would be subject of a separate application) to ensure that they match the height of the other permanent huts which are located along other parts of the seafront. Given their isolated siting, the slight increase in height would not be appreciated as standing out as different from the permanent beach huts.
- 9.17. The overall appearance and design would not appear incongruous and is in keeping with other seafront development.
- 9.18. Overall it is considered that the proposed development, due to its temporary nature would not so significantly harm the appearance of the promenade, that of the wider area, including the setting of the Brunswick Terrace Listed Buildings, or the Brunswick Town Conservation Area to warrant refusal of the application. The development is considered on balance to be in accordance

with Policies CP12 and CP15 of Brighton and Hove City Plan Part One and DM26, DM28 and DM29 of the Brighton and Hove City Plan Part Two.

Impact on Amenity:

- 9.19. Due to their siting away from neighbouring development, no harm to amenity from overlooking, overshadowing or overbearing effects would occur from the development.
- 9.20. The use of the beach huts would be over the summer months (June to September for 2 more years) and for enjoyment of the seafront location.
- 9.21. No permanent residential or commercial occupation of the beach huts/chalets is proposed.
- 9.22. The footprint (40m²) of the proposed beach huts/chalets would temporarily remove an area which is currently open space from all users of the promenade. However, in consideration of the compliant seafront use, the siting, and the amount of the promenade in this location that would remain for all visitors, the loss of open space is considered acceptable in this instance.
- 9.23. As the proposed huts would be sited over 70m from neighbouring residential occupants no demonstrable harm to neighbouring amenity is considered likely to occur, however, it is noted and recognised that the proposal may cause some harms to the amenity of other users of the promenade in terms of obstructions. As referred to above a management plan is recommended to be secured by condition in order to ensure that harms to other users of the promenade are minimised. The management plan is required to be submitted within 3 months of the date of any consent granted.
- 9.24. It is not considered that the proposal would detrimentally impact upon the amenities of nearby residents or users of the existing promenade subject to the recommended conditions and is in accordance with Policy SA1, CP12 and CP16 of the City Plan Part One, DM20 and DM39 of the City Plan Part Two.

Biodiversity:

- 9.25. The development is not considered to have any detrimental effect on the location site, being relatively small scale and located on and adjacent to existing concreted areas. The proposal would not see the loss or coverage of any green/nature land within its footprint.

Sustainable Transport:

- 9.26. Given the siting and scale of the development, there would be no harmful impacts on highways. Payable public parking is provided within the wider area.

Other Considerations

- 9.27. The agent and the Seafront Team have confirmed that it is the intention to purchase the huts on behalf of Brighton and Hove City Council once the use on a temporary basis has ceased. This would be in order to replace existing huts in poor condition or positioned in places where there are currently gaps.

The relocation of the huts requires planning permission and will be dealt with separately to this current application.

- 9.28. It is noted that within the Design and Access statement it has been stated that the huts will have a partnership with the nearby café. The agent has confirmed that this is not a formal agreement and therefore it has no bearing on the current application. The café already provides a takeaway service to the locality and can be utilised by any member of public using or visiting the seafront.

10. CONCLUSION

- 10.1. The proposal would have an impact on the preservation of the historic character and appearance of the promenade and the general seafront however the huts would support the use of the seafront. Furthermore, the proposal would be modest in scale and would not result in undue loss of open space. The development proposal would not have an adverse impact on the amenities of the other users of the promenade and nearby residents. Whilst some harm has been identified to the setting of the adjacent Listed terrace and to the surrounding Conservation Area, the harm is not considered so significant, due to the temporary nature and scale of the development, to warrant refusal. The proposed development would be consistent with the relevant policies as outlined in the report above.

Biodiversity Net Gain

- 10.2. This scheme was considered exempt from the need to secure mandatory biodiversity net gain under Schedule 7A of the TCPA because
- 10.3. It does not impact a priority habitat or habitat of more than 25sqm or 5m of linear habitat.

11. EQUALITIES

- 11.1. Section 149(1) of the Equality Act 2010 provides:
- 1) A public authority must, in the exercise of its functions, have due regard to the need to—
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- ^{11.2} Officers considered the information provided by the applicant, together with the responses from consultees (and any representations made by third parties) and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.

Cllr. Ollie Sykes

BH2025/01191 - Esplanade South Of Brunswick Lawns

23rd June 2025:

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse affect on listed building
- Adversely affects Conservation Area
- Overdevelopment
- Restriction of view

Comment: I wish to object to this application:

