

# Planning Committee

Date: **3 June 2026**

Time: **2.00pm**

Venue **Council Chamber, Hove Town Hall**

Members: **Councillors:** Thomson, Cattell, Earthey, Nann, Parrott, Robinson, Shanks, Sheard, C Theobald and Pickett

Conservation Advisory Group Representative

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# AGENDA

## 10 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.*

## 11 MINUTES OF THE PREVIOUS MEETING

7 - 16

Minutes of the meeting held on 6 May 2026.

## 12 CHAIR'S COMMUNICATIONS

## 13 PUBLIC QUESTIONS

**Written Questions:** to receive any questions submitted by the due date of 12 noon on 28 May 2026.

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

**15 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](mailto:democratic.services@brighton-hove.gov.uk)

**MINOR APPLICATIONS**

- |   |   |                |
|---|---|----------------|
| A | BH2025/03081 - Site of Amex House, Edward Street, Brighton - Full Planning    | <b>17 - 28</b> |
| B | BH2026/00064 - 165 Hollingdean Terrace, Brighton - Full Planning              | <b>29 - 50</b> |
| C | BH2026/00748 - Sussex County Cricket Ground, Eaton Road, Hove - Full Planning | <b>51 - 62</b> |

**INFORMATION ITEMS**

- 16 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE** **63 - 64**  
(copy attached).
- 17 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**  
None for this meeting.
- 18 APPEAL DECISIONS** **65 - 66**  
(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](mailto:shaun.hughes@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

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- 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.

Date of Publication - Tuesday, 26 May 2026





# BRIGHTON & HOVE CITY COUNCIL

## PLANNING COMMITTEE

2.00pm 6 MAY 2026

COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE

### MINUTES

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

**Officers in attendance:** Chris Swain (Planning Team Leader), Katie Kam (Lawyer), Steven Dover (Senior Planning Officer), Rebecca Smith (Planning Officer) and Shaun Hughes (Democratic Services)

### PART ONE

#### 1 PROCEDURAL BUSINESS

##### a) Declarations of substitutes

1.1 There were none.

##### b) Declarations of interests

1.2 Committee Members stated they had all been contacted via email by residents regarding planning application BH2025/00019: 267 Old Shoreham Road Brighton.

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

1.3 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.

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

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

1.5 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 ‘airplane mode’.

#### 2 MINUTES OF THE PREVIOUS MEETING

2.1 **RESOLVED** – The minutes of the meeting held on 1 April 2026 were agreed.

**3 CHAIR'S COMMUNICATIONS**

3.1 There were none for this meeting.

**4 PUBLIC QUESTIONS**

4.1 There were none for this meeting.

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

5.1 There were no site visits requests.

**6 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**

6.1 Call Over: The Democratic Services officer noted that only one of the planning applications on the agenda was a major and the remaining 4 were minors. The agenda items with speakers, were called as well as item E. Items B and C were not called therefore, they were agreed as per the officer recommendation set out in the report. The running order would be A, D and E.

**A BH2025/00019 - 267 Old Shoreham Road, Brighton - Full Planning**

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

Speakers

2. Emma Russell addressed the committee as a resident representing other objecting residents and stated they lived in the area and had concerns relating to public health and road safety. Emma Russell set out a number of concerns; The application site is on a major walkway for children to nearby schools, with as many as 3,000 students. It appeared that the applicant was targeting young people. The National Planning Policy Framework (NPPF) states that fast food outlets near schools should be refused. The site is not an appropriate location near a very busy road junction. The application will impact on road safety, pollution levels, and residents. The proposals are in opposition to the City Plan which strives to reduce pollution.
3. Ward Councillor Hewitt addressed the committee and stated that they supported the officer recommendation to refuse the application. The site is a small industrial estate with standard hours of business. The surrounding streets are residential. The proposed drive-through fast food restaurant will change the area. The increase in traffic on Old Shoreham Road will put a strain on the roads. The community objections include schools. It is noted that the proposed 24-hour opening has been reduced to 16 hours per day. Councillor Hewitt stated that this concession was due to the residents objecting who have highlighted the impact on local people. The committee were requested to refuse the application.
4. Mike Spurgeon addressed the committee as the agent acting on behalf of the applicant and stated that they considered the local schools were not too close at half amile away, which is more than the accepted 400m. Parking provision is acceptable and there are no adverse effects from the proposals. All planning matters have been addressed. The existing industrial estate is small; the proposed restaurant will employ

more people with around 120 new jobs. The applicant wishes to support the community.

#### Answers to Committee Members Questions

5. Councillor Sheard was informed that the Transport Team have objected. The Principal Transport Development Officer stated that 10 parking spaces would be compliant with planning policy, however, the proposals were for 39. The Planning manager stated it was considered the nature of a drive-through restaurant was such that it would create additional vehicular trips.. It was noted that any further change of use after this application would require planning permission. The traffic back-up for the nearby retail park was not known. It was confirmed that the proposed restaurant would have a trademark appearance.
6. Councillor Thomson was informed by the Principal Transport Development Officer that the transport assessment was based on 39 spaces being full and the resulting traffic build up. It was noted that some detailed information arrived late and the application has been with the planning team for over a year. The applicant's highway consultant stated that the highway junction has been surveyed and modelled, all of which took time. It was noted that there were 28 parking spaces at Shoreham restaurant and 43 at the Marina. The Principal Transport Development Officer stated that the proposed yellow junction box was a sensible idea, however, the uncontrolled pedestrian crossing was an issue, the central island suggested was not considered suitable given the risks.
7. Councillor Robinson was informed by the Principal Transport Development Officer that there were concerns regarding the proposed uncontrolled pedestrian crossing, which would be close to road junctions. Modelling has been used; however, the results were not clear. It was a concern that traffic would stretch back to Holmes Avenue and Elm Drive, thereby having a severe impact. The applicant's highway consultant confirmed that any highway alterations or works would be funded by the applicant. The Principal Transport Development Officer stated that there were no improvements proposed for pedestrians or cyclists. The applicant's highway consultant stated that they had a meeting with the council to understand concerns regarding junction plans.
8. The applicant's highway consultant stated they had carried out pedestrian and queuing surveys and used micro simulation modelling, which included the local bus timetable. There had not been time to submit the requested supporting information, however, the pedestrian crossing information has been provided. The site would have 11 parking spaces for operational uses. The parking has been assessed against two other nearby locations in Shoreham and Brighton Marina, and enough parking spaces are proposed compared to these other sites. An articulated lorry will be able to turn on the site, with deliveries of 3 to 5 times a week at quite times.
9. Councillor Theobald was informed by the applicant's highway consultant that the proposed filter lane will mirror the lane opposite to the south of Old Shoreham Road. The pedestrian crossing proposed would be 93m from the site. A yellow road junction box was also proposed. The restaurant would be 377sqm with 76 covers. The planning manager confirmed that the building to the rear of the photographs was not part of the application site.
10. Councillor Pickett was informed by the Case Officer that it was considered that 800m was a reasonable distance to walk to the restaurant. The authority's Consultant in

Public Health stated that the 2011 study and mapping showed secondary school children would find 800m usual. The Principal Policy Planning Officer, Policy that there was insufficient industrial land in the city and policy protects the remaining space. The application site is not vacant, which demonstrates demand.

11. Councillor Nann was informed by the Principal Transport Development Officer that the modelling calibration was very important and not enough of the detailed background information had been provided by the applicant. The videos were submitted very late and the uncontrolled pedestrian crossing was not included in the modelling. The authority's Consultant in Public Health stated that the fast food could be a health risk factor if nearby.
12. Councillor Parrott was informed that Hove Park secondary school was 740m away from the site, Goldstone Primary 761m, Blatchington Mill secondary 876m and Aldrington Primary 1,130m. The sea front was some distance from the site. The authority's Consultant in Public Health stated that mapping showed secondary school children purchased fast food on the way to and from school. National guidance was fed into the mapping information. The applicant's highway consultant stated that they compared the Shoreham and Marina restaurants as requested by the council.
13. Councillor Earthey was informed that the existing floor space would be reduced from 900sqm to 350sqm with 62 full time equivalent jobs. It was noted that the site has protected use under planning policy. The Principal Policy Planning Officer stated that the site was protected for employment purposes. The 2024 land study showed that there was a demand for units within established industrial estates.
14. Councillor Shanks was informed that the under policy SPD18 this application was considered an out-of-town drive through restaurant. The city already has a high level of fast-food restaurants and under the NPPF the restaurant should not be within walking distance of a school. The authority has a responsibility to protect residents. The authority's Consultant in Public Health that the city has the second highest number of fast-food restaurants per population in the southeast of England. It was noted there was a strong relationship with obesity and poverty.
15. Councillor Cattell was informed by the agent that it was considered that the benefits outweighed the out-of-date policies. The creation of jobs would be good and a merit for the scheme.