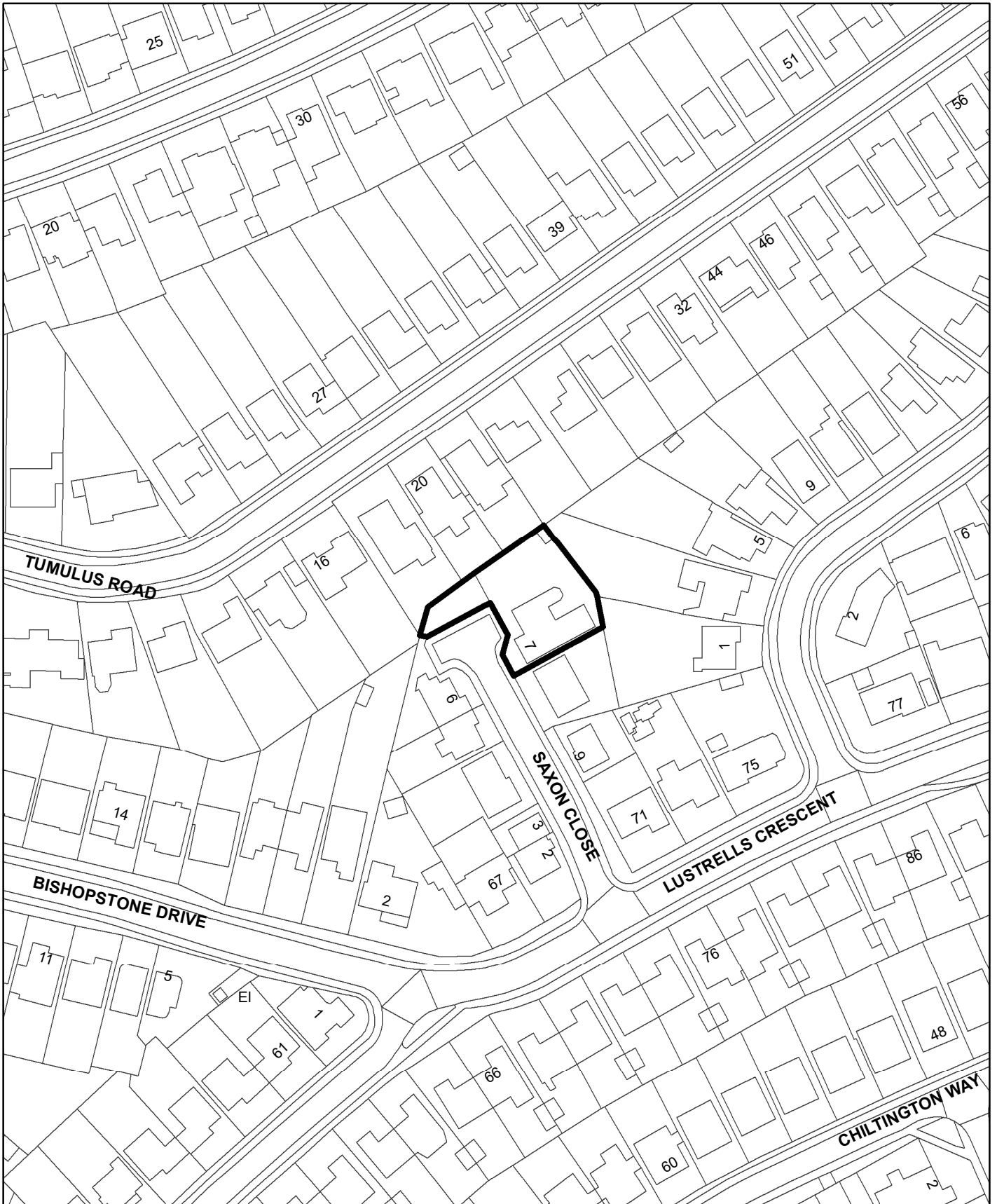
- The development interferes with the protected vista from Brunswick Terrace
- The development contravenes 1830s legislation limiting development at this location
- There is inconsistency between the area indicated in the plans and the actual area of build, indicating potential for further such adverse development
- The development interferes with the setting of a Grade 1 listed square of international importance and other listed heritage assets
- Consultation on this development either with ward Councillors, local Friends Of groups or neighbours was limited /non-existent and reports indicate that neighbour consultation letters were not in fact received.

ITEM B

**7 Saxon Close
BH2025/01377
Removal or Variation of Condition**

DATE OF COMMITTEE: 3rd September 2025

BH2025 01377 - 7 Saxon Close



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2025/01377	<u>Ward:</u>	Rottingdean & West Saltdean Ward
<u>App Type:</u>	Removal or Variation of Condition		
<u>Address:</u>	7 Saxon Close Saltdean Brighton BN2 8GA		
<u>Proposal:</u>	Application to vary conditions 1, 6i and 17 of planning permission BH2024/00692 to allow amendments to approved drawings and to confirm conditions 6i and 17 have been approved.		
<u>Officer:</u>	Rebecca Smith, tel: 291075	<u>Valid Date:</u>	29.05.2025
<u>Con Area:</u>		<u>Expiry Date:</u>	24.07.2025
<u>Listed Building Grade:</u>		<u>EOT:</u>	10.09.2025
<u>Agent:</u>	Lewis And Co Planning SE Ltd Lewis & Co Planning 2 Port Hall Road Brighton BN1 5PD		
<u>Applicant:</u>	My Sales Ltd C/o Lewis And Co Planning 2 Port Hall Road Brighton BN1 5PD		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Proposed Drawing	TA1398/10	F	29-May-25
Proposed Drawing	TA1398/11	F	29-May-25
Proposed Drawing	TA1398/12	F	29-May-25
Proposed Drawing	TA1398/13	F	29-May-25
Proposed Drawing	TA1398/14	F	29-May-25
Proposed Drawing	TA1398/15	E	29-May-25
Proposed Drawing	TA1398/16	E	29-May-25
Proposed Drawing	TA1398/17	F	29-May-25
Proposed Drawing	TA1398/18	E	29-May-25
Proposed Drawing	TA1398/19	D	29-May-25
Proposed Drawing	TA1398/20	A	29-May-25
Report/Statement		Planning Statement	29-May-25
Report/Statement		Biodiversity enhancement	25-Jul-25

2. The development hereby permitted shall be commenced before 6th September 2026.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3. Notwithstanding any details shown on the approved plans, no development above ground floor slab level of any part of the development hereby permitted shall take place until details of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) Samples/details of all brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used, including details of their treatment to protect against weathering
- c) samples/details of all hard surfacing materials
- d) samples/details of the proposed window, door and balcony treatments
- e) samples/details of all other materials to be used externally

Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies DM18 and DM21 of Brighton & Hove City Plan Part Two and CP12 of the Brighton & Hove City Plan Part One.

4. Prior to occupation of the development hereby permitted, a scheme for landscaping, for both 7 Saxon Close and the new dwelling, shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:

- a. details of all hard and soft surfacing to include the type, position, design, dimensions and materials and any sustainable drainage system used;
- b. a schedule detailing sizes and numbers/densities of all proposed trees/plants including food-bearing plants, and details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period;
- c. details of all boundary treatments to include type, position, design, dimensions and materials;

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies DM22 of Brighton & Hove City Plan Part 2, and CP12 and CP13 of the Brighton & Hove City Plan Part One.

5. All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Confidential Badger Appendix (David Archer Associates, July 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, as required by paragraphs 174 and 180 of the National Planning Policy Framework, Section 40 of the Natural Environment and Rural Communities Act 2006, Policy CP10 of the Brighton & Hove City Plan Part One and Policy DM37 of the City Plan Part Two.

6.

- i) No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
- ii) The archaeological work shall be carried out in accordance with the approved written scheme of investigation (and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority for approval in writing within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is agreed in advance and in writing with the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policies DM31 of Brighton & Hove City Plan Part Two, and CP15 of the Brighton & Hove City Plan Part One.

7. Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development 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 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 DM33 of the Brighton & Hove City Plan Part Two.

8. No extension, enlargement, alteration of the dwellinghouse or provision of buildings etc incidental to the enjoyment of the dwellinghouse within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies Dm20 & DM21 of Brighton & Hove City Plan Part 2, and CP12 of the Brighton & Hove City Plan Part One.

9. The dwelling hereby approved shall be implemented in strict accordance with the internal layouts detailed on the proposed floorplans TA1398/11 C and

TA1398/12 C received on 19th July 2023. The internal layouts shall be retained as first implemented thereafter.

Reason: To ensure an acceptable standard of accommodation for future occupiers is provided and maintained thereafter and to comply with policy DM1 of the Brighton and Hove City Plan Part Two.

10. The new crossover and access shall be constructed prior to the first occupation of the development hereby permitted.

Reason: In the interests of highway safety and to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One.

11. The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved and shall be maintained so as to ensure their availability for such use at all times.

Reason: To ensure that adequate parking provision is retained and to comply with policy CP9 of the Brighton & Hove City Plan Part One, policy DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.

12. The development hereby permitted shall not be occupied until the dwelling hereby permitted have been completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) and shall be retained in compliance with such requirement thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy DM1 of Brighton & Hove City Plan Part 2.

13. The development hereby approved should achieve a minimum Energy Performance Certificate (EPC) rating 'B' for new build residential.

Reason: To improve the energy cost efficiency of existing and new development and help reduce energy costs to comply with policy DM44 of the Brighton & Hove City Plan Part Two.

14. The residential unit hereby approved shall not be occupied until the building has achieved as a minimum, a water efficiency standard of not more than 110 litres per person per day maximum indoor water consumption.

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

15. Prior to first occupation of the development hereby approved, details of the photovoltaic array referred to on drawing TA1398/10 C shall be submitted to and approved in writing by the Local Planning Authority. The photovoltaic array shall then be installed in accordance with the approved details.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance and to comply with policies CP8 and CP12 of the Brighton & Hove City Plan Part One.

16. At least one bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.
Reason: To enhance the biodiversity of the site and to comply with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.
17. The development shall take place in accordance with the Ecological Design Strategy received 25th August 2025 and previously approved as the Ecological Design Strategy for this address under application BH2024/02579.
18. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 & CP11 of the Brighton & Hove City Plan Part One.
19. The dwelling hereby approved shall be implemented in strict accordance with the internal layouts detailed on the proposed floorplans TA1398/11 D, TA1398/12 D and TA1398/20 received on 15th March 2024. The internal layouts shall be retained as first implemented thereafter.
Reason: To ensure an acceptable standard of accommodation for future occupiers is provided and maintained thereafter and to comply with policy DM1 of the Brighton and Hove City Plan Part Two.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. SITE LOCATION

- 2.1. The application site is a two-storey detached dwelling with a rear/side garden at the end of Saxon Close in Saltdean. The site is irregular in shape, with the main dwelling located along the southern boundary, a large garden along the northern (side) boundary which extends west around the corner along the edge of the hammerhead of the cul-de-sac. The land slopes upwards to the north-west towards the end of the cul-de-sac, with dwellings beyond the site on Tumulus Road sitting at a significantly higher level than the application site.
- 2.2. The site is not listed and is not within a conservation area. There are no Article 4 Directions covering the site which are relevant to the proposed development. It is noted that the site is within an Archaeological Notification Area (ANA).