#### Debate

16. Councillor Nann supported the officer recommendation to refuse. They considered the proposal would exacerbate health issues in the area and have a negative impact.
17. Councillor Theobald considered it was a shame to lose the proposed employment, and the schools were not exactly next door. Healthy eating was not a planning matter. 39 parking spaces was good, and it would not be in the city centre. The opening hours have been reduced from 24/7 and there are no residential properties nearby. If the roads were made safe the councillor would support the application.
18. Councillor Cattell supported the officer's recommendation to refuse as the application was contrary to policy and the floor space was needed for employment uses. Another fast-food establishment was not needed. There was no reason to depart from policy.

19. Councillor Robinson wanted to safeguard the existing employment floorspace. The councillor supported the case officer's recommendation to refuse.
20. Councillor Shanks supported the officer's recommendation to refuse. The road is dangerous and very busy; a crossing is needed. The heavy traffic would not be good.
21. Councillor Parrott considered the combination of children and fast-food restaurant would exacerbate the road dangers. The councillor supported the case officer's recommendation to refuse.
22. Councillor Sheard noted the highway issues and considered there was not enough space for queuing. The site is protected by policy for employment. The councillor supported the case officer's recommendation to refuse.
23. Councillor Pickett considered the application should be refused given the public health and road safety issues, and the site being protected.
24. Councillor Earthey supported the case officer's recommendation to refuse.
25. Councillor Thomson supported the case officer's recommendation to refuse given the use of space is protected and the road is very dangerous.

## Vote

26. A vote was held and by 9 to 1 abstention, the committee agreed with the case officer's recommendation to refuse the application.
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 **REFUSE** planning permission for the reasons given in the report.

**B BH2025/02640 - 23 Byron Street, Hove - Full Planning**

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

**C BH2026/00046 - 63 Hallyburton Road, Hove - Removal or Variation of Condition**

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

**D BH2026/00393 - 19 New England Street, Brighton - Full Planning**

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

## Speakers

2. Ward Councillor McLeay sent a speech read out by the Democratic Services officer: The officer report concludes the proposal technically meets current HMO policy thresholds - 6% HMO concentration within 50 metres is below the 10% ward threshold, and below the city-wide limit. However, policy compliance should not be the end of our

consideration. Seven local residents have objected. New England Street is a dense residential street with families and young children living immediately adjacent. Noise, disturbance and high turnover are already sensitive issues in this location. Four-bed family homes are in severe shortage across Brighton and Hove. Accommodating seven people risks creating cramped conditions and pressure on shared facilities. Seven occupants would almost certainly require some bedrooms to be double-occupied. We must not approve a scheme that risks poor living conditions for tenants themselves. The communal living room is large and should be protected as a communal area – not retrospectively converted into a bedroom. This address is not eligible for parking permits within the Controlled Parking Zone. Any future residents would need to rely on long-term paid parking off London Road. Community impact, housing need, living conditions and cumulative change on this street all justify a much more cautious approach. I urge you to scrutinise this proposal closely and consider whether refusal, reduction in occupancy, or stronger conditions would better serve both residents and the wider city.

3. Toby Deacon addressed the committee as the agent acting on behalf of the applicant and stated that there was 2% Homes of Multiple Occupancy (HMO), well below the 20% allowed. No extensions are proposed, and the existing bedrooms remain. There will be no overlooking issues. The proposals will not cause any material harm, with robust management control. There is a condition to prevent noise. The site will offer a good standard of living in this sustainable location. This is a car free location with excellent access to the train station, buses and the local supermarket. The proposals comply with the local plan. The committee were requested to agree the application.

#### Answers to Committee Member Questions

4. Councillor Shanks was informed that the only internal alternations would be introducing a wall on the first floor and moving a bedroom door. It was noted there was no permitted development available, therefore if the property were to be converted back to a family home, planning permission would be required. The number of bathrooms would remain the same, as would the communal space.
5. Councillor Theobald was informed that the small bedroom was 7.5sqm, which was acceptable, as was the communal space.
6. Councillor Pickett was informed that the application was assessed on seven persons sharing.
7. Councillor Cattell was informed that the current use as an AirBnB was unlawful, and planning enforcement would investigate any reports of the property being used as such in the future. It was noted that another HMO application in the area had not been brought to committee as there were not enough objections.
8. Councillor Robinson was informed that the calculations for HMOs in the area would change if this application was agreed. The motivation for submitting the application was not known and would not be a material consideration.
9. Councillor Thomson was informed that the concurrent HMO application would be affected if this application was agreed.

#### Debate

10. Councillor Theobald stated they were sorry not to see photographs of the proposed rooms. It was good that the property would not be a 'party house' let. The application is difficult to turn down. The councillor therefore supported the application.
11. Councillor Cattell was concerned that the property had been used as an unlawful AirBnB. They considered the application could not be refused. Any reports of the house being a 'holiday let' should be reported.
12. Councillor Parrott was concerned that the communal space would be turned into a bedroom by stealth, however, an HMO was not necessarily a bad thing.
13. Councillor Robinson considered the situation was not ideal, however, the application would formalise the position, and HMOs were needed. The councillor supported the application.
14. Councillor Sheard stated they lived in an HMO and costs were rising. The double rooms were a good thing, offering stability for young couples. Car parking was not needed in this sustainable location. It was refreshing to have above minimum standard rooms sizes.
15. Councillor Pickett considered it was sad to lose a family home, however, there were not many physical changes. The councillor supported the application.
16. Councillor Shanks noted the property had been an AirBnB for some time. The accommodation was considered to be good.
17. Councillor Thomson supported the application.

#### Vote

18. A vote was held, and the committee agreed unanimously to grant planning permission.
19. **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.

#### **E BH2026/00158 - 8 Windmill Drive, Brighton - Householder Planning Consent**

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

#### Answers to Committee Member Questions

2. Councillor Theobald was informed that the gardens were currently being landscaped.
3. Councillor Earthey was informed that the rear elevation of the nearest neighbours to the south were 40m from the application property and that a condition was proposed whereby the rear terrace would be required to have screening to the sides to protect neighbouring amenity.

4. Councillor Sheard was informed that the rear garden was to the south of the property, and there were therefore no significant issues relating to overshadowing or loss of light.
5. Councillor Pickett was informed that the existing property has a terrace to the rear, and the proposals include new terracing to the rear and a new upper floor, which will be some distance from the neighbours.
6. Councillor Thomson was informed that the balcony screening would be to stop sideways views, leaving oblique views only.

Debate

7. Councillor Cattell considered as there was a two-storey house next door, overlooking already existed. The councillor did not consider that neighbours would purposefully look at neighbouring gardens. It was noted that there was a large dormer on another property nearby. The councillor supported the application.
8. Councillor Pickett considered the design to be modest compared to other properties in the road. The topography of the site means the property will be higher than others and there will be some overlooking. The councillor supported the application.
9. Councillor Shanks supported the application.
10. Councillor Sheard noted the area was hilly, therefore neighbours can see into gardens and was not a matter for concern. It was considered there was no overshadowing. The councillor supported the application.
11. Councillor Theobald considered the trees would have been good to keep and if standing the owners could see over the balcony screening. The councillor considered a precedent would be set by the application. A site visit would have helped the committee Members understand the situation were privacy is an issue. The balcony is quite big. The councillor was against the application.
12. Councillor Parrott considered the proposals to be a significant upgrade for the property and there was a need for family homes.
13. Councillor Robinson considered the design to be sensible. The councillor supported the application.
14. Councillor Thomson noted the topography of the city was hilly. The councillor supported the application.

Vote

15. A vote was held, and by 9 to 1, the committee agreed to grant planning permission.
16. **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.

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

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

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

8.1 There were none for this agenda.

**9 APPEAL DECISIONS**

9.1 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 4.53pm

Signed \_\_\_\_\_ Chair

Dated this \_\_\_\_\_ day of \_\_\_\_\_



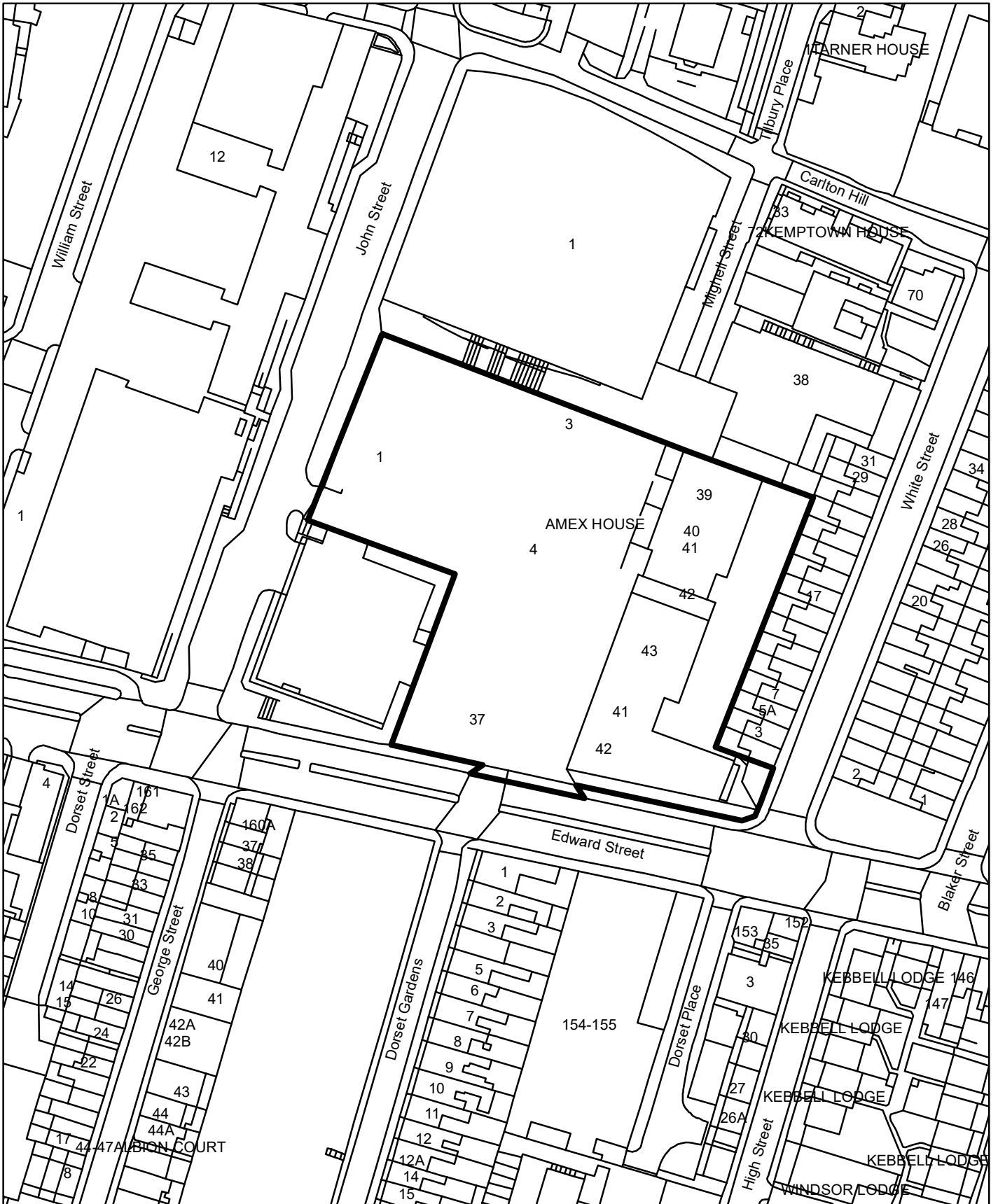
# **ITEM A**

**Site of Amex House,  
Edward Street  
BH2025/03081  
Full Planning**

**DATE OF COMMITTEE: 3<sup>rd</sup> June 2026**



# BH2025 03081 - Site Of Amex House, Edward Street



**Brighton & Hove  
City Council**

N



**Scale: 1:1,250**



<b><u>No:</u></b>	<b>BH2025/03081</b>	<b><u>Ward:</u></b>	<b>Queen's Park Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Site Of Amex House Edward Street Brighton BN88 1AH</b>		
<b><u>Proposal:</u></b>	<b>Change of use of Ground Floor and Lower Ground Floor of Block E - to include Use Class E(d) (indoor sport, recreation or fitness) further to approved Use Class E(g)(i) (Office) (formerly Use Class B1).</b>		
<b><u>Officer:</u></b>	Sonia Gillam, tel: 292265	<b><u>Valid Date:</u></b>	05.02.2026
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	02.04.2026
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	11.06.2026
<b><u>Agent:</u></b>	CBRE Ltd Henrietta House Henrietta Place London W1G 0NB		
<b><u>Applicant:</u></b>	Edward Street Quarter Limited C/O CBRE Ltd Henrietta House Henrietta Place London W1G 0NB		

## 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	1016-PL-S 00	PL1	19-Dec-25
Proposed Drawing	1016-PL-E-GA 00	PL2	19-Dec-25
Proposed Drawing	1016-PL-E-GA LG	PL2	19-Dec-25
Proposed Drawing	1016_PL-GA-LG	PL3	19-Dec-25
Proposed Drawing	1016_PL-GA-00	PL4	19-Dec-25
Proposed Drawing	1016-PL-E-GE 01	PL2	19-Dec-25
Proposed Drawing	1016-PL-E-GE 02	PL2	19-Dec-25
Proposed Drawing	1016-PL-E-GE 03	PL2	19-Dec-25
Proposed Drawing	1016-PL-E-GE 04	PL2	19-Dec-25

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

3. The Block E ground floor and lower ground floorspace hereby approved shall be used as Use Class E(d) and E(g)(i) only, and for no other purpose (including any other purpose in the above classes of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Notwithstanding the provisions 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), no change of use shall occur without planning permission obtained from the Local Planning Authority.  
**Reason:** The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the supply of office floorspace in the city, and safeguarding the amenities of occupiers of neighbouring properties and the amenity of the wider area and to comply with policies CP3, DA5, DM20 and DM40 of Brighton & Hove City Plan Part One.
4. All activities and operations associated with the development hereby approved shall only take place between the hours of 07.00 and 23.00 on Mondays to Saturdays and 08.00 and 22.00 on Sundays and Bank or Public Holidays, unless otherwise agreed in advance and in writing by the Local Planning Authority.  
**Reason:** To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
5. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest noise sensitive premises, shall not exceed the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS4142:2014-A1:2019 (or the relevant updated Standard). In addition, there should be no significant low frequency tones present.  
**Reason:** To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
6. Prior to any Class E (d) use of the units (as defined within The Town and Country Planning (Use Classes)(Amendment) (England) Regulations 2020) a scheme for noise management including soundproofing of the party ceilings, floor and walls between the commercial and residential units above has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the first occupation of the development and shall thereafter be retained as such.  
**Reason:** To safeguard the amenities of the occupiers of adjoining properties and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.

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 relates to Block E of a large mixed-use development on the northern side of Edward Street, consisting of six blocks of residential and commercial uses approved in 2018. Block E faces Edward Street and is a four to six storey building (plus basement). Office use is approved for the ground floor (388sqm) and lower ground floor (375sqm), with residential flats above. The uses are secured by conditions relating to permission (BH2018/00340) for the wider development.
- 2.2. The Block E office space is defined as split level with one floor sitting below street level and the other effectively a mezzanine floor. The units are described as Grade A office space with flexible floor plates, large floor to ceiling windows, air conditioning and 2 car parking spaces. The offices are vacant and have not been occupied since completion. It is understood that the upper residential units are occupied.

## 3. RELEVANT HISTORY

- 3.1. **BH2026/00020** and **BH2025/03092** Change of use of Block F Ground Floor and Lower Ground Floor - to include Use Class E(d) further to Use Class E(g)(i), formerly Use Class B1. Under consideration.
- 3.2. **BH2025/02307** Change of use of Block C - to include Use Class E (d) further to an existing mixed use of Use Classes A1, A3, B1a, C3 and D1 at part of the Ground Floor; and Use Class B1 to Class E(d), and E(g)(i) at Lower Ground Floor. Approved.
- 3.3. **BH2022/00821** Non-Material Amendment to application BH2018/00340 to amend the basement car park layout. Approved.
- 3.4. **BH2021/02645** Non-Material Amendment to planning permission BH2018/00340 comprising the removal of floorspace figures from the description of development. Approved.
- 3.5. **BH2021/00067** Non-Material Amendment to BH2018/00340 for changes to the design of commercial blocks A, B and C, residential blocks D, E and F, revised basement & garden layout. Approved.
- 3.6. **BH2020/00168** Application for approval of details reserved by condition 27 (sound insulation) of application BH2018/00340. Approved.
- 3.7. **BH2018/00340** Erection of a mixed use development to provide 168no residential dwellings (C3), 16,684sqm (GEA) of commercial floorspace (B1), 1,840 sqm (GEA) of ancillary plant/storage and 1,080 sqm (GEA) flexible

floorspace comprising commercial and/or retail and/or residential communal space and/or non-residential institution (B1, A1, A3, C3, and D1) across lower ground and 4 and 8 storeys above ground, with associated parking, hard and soft landscaping and access. Approved.