3. RELEVANT HISTORY

- 3.1. **BH2024/02579** - Application for approval of details reserved by condition 6 i) (archaeological written scheme of investigation) and 17 (ecological design strategy) of application BH2024/00692 (original permission BH2023/00424). Approved 10.12.2024
- 3.2. **BH2024/00692** - Application to vary condition 1 of planning permission BH2023/00424 to amend approved drawings for the addition of a basement level. Approved 12.08.2024
- 3.3. **BH2023/00424** - Erection of 1no detached part 1/part 1.5 storey three-bedroom dwelling (C3) with associated parking, bin store and landscaping on land at 7 Saxon Close, including subdivision from 7 Saxon Close. Approved 07.09.2023
- 3.4. **BH2022/03233** - Partial demolition and remodelling of the existing dwelling and erection of 1no four-bedroom dwelling and 1no three-bedroom dwelling (C3). Withdrawn
- 3.5. **BH2010/01380** - Erection of single storey rear extension at the lower ground floor (basement) level. Approved 07.09.2010

4. APPLICATION DESCRIPTION

- 4.1. The application is seeking planning permission to vary Condition 1 of BH2024/00692 (the plans condition) to allow for changes to the approved plans which include:
- A new excavated patio area to the front of the property and an enlarged patio to the rear at basement level
 - New balustrading around the patio areas
 - Alterations to the stepped access and changes to fenestration
 - Alterations to the garden layout including new stepped access from basement to ground level
 - Revised conditions on archaeology and ecology which are updated where acceptable details have already been approved under previous applications.
- 4.2. It should be noted that the majority of the development proposed already benefits from the planning permission BH2024/00692 which was approved on 12th August 2024 following a decision by the Planning Committee.

5. REPRESENTATIONS

- 5.1. Representations have been received from 5 people, objecting to the proposed development for the following reasons:
- Increased traffic
 - Detrimental effect on property values
 - Noise

- Overdevelopment/overcrowding
- Restriction of view
- Too close to boundary
- Lack of communication with neighbours
- No consideration for retaining wall between Tumulus Road and Saxon Close.
- Heat pump too close and will cause a disturbance,
- Loss of sea view.
- Poor design
- Inappropriate height of development
- Likely to increase pavement parking.
- Removal of turning head a concern.
- Loss of amenity and privacy.
- Noise during construction.

5.2. Full details of representations received can be found online on the planning register.

6. CONSULTATIONS

None undertaken

7. MATERIAL CONSIDERATIONS

7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report.

7.2. The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016).
- Brighton & Hove City Plan Part Two (adopted October 2022).
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013; revised October 2024; revised October 2024).
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017).
- Shoreham Harbour JAAP (adopted October 2019).

8. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP1	Housing delivery
CP8	Sustainable buildings

CP9	Sustainable transport
CP10	Biodiversity
CP12	Urban design

Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM22	Landscape Design and Trees
DM31	Archaeological Interest
DM33	Safe, sustainable and active travel
DM37	Green Infrastructure and Nature Conservation

Supplementary Planning Documents:

SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to whether it is acceptable in terms of design, appearance and residential amenity to amend the previously approved plans to include the proposed changes. These would be to permit additional excavation to the front of the dwelling and already approved basement to create a patio and alter the approved front elevation, including the stepped access to the dwelling. There are also amendments to the landscaping at the rear to include steps up from a basement level patio to the rear rather than the sloping lawn as currently approved.

Principle of the Development:

- 9.2. The principle of building a house on the side/rear garden of 7 Saxon Close was first established with the approval of BH2023/00424 (approved by Planning Committee on 6th September 2023). As noted above the approved plans were then varied to include basement level accommodation comprising of a bedroom and ensuite with access to the rear garden. This was approved under BH2024/00692 (approved by Planning Committee on 7th August 2024).

Design and Appearance

- 9.3. The proposed alterations to the plans approved under BH2024/00692 are to retain the footprint of the basement but with external changes comprising of excavations to facilitate a patio to the front of the property (with void above) and a patio to the rear of the basement level with stairs up to the garden level.
- 9.4. The proposed front patio area will be served by bi-fold doors from the basement hallway. At ground floor level there will be balustrading around the stairs and entrance to the property to prevent falls into the void, further details of this balustrading are secured through the materials condition. The addition of a balustrade is not considered detrimental to the streetscene.

9.5. There are also proposed changes to the access to the property, The proposed steps to the front doors from the pavement are now proposed to be narrower but retain the space for future chairlift facility. The stairs would now be offset to side of the front door so a turn at the top of the stairs is required to enter the property. This is not considered a significant change in respect of the impact on the appearance of the property and is acceptable.

9.6. Overall, the proposed changes to the design do not significantly alter the design or appearance of the property from the street, when compared to the previous approval. No harm to the character or appearance of the area is considered to result from the proposed changes and the alterations are considered to be compliant with policies CP12 (Urban Design) of the Brighton and Hove City Plan Part One and DM18 (High quality design and places) of the Brighton and Hove City Plan Part Two.

Impact on Amenity:

9.7. The proposed additional basement patio at the front of the dwelling would not impact on neighbouring properties in terms of overlooking or overshadowing as the development would be below ground level. The access doors to the sunken patio would be below ground level so are not considered to impact on the privacy of neighbours. It is noted that there is no access from the proposed front patio to the street as it is fully enclosed. The basement front patio would replace a raised outside terrace area that was previously approved therefore the resultant amenity impacts at the front would be lesser than the approved scheme as any overlooking to the street would be removed as a result of the basement location. Any impacts in terms of noise would be similar to those previously considered acceptable when it was a street level terrace.