#### **4. APPLICATION DESCRIPTION**

- 4.1. The application seeks permission for the change of use of the Ground Floor and Lower Ground Floor of Block E - to include Use Class E(d) (indoor sport, recreation or fitness) further to approved Use Class E(g)(i) (Office) (formerly Use Class B1). No external alterations are proposed.
- 4.2. In effect, permission is requested for the flexibility to provide indoor sport, recreation and fitness uses in addition to the existing approved office use. It is understood that there is a potential tenant (climbing wall operator) for the vacant spaces.

#### **5. REPRESENTATIONS**

- 5.1. **Ten (10)** representations have been received objecting to the scheme. Grounds for objection include:
  - Noise and vibration
  - Parking issues
  - Traffic movements
  - Highway safety
  - Anti-social behaviour
  - Light pollution
- 5.2. Representations relating to concerns about impact on property values are noted, however this is not a material planning consideration.
- 5.3. Full details of representations received are available to view on the council's planning register.

#### **6. CONSULTATIONS**

- 6.1. **Environmental Health: Comment**  
Agree that the prospective operator will need to undertake further assessment to provide confidence that there will be negligible disturbance to the residents.
- 6.2. **Highways: No Objection**  
The proposed change of use is unlikely to have a significant impact on the public highway or parking overspill.
- 6.3. **Planning Policy: No objection**  
Widening the permitted range of uses to include E(d) alongside E(g)(i) would be acceptable in principle.

## **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)
  - Hove Station Neighbourhood Plan (adopted February 2024)
  - Rottingdean Neighbourhood Plan (adopted February 2024)
  - West Saltdean Neighbourhood Plan (adopted December 2025)
  - Shoreham Harbour Joint Area Action Plan (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
DA5	Eastern Road and Edward Street Area
CP2	Sustainable economic development
CP3	Employment land
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk

#### Brighton & Hove City Plan Part Two:

DM19	Maximising Development Potential
DM20	Protection of Amenity
DM33	Safe, sustainable and active travel
DM36	Parking and servicing
DM43	Sustainable Drainage
DM44	Energy Efficiency and Renewables

#### Supplementary Planning Documents:

SPD14	Parking Standards
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## **9. CONSIDERATIONS & ASSESSMENT**

- 9.1. The main considerations in the determination of this application relate to the principle of the proposed development, the impact on neighbouring residential properties and any transport/ highways implications.

**Principle of Proposal:**

- 9.2. CPP1 policy CP2.6 recognises the importance of employment-generating non-office uses to the local economy. The policy goes on to state that where loss is permitted, priority will be for alternative employment generating uses.
- 9.3. The proposal seeks consent for the use of the ground floor and lower ground floor of Block E as Class E(d) indoor sport, recreation or fitness (not involving motorised vehicles or firearms), in addition to the permitted office use (Class E (g)(i)). The units/spaces are currently vacant and have been so since the development was completed.
- 9.4. The application states that the extensive marketing campaign for the wider development has been successful with 90% of the space securing office tenants. However, these units in Block E have received no offers for office use, despite being offered as a cost-effective opportunity. Evidence has been provided of marketing since 2020 overall and targeted since 2023 for the remaining space. With 38 viewings in this period, no offers were received. Commercial agents advised that some concerns were raised about the lower ground floor on the basis that it has limited natural light. Additionally, the space may be suited for alternative uses, but conventional office space is unlikely to be feasible.
- 9.5. The submitted marketing information has been assessed and reviewed and it considered that appropriate and sufficient marketing has been undertaken and, given the lack of interest, widening the permitted range of uses of the lower ground and ground floor of Blocks E to include E(d) leisure use alongside E(g)(i) office use would be acceptable in principle. Adding leisure uses to the consent use of the site would not preclude traditional office uses in the future.
- 9.6. The increased flexibility is considered a practical approach to ensuring the vacant units remain in an employment-generating use and contribute to the local economy. The Council's Planning Policy Officer has no objection to the proposal. The scheme can be therefore supported in principle.

**Impact on Amenity:**

- 9.7. Policy DM20 of City Plan Part 2 states that planning permission for any development or change of use will not be granted where it would cause unacceptable loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 9.8. It is noted that that there are residential occupiers on the floors above the commercial units and that a leisure use could potentially generate noise through activity, equipment and audio/music. It should be noted that the wider development permission secured sound insulation between the commercial and residential units of a value of 5dB greater than that required by building regulations performance standard for airborne sound insulation for purpose-built dwelling-houses and flats.

- 9.9. Notwithstanding the above, the applicant has submitted a noise impact report based on noise levels measured within a gym as being representative of worst-case scenario. This indicates that suitable levels can be maintained within the residential flats whilst the commercial space operates and therefore a leisure use could be suitable in the proposed location.
- 9.10. The report states that acoustic design would need to be considered as part of the fit-out design of the space and measures such as suitable flooring and a suspended ceiling system could be installed if necessary. This would allow for higher sound levels to be generated within the proposed commercial space without causing disturbance to the residential units above.
- 9.11. Whilst the report establishes that, in-principle, such a proposed use could operate without undue disturbance, a noise assessment (including a worst case scenario assessment for leisure uses, sufficient anti-vibration and acoustic mitigation measures) is recommended to be secured by condition and agreed and implemented prior to any occupation of the units for a Class E (d) to ensure that there is no significantly harmful impact on neighbouring residential occupiers.

**Sustainable Transport:**

- 9.12. The site is in a location with good pedestrian and public transport access, and that the proposed change of use is unlikely have a significant impact on the public highway.
- 9.13. The permitted cycle parking for the wider development included 110 spaces in the public realm at ground floor for the commercial uses as well as for visitors. This is considered sufficient for the proposed change of use. There would be no access to on-site vehicular parking spaces, however, there are paid parking spaces available on John Street. In any case, the site lies within a Controlled Parking Zone, which would help to manage any overspill parking that may arise from the development.
- 9.14. Given the above, the inclusion of the proposed indoor leisure use, is not considered to generate a harmful uplift in trips or parking demand.

**Ecology/ Biodiversity Net Gain:**

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

**Conclusion:**

- 9.16. The information submitted within the application is considered to sufficiently demonstrate that permitting a more flexible use of the lower ground and ground floor units would not result in any harmful loss of commercial office space. The use of the units for a leisure use under Class E (d) would, subject to the recommended conditions not be harmful to the amenity of neighbouring residential occupiers and would not cause any otherwise harmful impacts.

## **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.

10.3. The applicant has indicated that the units are finished to shell and core and will need to comply with building regulations and DDA requirements. The units are therefore inherently flexible and can be reconfigured to suit individual requirements.

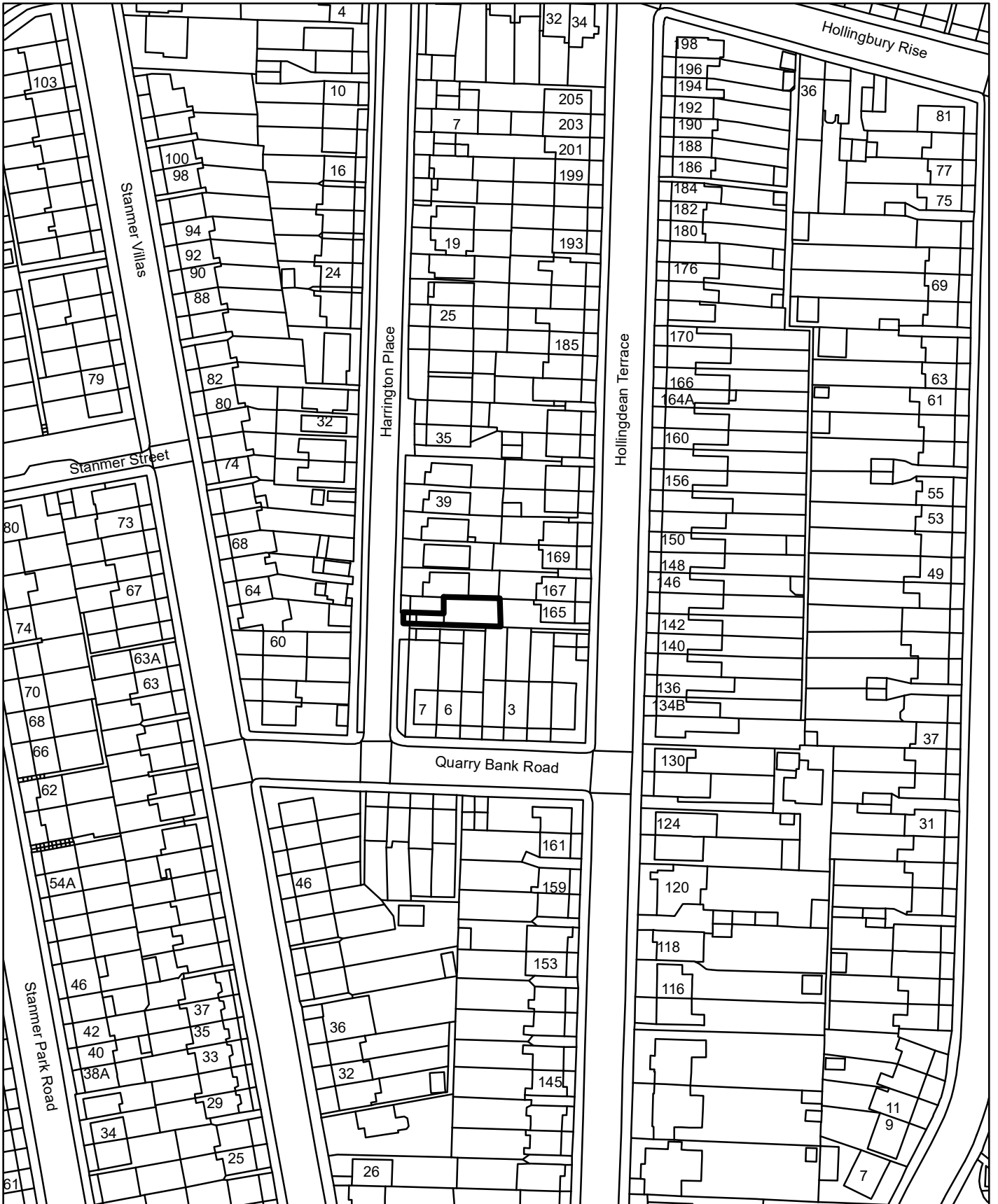
# **ITEM B**

**165 Hollingdean Terrace  
BH2026/00064  
Full Planning**

**DATE OF COMMITTEE: 3<sup>rd</sup> June 2026**



# BH2026 00064 - 165 Hollingdean Terrace



N



Scale: 1:1,250



**Brighton & Hove  
City Council**



<b><u>No:</u></b>	<b>BH2026/00064</b>	<b><u>Ward:</u></b>	<b>Hollingdean &amp; Fiveways Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>165 Hollingdean Terrace Brighton BN1 7HF</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing garage and erection of 1no two-bedroom dwelling to rear (use class C3) with access via Harrington Place.</b>		
<b><u>Officer:</u></b>	Oliver Redmond, tel:	<b><u>Valid Date:</u></b>	17.02.2026
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	14.04.2026
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	12.06.2026
<b><u>Agent:</u></b>	LRA Retinue Limited 24 Windlesham Road Brighton BN1 3AG		
<b><u>Applicant:</u></b>	Mr Derek Beck 165 Hollingdean Terrace Brighton BN1 7HF		

## 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location and block plan	2191-PRO-011	B	01-May-26
Proposed Drawing	2191-PRO-012	E	01-May-26
Proposed Drawing	2191-PRO-013	D	01-May-26
Proposed Drawing	2191-PRO-014	E	01-May-26
Proposed Drawing	2191-PRO-015	D	01-May-26
Proposed Drawing	2191-PRO-016	D	01-May-26
Proposed Drawing	2191-PRO-017	E	01-May-26
Proposed Drawing	2191-PRO-018	D	01-May-26
Proposed Drawing	2191-PRO-019	C	01-May-26
Proposed Drawing	2191-PRO-020	C	01-May-26
Other	2191-PRO-030	B	06-May-26
Other	2191-PRO-031	A	01-May-26
Other	2191-PRO-032	A	06-May-26
Other	2191-PRO-033	A	01-May-26
Report/Statement		Design & Access	13-Jan-26

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
3. The first and second floor side-facing windows in the south elevation shown as obscure glazed on the approved drawings shall be installed prior to first occupation of the development and permanently retained as obscure glazed thereafter.  
**Reason:** To safeguard the privacy of adjoining occupiers and to comply with Policy DM20 of the Brighton & Hove City Plan Part Two.
4. The development hereby permitted shall not be occupied until the cycle parking and refuse/recycling storage facilities shown on the approved plans have been fully implemented and made available for use. The approved facilities shall thereafter be retained for use at all times.  
**Reason:** To ensure satisfactory facilities for sustainable transport and refuse storage in accordance with Policies CP8, DM33 and DM36 of the Brighton & Hove City Plan.
5. Prior to first occupation of the development hereby permitted, a scheme for landscaping 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 and permeable surfacing 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 reduce surface run-off and provide ecological and sustainability benefits, to comply with policies DM22, DM37, DM42 and DM43 of Brighton & Hove City Plan Part 2, and CP8, CP10, CP12 and CP13 of the Brighton & Hove City Plan Part One.
6. The development hereby permitted shall not be occupied until the redundant vehicle crossover to Harrington Place has been converted back to a footway by raising the existing kerb and footway.  
**Reason:** In the interests of highway safety and to comply with policies DM33 of Brighton & Hove City Plan Part 2, CP9 of the Brighton & Hove City Plan Part One.

7. The development hereby permitted shall not commence until full details of existing and proposed ground levels (referenced as Above Ordnance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.  
**Reason:** As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with Policies DM18 and DM20 of Brighton & Hove City Plan Part 2 and CP12 of the Brighton & Hove City Plan Part One.
8. Access to the flat roof areas identified as biodiverse green roofs on the approved drawings shall be for maintenance or emergency purposes only and the flat roof areas shall not be used as a roof garden, terrace, patio or similar amenity area.  
**Reason:** In order to protect adjoining properties from overlooking and noise disturbance and to comply with Policies DM20 and DM21 of Brighton & Hove City Plan Part 2.
9. No extension, enlargement, alteration of the dwellinghouse(s) or provision of buildings etc incidental to the enjoyment of the dwellinghouse within the curtilage of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Class[es 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 DM18 and DM21 of Brighton & Hove City Plan Part 2, and CP12 of the Brighton & Hove City Plan Part One.
10. The residential units hereby approved shall not be occupied until it 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.
11. The photovoltaic panels and biodiverse green roof(s) shown on the approved drawings shall be fully implemented prior to first occupation of the development and shall thereafter be retained and maintained as approved.  
**Reason:** To ensure that the development incorporates appropriate sustainability and biodiversity enhancement measures in accordance with policies CP8 and CP10 of the Brighton & Hove City Plan Part One and policies DM37 and DM44 of Brighton & Hove City Plan Part Two.

12. The development hereby permitted shall not be occupied until 1no. bee brick and 3no. Swift Boxes/Bricks are incorporated within the external walls of the development and retained thereafter.  
**Reason:** To enhance biodiversity and to comply with policies CP10 of the Brighton & Hove City Plan Part One and DM37 of Brighton & Hove City Plan Part Two.
13. Prior to first occupation of the dwelling hereby approved, details of existing and predicted noise and vibration levels arising from the adjacent electricity substation together with any associated mitigation measures required to ensure a satisfactory living environment for future occupiers of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be implemented prior to first occupation and retained thereafter.  
**Reason:** To safeguard the amenities of future occupiers and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.
14. Notwithstanding The Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting those orders with or without modification), the development shall not be constructed other than as self-build or custom build dwelling as defined under the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) and shall be occupied by the person/s implementing the planning approval as their sole or main residence for a period of 3 years from completion of the dwelling.  
**Reason:** To maintain control of development and to ensure development proceeds in line with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) with regards to Biodiversity Net Gain.
15. The development hereby permitted shall not be occupied until the dwelling hereby permitted has 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.
16. 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/details 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 full accordance with the approved details.

**Reason:** To ensure a satisfactory appearance to the development and to comply with policies DM18 of the Brighton & Hove City Plan Part 2 and CP12 of the Brighton & Hove City Plan Part One.

17. The development hereby approved should achieve a minimum Energy Performance Certificate (EPC) rating 'B' (for new build residential development).  
**Reason:** To improve the energy cost efficiency of existing and new development and help reduce energy costs and enhance sustainability, to comply with policies DM44 of the Brighton & Hove City Plan Part Two and CP8 of the Brighton & Hove City Plan Part One.
18. Other than demolition or works to trees, no development hereby permitted shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved details.  
**Reason:** To ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with policies DM42 and DM43 of the Brighton & Hove City Plan Part Two and CP11 of the Brighton & Hove City Plan Part One and SPD16: Sustainable Drainage.

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. The applicant is advised to contact the Council's Streetworks Team ([permit.admin@brighton-hove.gov.uk](mailto:permit.admin@brighton-hove.gov.uk) 01273 290729) for necessary highway approval from the Highway Authority prior to any works commencing on the adopted highway to satisfy the requirements of the condition.
3. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level and preferably adjacent to pollinator friendly plants.
4. Swift bricks/boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height of approximately 5 metres above ground level, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative

designs of suitable swift boxes should be provided in their place where appropriate.