9.8. At the rear the changes to remove the sloping lawn from the approved layout and create an enlarged rear patio with steps would have no additional impact upon residential amenity over and above the already approved scheme.

9.9. The proposals are not considered to cause any increased impacts upon neighbouring residential amenity and are considered compliant with policy DM20 of the Brighton and Hove City Plan Part Two.

Sustainable Transport and Accessibility:

9.10. Access to the property would be marginally affected by the proposals as the steps to enter the property at the front would be narrowed to allow for the excavation required. The steps would remain a useable and compliant width and the previously approved space and power supply for a potential future chairlift would still be possible within the layout. This means the property can still be adapted for access for those with reduced mobility.

Archaeology

9.11. Whilst the scheme proposes new excavations the impacts on any archaeological deposits will be monitored through the approved details. A written scheme of investigation has already been approved through the condition process (6i) under application (BH2025/02579) and is required to be adhered to during

construction, the second part of this condition (6ii) requires works to be in accordance with the WSI and that a written record of the archaeological investigation is submitted following completion of the investigation on site.

- 9.12. The archaeological importance of the site would remain protected through the approved WSI and condition requiring development in accordance with the approved details. Therefore, there are no concerns in respect of design and archaeology with the revised proposals.
- 9.13. As the approved WSI has the previously approved plans from BH2024/00692 as part of the approved document it is not considered that this can be carried across to this application due to the inclusion of the plans to be superseded if this application is approved. Therefore a new WSI is required to refer directly to this proposed development with additional excavation.

Conditions:

- 9.14. Conditions previously applied to the erection of a dwelling at this site have been carried over as part of this recommendation. Where the conditions have already been discharged, the wording has been updated to reflect this and to ensure that those approved details are secured. The conditioned matters which have been amended are:
- 1. Plans list (updated to include the amended plans)
 - 17. Ecological Design Strategy, details as per the strategy approved under BH2024/02579. This condition is updated to ensure that the Ecological Design Strategy previously approved is adhered to in the design and construction of the development.
- 9.15. All other conditions have been carried over as previously attached.

Other Matters Including those raised in Representations:

- 9.16. It is noted that the majority of points raised in the public consultation relate to the erection of a property in this location and the above ground level works, already approved and the size and occupation of the proposed dwelling. These objections were previously considered when the dwelling was granted and whilst these objections are noted there remains an extant planning permission which is being amended with this application. This recommendation is considering the changes in addition to what has already been approved.
- 9.17. Impacts on property values are not a material planning consideration.
- 9.18. Impacts of noise during construction are not a material planning consideration, it is accepted that there will be some noise, and disturbance impacts from the construction, but these are not permanent effects of the proposed development.

10. CONCLUSION

- 10.1. The amendments to the proposal in the form of the sunken front patio, balustrading, steps and alterations to the garden and patio layout at the rear are considered to cause no harm to the character and appearance of the area. The

alterations would not cause any harms to neighbouring residential amenity. The amendments are therefore considered to be compliant with policies of the Brighton and Hove City Plan Part One and Brighton and Hove City Plan Part Two.

11. EQUALITIES

11.1. Section 149(1) of the Equality Act 2010 provides:

- 1) A public authority must, in the exercise of its functions, have due regard to the need to—
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.2. Officers considered the information provided by the applicant, together with the responses from consultees (and any representations made by third parties) and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.