5. 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.
6. 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 vacant and irregularly shaped parcel of land located to the rear of No. 165 Hollingdean Terrace and fronting onto Harrington Place, Brighton. The site is positioned between existing residential development, ancillary structures and a substation. The site is accessed from Harrington Place. The surrounding area is characterised predominantly by two and three-storey residential properties of varied architectural forms, materials and periods, arranged within a steeply sloping urban context.

## **3. RELEVANT HISTORY**

- 3.1. PRE2025/00043 - Prior to this full application, pre-application advice was sought in relation to redevelopment of the site for residential purposes, including demolition of the existing garage and erection of a dwelling accessed from Harrington Place. Officers advised that whilst the principle of residential development was not necessarily objected to, significant concerns were raised regarding the scale, siting and design of the proposal and its relationship with the surrounding area and neighbouring properties. Officers advised that a significantly revised and more modest form of development would likely be required.

## **4. APPLICATION DESCRIPTION**

- 4.1. Planning permission is sought for the erection of a detached two-storey, two-bedroom, four-person dwellinghouse (Use Class C3) with roof accommodation and associated landscaping, covered refuse and cycle storage, photovoltaic panels, green roof features and associated works. The materials proposed include use of red brick, a brown standing seam roof and grey aluminium fenestration.

- 4.2. The proposal has undergone amendment during the course of the application following concerns raised by officers regarding the original design approach, particularly the treatment of the front and side elevations, roof form and overall visual relationship with the surrounding area. The revised scheme reduces the prominence and perceived bulk of the street-facing elevation and introduces a revised material palette including increased use of brickwork. A first floor terrace to the front was also removed from the scheme.

## 5. REPRESENTATIONS

- 5.1. Representations have been received from ten (10) people objecting on the following grounds:
- Overdevelopment of the site; site is highly constrained
  - Insufficient garden remaining for no.165
  - Excessive scale, bulk and massing
  - Harm to the character and appearance of the area
  - Contemporary design considered out of keeping with surrounding development
  - Loss of privacy and overlooking
  - Loss of outlook/overbearing impact
  - Overshadowing and loss of light
  - Loss of existing vegetation and impact on wildlife
  - Increased parking pressure
  - Highway and access concerns
  - Noise and disturbance during construction
  - Will be used as Air BnB
  - Concerns regarding drainage and land stability
  - Safety/supply/amenity concerns due to proximity to electricity substation
  - Use of shared alleyway inappropriate
  - Loss of view and property value
- 5.2. **Councillor Theresa Fowler** has objected to the proposal and requested that the application be determined by Planning Committee. A copy of her representation is attached to this report.

## 6. CONSULTATIONS

None.

## 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 2023; revised October 2024);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017).

## 8. RELEVANT POLICIES & GUIDANCE

- 8.1. 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
CP14	Housing density
CP19	Housing mix

### Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM22	Landscape Design and Trees
DM33	Safe, sustainable and active travel
DM36	Parking and servicing
DM37	Green Infrastructure and Nature Conservation
DM43	Sustainable Drainage
DM44	Energy Efficiency and Renewables

### Supplementary Planning Documents:

SPD06	Trees & Development Sites
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 the principle of development, design and appearance, standard of accommodation, impact on neighbouring amenity, landscaping, sustainable transport, biodiversity and sustainability.

### **Principle of the Development**

- 9.2. Policy CP1 of the Brighton & Hove City Plan Part One sets a minimum housing provision target of 13,200 new homes for the city up to 2030. However, on 24 March 2021 the City Plan Part One reached five years since adoption. National planning policy states that where strategic policies are more than five years old, local housing need calculated using the Government's standard method should be used in place of the local plan housing requirement. The local housing need figure for Brighton & Hove using the standard method is 2,487 homes per year. A 20% buffer is then applied to this figure to reflect the most recent Housing Delivery Test measurement (published in December 2024) for the council being less than 85%.
- 9.3. The council's most recent housing land supply position is published in the SHLAA Update 2025 which shows a five-year housing supply shortfall of 10,442. This is equivalent to 1.5 years of housing supply.
- 9.4. As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in paragraph 11 of the NPPF.
- 9.5. The proposal seeks the erection of a single dwellinghouse on an underutilised urban infill site located within the built-up area of Brighton in the Hollingdean and Fiveways ward. The site occupies a sustainable location within reasonable walking distance of local services, public transport routes and community facilities. Subject to compliance with other development plan policies, the principle of residential development in this location is considered acceptable and would contribute, albeit modestly, toward the city's housing supply.
- 9.6. The proposed residential development is therefore considered acceptable in principle and compliant with Policies SS1 and CP1 of the Brighton & Hove City Plan Part One.

#### **Design and Appearance**

- 9.7. Policies CP12 and CP14 of the Brighton & Hove City Plan Part One and DM18 of the Brighton & Hove City Plan Part Two require development to achieve a high standard of design which responds positively to local character, townscape and landscape setting.
- 9.8. The site is located within a varied residential context characterised predominantly by two and three-storey terraced and semi-detached dwellings of mixed architectural styles and materials. The surrounding townscape is informal in character, with a varied roofscape and stepped built form responding to the area's steep topography.
- 9.9. The proposal would introduce a contemporary detached dwelling arranged across two principal storeys with accommodation contained within the roof-space and partially recessed into the sloping site. The building would measure approximately 8.26m in height (measured from ground floor level to ridge), 5.52m in width and approximately 14.2m in overall depth, including the rear

single-storey triangular garden projection. The dwelling would provide approximately 102sqm of internal floorspace. The proposal incorporates a combination of brickwork, standing seam metal cladding, recessed glazing, green roofs and photovoltaic panels.

- 9.10. During the course of the application, substantial concerns were raised regarding the original design approach, particularly the prominence of flat roof forms, balcony and material treatment and the visual relationship of the front elevation with the surrounding street scene. Officers advised that the original scheme failed to respond positively to the established character of the area and would likely conflict with Policies CP12, CP14 and DM18 of the City Plan.
- 9.11. Following negotiations, the applicant submitted a materially revised scheme. The amendments reduced the perceived bulk and visual dominance of the front elevation, introduced a more coherent pitched roof form and amended the proposed material palette, including the replacement of render with brickwork on the prominent south-facing gable elevation. Officers consider these revisions to have significantly improved the proposal.
- 9.12. The revised scheme is considered to now read more coherently within the surrounding townscape and would better reflect the varied roofscape and vertical proportions evident within the wider area. Whilst contemporary in appearance, the proposal is not considered incongruous or harmful within this context. The use of brick as the primary facing material would also assist in visually grounding the development within the site and relating it more effectively to surrounding development.
- 9.13. The dwelling would remain visually subordinate within the wider street scene due to the sloping topography and its set-down relationship within the site. Furthermore, the fragmented and layered character of the surrounding built form means that a contemporary architectural approach can be accommodated without causing unacceptable harm to the character of the area. Whilst relatively modest, the plot size is comparable to some others in the area and is suitable for a small 2-bedroom dwelling, and the proposal maintains the established street frontage and streetscape.
- 9.14. It is noted that the site is unusual in that it is located partly behind an existing electricity substation, however the proposal is considered to make efficient and effective use of this urban site, and is considered to now represent good quality design which would deliver one additional family home for the city.
- 9.15. The proposal is therefore considered to comply with Policies CP12 and CP14 of the Brighton & Hove City Plan Part One and DM18 of the Brighton & Hove City Plan Part Two.

#### **Standard of Accommodation**

- 9.16. Policy DM1 of the Brighton & Hove City Plan Part Two seeks to secure a high standard of accommodation for future occupiers. New dwellings must comply with the Nationally Described Space Standards (NDSS).