12. COMMUNITY INFRASTRUCTURE LEVY

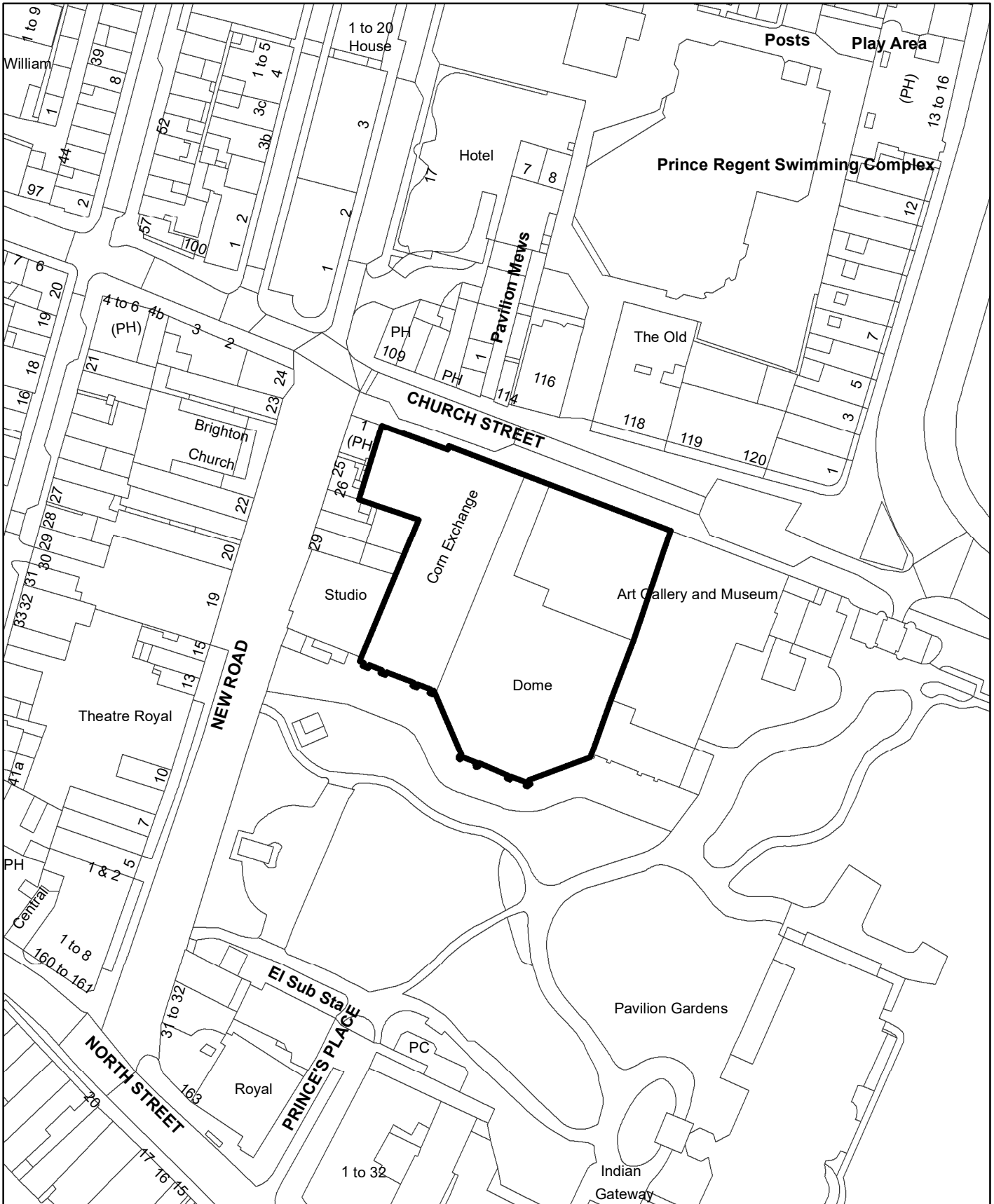
12.1. Under the Regulations of the Community Infrastructure Levy (CIL) 2010 (as amended), Brighton & Hove City Council adopted its CIL on 23 July 2020 and began charging on all CIL liable planning applications on and from the 5 October 2020. It is estimated that the amount of CIL liability for this application is £24,810.63. The exact amount will be confirmed in the CIL liability notice which will be issued as soon as it practicable after the issuing of planning permission.

ITEM C

**Brighton Dome, Church Street
BH2025/01527
Full Planning**

DATE OF COMMITTEE: 3rd September 2025

BH2025 01527 - Brighton Dome



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2025/01527	<u>Ward:</u>	West Hill & North Laine Ward
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	Brighton Dome Church Street Brighton BN1 1UE		
<u>Proposal:</u>	External repairs including masonry repairs, repointing, paint removal, render repairs, repairs to stonework including merlons, pinnacles and cornices, application of limewash coating to stonework and renders. Low pressure jet washing, window repair and redecoration.		
<u>Officer:</u>	Mark Thomas, tel: 292336	<u>Valid Date:</u>	17.06.2025
<u>Con Area:</u>		<u>Expiry Date:</u>	12.08.2025
<u>Listed Building Grade:</u>			
<u>Agent:</u>	Brighton And Hove City Council Hove Town Hall Norton Road Hove BN3 3BQ		
<u>Applicant:</u>	Brighton Dome And Brighton Festival Brighton Dome Church Street Brighton BN1 1UE		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** Listed Building Consent subject to the following Conditions and Informatives.

Conditions:

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.
Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. Unless otherwise set out in the submitted drawings and Heritage Statement, or otherwise agreed, the external finishes of the works hereby permitted, including any making good, shall match in material, colour, style, bonding and texture those of the existing building.
Should any new materials be found to be required for the approved development, full details and/or samples of these shall be submitted to and approved in writing by the Local Planning Authority prior to being used.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policies DM27 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.
3. The limewashing hereby approved shall not be commenced until samples/details, including details of pigmentation/colour, have been submitted to and approved in writing by the Local Planning Authority. The limewash should also be applied to a test area on the site, and details of the result of this test included for consideration.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies DM27 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.

4. No low pressure jet washing to the facades of the building shall take place until a test of a small sample area has been undertaken to the satisfaction of the Local Planning Authority.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies DM27 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.

Informatives:

1. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Proposed Drawing	002		17-Jun-25
Proposed Drawing	003		17-Jun-25
Proposed Drawing	004		17-Jun-25
Location and block plan	000		17-Jun-25
Report/Statement	Design And Access		17-Jun-25
Report/Statement	Heritage Statement		17-Jun-25

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. Brighton Dome is a Grade I listed building, and forms part of a complex of buildings within the Brighton Pavilion Estate and includes the Corn Exchange and Museum. The group of buildings form an orientalist streetscape onto Church Street and onto the Pavilion Gardens. The buildings occupy a prominent place within the Valley Gardens Conservation Area and provide a significant backdrop and setting to the registered park & garden (grade II) of the Royal Pavilion gardens and form part of the setting of the Pavilion itself. The buildings also form part of the setting of a number of other listed buildings in Church Street and New Road, including the grade II* Theatre Royal.
- 2.2. Listed Building Consent is sought for restoration of the exterior of the building, including repairs and redecoration.

3. RELEVANT HISTORY

- 3.1. **BH2023/00098** Installation of 2no butterfly awnings, guillotine windows, wrap around planters and glazed screen, to accommodate outside restaurant dining area to West and South of Studio Theatre. Approved 11.04.2023
- 3.2. There are also various consents for advertisements and internal alterations to the building which are not directly relevant to the current proposals.

4. REPRESENTATIONS

None received

5. CONSULTATIONS

5.1. Heritage: No objection

- The proposed works does amount to a fairly comprehensive restoration which will require some replacement of materials.
- The need for the repair and restoration of the building is acknowledged, but some of materials should be better justified and specified in the proposal. If necessary, these issues can be addressed in conditions.
- Any replacement materials should be prepared on site and inspected to compare with the original. This will include mortars, paints and cills.
- New features such as doors should be shown in section drawings and submitted to the council before work commences.
- Cleaning methods of brick or render should be carried out in a small area to ensure that the method does not harm the surface of the building. DOFF cleaning process may still too abrasive for some surfaces so it is important the wherever it is specified it will not cause harm.
- The removal of plant growth from the building is in principle acceptable. However, special care should be taken with how this is removed.
- No new materials should be used in the making good of this material when masonry is replaced and made good.
- Wherever any new materials are replaced they shall be specified they shall match exactly the existing materials or until any other materials are approve in conditions prior to commencement of works.

5.2. Historic England No comments

6. MATERIAL CONSIDERATIONS

6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report.

6.2. The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016);
- Brighton & Hove City Plan Part Two (adopted October 2022);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- Shoreham Harbour JAAP (adopted October 2019).

7. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP15	Heritage

Brighton & Hove City Plan Part Two:

DM26	Conservation Areas
DM27	Listed Buildings

Supplementary Planning Documents:

SPD09	Architectural Features
SPG11	Listed Building Interiors

8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this application relate to the impacts of the proposed works on the historic character and appearance of the Grade I Listed Building and the wider Conservation Area.
- 8.2. In considering whether to grant listed building consent the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Moreover, when considering whether to grant listed building consent for development in a conservation area the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 8.3. Case law has held that the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses, and the desirability of preserving or enhancing the character or appearance of a conservation should be given "considerable importance and weight".

External Alterations:

- 8.4. The application proposes masonry repairs, repointing, paint removal, render repairs, repairs to stonework including merlons, pinnacles and cornices, application of limewash coating to stonework and renders, low-pressure jet washing, window repair and redecoration. The application also included like-for-like replacement of doors, although it has been confirmed by the applicant that these works no longer form part of the proposals.

Masonry repairs

- 8.5. The proposed masonry repairs would comprise lime-based render and clay bricks to match the existing. There is no objection to these works subject to matching materials to be secured by condition.

High level merlons and surrounding reconstituted stonework

- 8.6. The proposal includes vegetation removal and low pressure jet washing. There is no objection to vegetation removal, subject to making good of any damage, including repointing of any affected mortar joints.
- 8.7. The low pressure jet washing is considered acceptable and should first be tested on a small area to ensure that no harm would be caused to the external surface of the building which would be secured by condition.
- 8.8. The proposal also includes general repairs to cracking and spalling, including to the parapet, to which there is no objection. These works should be carried out in materials to match the existing unless specifically specified otherwise in the submitted plans and Heritage Statement.

High level pinnacles

- 8.9. The proposal is for low-pressure jet washing. As above, this should first be tested on a small area and is proposed to be secured by condition.

Rendered aedicules, paint removal and limewashing

- 8.10. The proposal is for removal of existing non-breathable masonry paint from the rendered aedicules, string courses and decorative cornices and merlons and the render treated instead with a lime wash which would better allow the building to 'breathe'. The Heritage Officer has raised no objection to this proposal, although details of pigment added to the wash has not been specified and shall, therefore, be secured by condition. The limewash should be tested on a small area and the results of testing shall be included within the submission of details pertaining to the condition.

Cornices

- 8.11. Vegetation removal and low-pressure jet washing is acceptable in principle subject to the considerations of similar works set out above. There is no objection to the repair of minor and hairline cracking as set out in the submission documents.

Window repairs

- 8.12. Windows would have linseed oil-based putty applied and general repairs and repainting including single glazed pane replacements where required. There is no objection to these works.

9. CONCLUSION

- 9.1. The works are for repair and restoration of the Grade I Listed Building and do not involve the loss of historic fabric. The proposals are considered to suitably protect and preserve the special historical interest of the Listed Building and would not cause any harm in heritage terms subject to the necessary conditions to secure appropriate methods and materials. The proposals are considered to be in accordance with policies CP15 of the Brighton and Hove City Plan Part One and DM27 of the Brighton and Hove City Plan Part Two which seek to conserve and enhance the city's historic environment.

10. EQUALITIES

10.1. Section 149(1) of the Equality Act 2010 provides:

- 1) A public authority must, in the exercise of its functions, have due regard to the need to—
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.2. Officers considered the information provided by the applicant, together with the responses from consultees (and any representations made by third parties) and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.