- 9.17. The proposed development would provide a two-bedroom, four-person dwellinghouse with approximately 102sqm of internal accommodation across the building. This would comprise approximately 55.5sqm at ground floor level, 31.5sqm at first floor level and 13.3sqm within the roof-space level.
- 9.18. The proposed smaller double bedroom would measure approximately 12.3sqm, while the principal double bedroom would measure approximately 15.1sqm. Both double bedrooms would comfortably exceed the minimum NDSS (11.5 sqm) and would benefit from good levels of outlook and natural light. The dwelling would also provide bathroom facilities at both ground and first floor levels together with ample internal storage throughout. The floor to ceiling heights meet the NDSS requirements. Overall, the floorspace of the dwelling would comfortably exceed the NDSS for a 2-bed, two-storey residential unit (79sqm), whilst noting that the NDSS does not provide a standard for 3-storey 2-bed units – and in any event at 102sqm the property contains generous accommodation.
- 9.19. A key feature of the proposal is the approximately 55.5sqm open-plan kitchen/living/dining area at ground floor level which would provide a high-quality primary living space with strong visual and physical connectivity to the rear garden through large glazed sliding doors. Officers consider that the stepped arrangement of the building, generous glazing strategy and relationship with external amenity space would result in a good standard of residential accommodation for future occupiers.
- 9.20. Private external amenity space would be provided through a rear garden area measuring approximately 22.5sqm in addition to a front area of approximately 17sqm. Whilst quite small, this is considered suitable for a modest 2-bedroom dwelling and is not greatly dissimilar to other plots in the area. The space can also appropriately accommodate covered refuse and cycle storage within the front area adjacent to the entrance porch.
- 9.21. No information has been provided to demonstrate whether the adjacent electricity substation creates any noise, vibration etc. It is noted that there are already residential properties in quite close proximity to it and that the details submitted with the application suggest a highly insulated fabric-first approach to the construction of the new house. Notwithstanding, given the very close relationship and for the avoidance of any doubt, a condition requiring further details (and appropriate mitigation if necessary) is recommended to ensure a satisfactory living environment for new occupiers of the development.
- 9.22. Overall, subject to the recommended conditions officers are satisfied that the dwelling would provide a good standard of accommodation for future occupiers in compliance with Policy DM1 of the Brighton & Hove City Plan Part Two.

### **Landscaping and Biodiversity**

- 9.23. Policy DM22 of the Brighton & Hove City Plan Part Two seeks to ensure that development responds positively to landscape character and retains important landscape features where possible. Policies CP10 and DM37 seek to mitigate ecological impacts and provide biodiversity enhancements within development.

- 9.24. Concerns were raised within representations regarding the loss of existing vegetation and the impact upon wildlife associated with the site. The revised scheme seeks to retain greater levels of existing vegetation than originally proposed and incorporates new landscaping, planting beds, front and rear garden areas and green roof features throughout the development.
- 9.25. Whilst some vegetation loss would occur to facilitate the development, the proposal would retain meaningful soft landscaping within the site and would introduce biodiversity enhancements through new planting, green roof provision and bee/swift bricks. In particular, concerns were raised regarding the loss of a mature tree located toward the rear of the site which neighbouring residents note attracts birdlife and contributes positively to local amenity. Officers acknowledge that the loss of this tree is regrettable. However, the tree is not protected by a Tree Preservation Order and the site is not located within a Conservation Area meaning there are no constraints to the removal of this tree. On balance, whilst some landscape harm would arise through the loss of existing vegetation, this is not considered sufficient to warrant refusal when weighed against the overall planning benefits of the scheme and the proposed replacement landscaping and biodiversity enhancements.
- 9.26. The proposed landscaping would also assist in softening the visual appearance of the development when viewed from neighbouring sites and the surrounding area.
- 9.27. Subject to appropriate landscaping and ecological enhancement conditions, the proposal is considered acceptable in accordance with Policies CP10, DM22 and DM37 of the Brighton & Hove City Plan Parts One and Two.

#### **Impact on Amenity**

- 9.28. Policy DM20 of the Brighton & Hove City Plan Part Two seeks to ensure that development does not cause unacceptable harm to the amenities of existing occupiers through overlooking, overshadowing, loss of outlook, overbearing impacts or noise disturbance.
- 9.29. A number of objections have been received raising concerns regarding overlooking, loss of privacy, overbearing impacts and overshadowing. These concerns are acknowledged and have been carefully assessed.
- 9.30. The application site is constrained and relationships with neighbouring properties are necessarily tight. However, the proposal has undergone substantial revision during the application process to reduce its amenity impacts. The revised scheme incorporates reduced frontage massing, revised roof forms, removal of the front terrace, obscure glazed side-facing windows and stepped building forms responding to the site's topography.
- 9.31. The sectional drawings demonstrate that substantial portions of the dwelling would be partially recessed into the site, thereby reducing the apparent height and visual dominance of the building when experienced from neighbouring properties. The dwelling would measure approximately 8.26m from ground floor

level to ridge at its highest point, however the effective perceived height would be materially reduced due to the sloping topography and retained landscaping.

- 9.32. Whilst the proposal would alter the currently open outlook experienced from neighbouring properties given the presently undeveloped nature of the site, officers do not consider the resulting relationship to be unacceptably overbearing within the context of the surrounding urban grain and topography. The proposed dwelling would be set off the common boundary to the south and positioned approximately 15.3m from the rear elevation of No. 165 Hollingdean Terrace and approximately 15.9m from Nos. 5, 6 and 7 Quarry Bank Road. The relationship with No. 45 Harrington Place would be tighter, with an approximate 1m separation distance at first floor level. However, officers note that this reflects the established pattern of spacing between properties along Harrington Place, where similarly narrow gaps between dwellings form part of the prevailing built character. The side window at no.45 would still receive light and retain a degree of outlook. The submitted plans indicate that the while the ground floor projecting element would run the full length of the adjacent boundary with no.45 the built form as proposed would remain lower than the existing boundary treatment. It is also noted that the property at no.45 is on a naturally higher ground level than the application site mitigating this impact. The relationships proposed are therefore considered acceptable on balance within this dense urban context and would not result in unacceptable overbearing impacts or material loss of light.
- 9.33. In terms of overlooking, the side-facing windows have been carefully designed to minimise direct views toward neighbouring properties. The first and second floor upper level side-facing windows would be obscure glazed, as shown on the approved drawings, while the remaining side-facing openings are limited in size and arrangement and would not result in unacceptable overlooking within the surrounding urban context.
- 9.34. It is considered that the remaining garden area left to serve the occupiers of no.165 Hollingdean Terrace would be sufficient and is comparable to other rear gardens along the terrace.
- 9.35. Some concern has been expressed by neighbours about potential for noise and disturbance during construction. Any such disruption would be temporary only and, given the proposal is for a modest single dwelling only, a Construction Environmental Management Plan (CEMP) is not considered to be warranted.
- 9.36. Subject to conditions, the proposal is considered to comply with Policy DM20 of the Brighton & Hove City Plan Part Two.

#### **Sustainable Transport**

- 9.37. Policies CP9 of the Brighton & Hove City Plan Part One and Policies DM33 and DM36 of the Brighton & Hove City Plan Part Two seek to encourage sustainable travel and ensure appropriate servicing and cycle provision.
- 9.38. The site occupies a sustainable urban location with access to public transport, local facilities and employment opportunities. No off-street car parking is proposed. While concerns have been raised regarding parking pressure within

the surrounding area, the addition of a modest single dwelling in this sustainable location is not considered likely to result in severe transport impacts sufficient to justify refusal.

- 9.39. Covered cycle storage and refuse storage would be provided within the front garden area adjacent to the entrance porch in accordance with adopted standards.
- 9.40. The proposal is therefore considered compliant with Policies CP9 of the Brighton & Hove City Plan Part One and DM33 and DM36 of the Brighton & Hove City Plan Part Two.

#### **Biodiversity Net Gain**

- 9.41. The proposal comprises a single dwelling on a site measuring approximately 118sqm and therefore falls comfortably below the 0.5 hectare threshold set out within the Biodiversity Gain Requirements (Exemptions) Regulations 2024. The application form also identifies the proposal as self-build/custom build housing development. On this basis, the proposal is considered likely to be exempt from the requirement to secure mandatory Biodiversity Net Gain under Schedule 7A of the Town and Country Planning Act 1990. A condition is recommended to secure the self-build/custom build status of the development.

#### **Other Matters**

- 9.42. The proposal would incorporate sustainable measures including PV panels and a green roof, which are welcomed in accordance with City Plan policy and these, along with water and energy efficiency standards, can be conditioned. Drainage design would also be conditioned and SUDs incorporated where possible.
- 9.43. The applicant will need to have due regard to required construction practices and regulations in close proximity to the electricity substation, which would be dealt with at Building Regulation (BR) stage. Matters of structural stability and fire safety would also be part of the BR stage.
- 9.44. The application for a single dwelling (C3 use class) only. Any use as a holiday let would require further planning permission.
- 9.45. The potential for loss of views or reduced property values are not material planning considerations.

### **10. EQUALITIES**

- 10.1. Section 149(1) of the Equality Act 2010 provides:  
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 representations made by third parties, and determined that the proposal would not give rise to unacceptable material impacts on individuals or identifiable groups with protected characteristics. A condition to ensure Part M4(2) accessibility compliance is recommended.

## **11. COMMUNITY INFRASTRUCTURE LEVY**

- 11.1. 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 5 October 2020.
- 11.2. The exact amount will be confirmed in the CIL liability notice which will be issued as soon as practicable following the issuing of planning permission.