PLANNING COMMITTEE

Agenda Item 127

Brighton & Hove City Council

NEW APPEALS RECEIVED BETWEEN 03/07/2025 - 06/08/2025

Ward name	Appeal Ref	Appeal Application Number	Address	Development Description	Appeal Status	Appeal Received Date	Application Decision Level
Hollingdean & Fiveways	APL2025/00058	BH2025/00627	269 Preston Drove Brighton BN1 6FL	Installation of new shopfront formed on line of concrete plinth, new ramp and handrails formed, shopfront sprayed traffic grey RAL 7043, new timber compound to side elevation for trolley storage.	APPEAL IN PROGRESS	30/07/2025	Delegated
Patcham & Hollingbury	APL2025/00054		47 Ladies Mile Road Brighton BN1 8TA	Appeal against	APPEAL IN PROGRESS	07/07/2025	
Rottingdean & West Saltdean	APL2025/00056	BH2024/02508	98 Greenways Brighton BN2 7BL	Removal of existing driveway front gates and erection of replacement timber gates and fence.	APPEAL IN PROGRESS	25/07/2025	Delegated
Rottingdean & West Saltdean	APL2025/00053	BH2024/02852	3 Cliff Top Heights Cranleigh Avenue Rottingdean Brighton BN2 7FX	Application to remove condition 5 of planning permission BH2014/03110 (with regards to plot 3 only) which removed the right to make any extension or alteration without planning permission.	APPEAL IN PROGRESS	07/07/2025	Delegated
Rottingdean & West Saltdean	APL2025/00060	BH2025/00911	Land To The East Of 10 Linchmere Avenue Saltdean Brighton BN2 8LE	Erection of a new detached dwellinghouse (C3) with parking, vehicle crossover and associated landscaping.	APPEAL IN PROGRESS	05/08/2025	Delegated
Rottingdean & West Saltdean	APL2025/00055	BH2025/01038	98 Greenways Brighton BN2 7BL	Certificate of lawfulness for the proposed 2 meters high fence and sliding gate to the front garden.	APPEAL IN PROGRESS	14/07/2025	Delegated
Westdene & Hove Park	APL2025/00057	BH2025/00970	9 The Beeches Brighton BN1 5LS	Application to vary condition 1 of planning permission BH2024/02569 to extend the ground floor accommodation to create a new study space and extend the living space plus	APPEAL IN PROGRESS	29/07/2025	Delegated

				removal of the parapet along the single storey roof element.			
Westdene & Hove Park	APL2025/00059	BH2025/00975	77A Dyke Road Avenue Hove BN3 6DA	Erection of a guard rail at first floor level.	APPEAL IN PROGRESS	01/08/2025	Delegated

PLANNING COMMITTEE

Agenda Item 129

Brighton & Hove City Council

APPEAL DECISIONS FOR THE PERIOD BETWEEN 23/07/2025 - 19/08/2025

Wardname	Appeal Application Number	Address	Development Description	Appeal Type	Appeal Decision	Planning Application Number	Application Decision Level
West Hill & North Laine	APL2025/00043	139 - 142 North Street Brighton BN1 1RU	Alterations to existing shopfront including installation of automatic sliding doors. (Retrospective)	Against Refusal	Appeal Allowed	BH2024/02928	Delegated
Kemptown	APL2023/00097	18-19 Charlotte Street Brighton BN2 1AG	Appeal against Listed Building Notice	Against Enforcement Notice	Appeal Dismissed		
Hove Park	APL2024/00083	23C Shirley Drive Hove BN3 6NQ	Appeal against	Against Enforcement Notice	Appeal Dismissed		
Queen's Park	APL2025/00038	34 Queens Park Rise Brighton BN2 9ZF	Installation of rear dormer and 2 no. front rooflights.	Against Refusal	Appeal Dismissed	BH2025/00202	Delegated
	APL2023/00096	Paskins Hotel 19 Charlotte Street Brighton BN2 1AG	Internal refurbishment of basement area (part retrospective).	Against Non-determination	Appeal Dismissed	BH2022/02940	Not Assigned
Regency	APL2025/00047	50 Kings Road Brighton BN1 1NA	Retrospective application for the display of internally illuminated fascia sign.	Against Refusal	Appeal Dismissed	BH2024/03120	Delegated

	APL2025/00027	86 - 87 Preston Street Brighton BN1 2HG	Display of non-illuminated fascia signs. (Retrospective)	Against Refusal	Appeal Dismissed	BH2024/00848	Delegated
Moulsecoomb & Bevendean	APL2025/00029	7 The Furlong Brighton BN2 4FR	Creation of 9no studio units and cluster flat formed of 6no bedspaces of purpose-built student accommodation (sui generis) within first floor, and new communal gymnasium, dance studio and flexible social/study space in place of vacant commercial unit at ground floor of existing student accommodation block no.8, incorporating external alterations including the creation of roof terrace and cycle storage. Internal refurbishment of ground floor level of student accommodation blocks 6 & 7, to provide improved social/study space.	Against Refusal	Appeal Dismissed	BH2024/00546	Delegated
Hollingdean & Fiveways	APL2024/00092	Emblem House Home Farm Business Centre Home Farm Road Brighton BN1 9HU	Application for the permanent retention of the previously approved temporary extension.	Against Refusal	Appeal Allowed	BH2023/03236	Planning (Applications) Committee