## **12. CONCLUSION**

- 12.1. The proposal would introduce a single two-bedroom family dwelling within a sustainable urban location at a time when the council cannot demonstrate a five-year housing land supply. This attracts positive weight in favour of the proposal. While the development would introduce built form onto a currently open site and would alter the outlook currently experienced by neighbouring occupiers, officers consider that the revised scheme successfully addresses the more significant concerns raised during the course of the application relating to design, frontage composition and visual impact.
- 12.2. The proposal has undergone substantial amendment during the course of the application, including revisions to the roof form, frontage composition, material palette and overall visual relationship with the surrounding townscape. Officers consider that these changes have materially improved the scheme and reduced its visual prominence and amenity impacts.
- 12.3. Subject to conditions, the proposal is not considered to result in unacceptable harm to the character of the area, neighbouring amenity, landscaping, biodiversity or highway safety sufficient to outweigh the benefits of the scheme. The proposal is therefore considered compliant with the development plan as a whole.





## PLANNING COMMITTEE LIST

### **Brighton & Hove** COUNCILLOR REPRESENTATION **City Council**

**Cllr. Theresa Fowler**  
**BH2026/00064 – 165 Hollingdean Terrace**

#### **15<sup>th</sup> May 2026:**

I would like to object to this planning application BhH2026/00064 and ask that this comes to committee. I have visited this garden of 165 Hollingdean Terrace and feel that this proposed development will be over development as it will take away half garden to 165 and cause upset to the tenants living there who have children. The tree is also liked as it provides shade for the children to play. Also, when I was there, lots of birds were flying in and out of the branches and they often nest there. Birds also nest in the bushes at the bottom of the garden. The gardens of next door on Harrington and Quarry bank will lose the light to their garden and be overlooked by the proposed building which will be more detrimental than the lovely tree at the moment. The plans show that they intend to put an entrance into the alley which is used by the residents in Quarry bank. I would like to know if the deeds of the houses in Quarry bank allow this. There is also the substation to consider, and I feel this whole plan feels that the development is being squashed in and take up all available land with the tiniest of garden space and no thought to the redid dents surrounding the area. I would like an ecologist to check that there are no foxes living in the vacant piece of land as it has been empty for many years and is probably full of wildlife.

Please see photos of the area and the space in quarry bank as they also suffer from parking problems and the local environmental services already have problems servicing the road. I hope that planning committee members have a site visit here so they can see this for themselves.



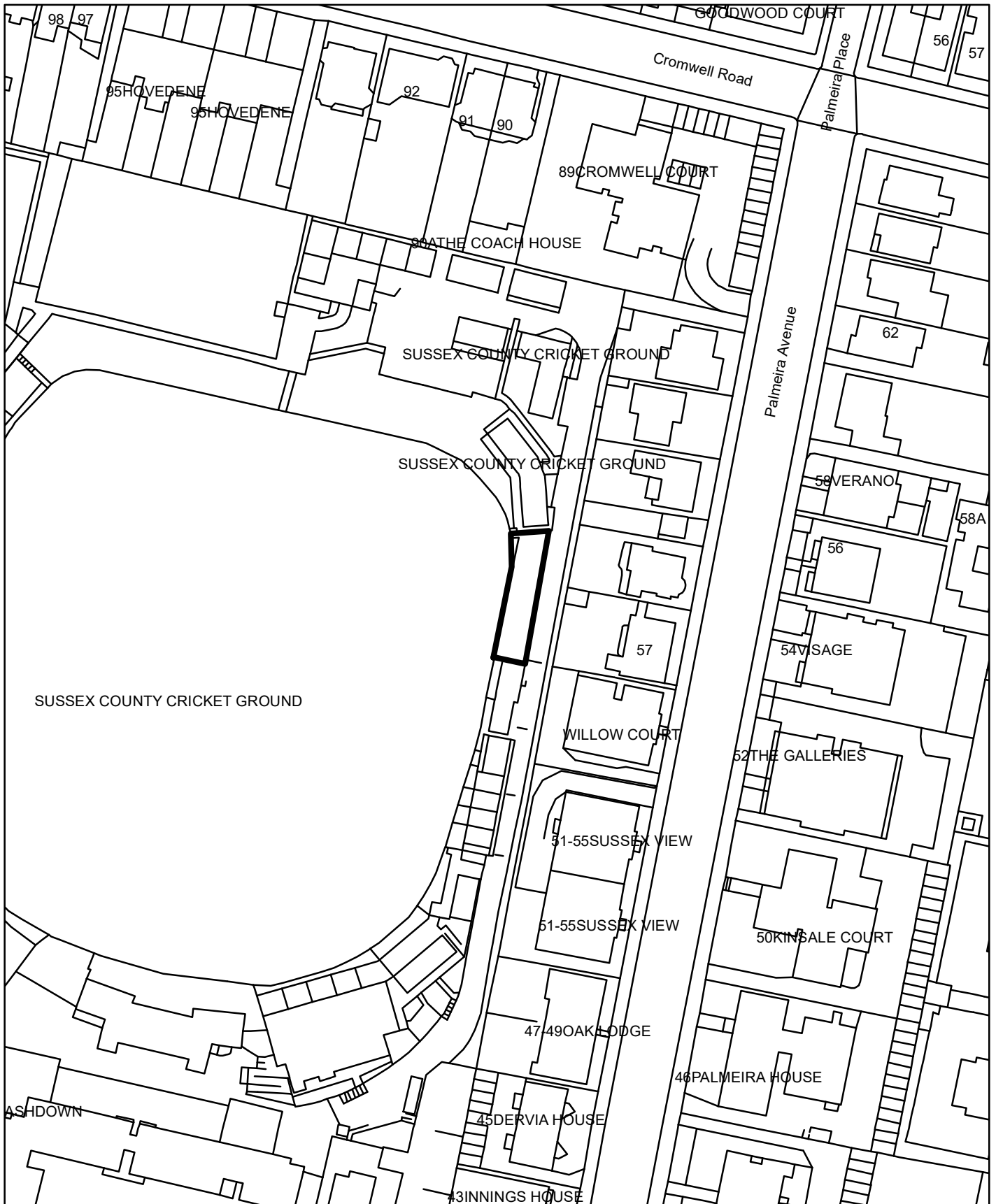
# **ITEM C**

**Sussex County Cricket Ground,  
Eaton Road  
BH2026/00748  
Full Planning**

**DATE OF COMMITTEE: 3<sup>rd</sup> June 2026**



# BH2026 00748 - Sussex County Cricket Ground, Eaton Road



**Brighton & Hove  
City Council**



**Scale: 1:1,250**



<b><u>No:</u></b>	<b>BH2026/00748</b>	<b><u>Ward:</u></b>	<b>Goldsmid Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Sussex County Cricket Ground Eaton Road Hove BN3 3AN</b>		
<b><u>Proposal:</u></b>	<b>Erection of a container for use as a bar facility (Sui Generis) serving food and beverages on match and event days.</b>		
<b><u>Officer:</u></b>	Emily Stanbridge, tel: 293311	<b><u>Valid Date:</u></b>	27.03.2026
<b><u>Con Area:</u></b>	Adjacent Willet Estate	<b><u>Expiry Date:</u></b>	22.05.2026
<b><u>Listed Building Grade:</u></b>	<b><u>EOT:</u></b>		
<b><u>Agent:</u></b>	ECE Planning Limited 64-68 Brighton Road Worthing BN112EN		
<b><u>Applicant:</u></b>	Sussex County Cricket Club C/o ECE Planning 64-68 Brighton Road Worthing BN11 2EN		

## 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	10-PL-01	P1	27.03.2026
Block Plan	10-PL-02	P1	27.03.2026
Proposed Drawing	10-PL-05	P1	27.03.2026
Proposed Drawing	10-PL-10	P1	27.03.2026
Covering Letter			27.03.2026

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

3. The temporary bar facility building hereby permitted shall be permanently removed from the site prior to the 1<sup>st</sup> June 2031.

**Reason:** The bar facility hereby approved is temporary in nature, and is not considered suitable as a permanent form of development in terms of visual appearance, in compliance with policies CP12 and DM18 of the Brighton & Hove City Plan.

4. The bar facility hereby permitted shall only be in use on match and event days unless otherwise agreed in writing with the Local Planning Authority.  
**Reason:** To minimise the impact on neighbouring residents, as the temporary nature of the proposal is considered acceptable on a limited, seasonal basis to support the use of the club for matches and events, to comply with policy DM20 and DM40 of the Brighton & Hove City Plan Part 2.
5. No hot food shall be cooked or prepared within the bar facility hereby approved.  
**Reason:** To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.

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 is in relation to the Sussex Country Cricket Ground, located on the north side of Eaton Road. The site is located adjacent to The Willet Estate Conservation Area. The site of the proposal is towards the eastern boundary of the site.

## 3. APPLICATION DESCRIPTION

- 3.1. Planning permission is sought for the erection of a container building for use a bar facility serving food and beverages on match and event days. The proposed bar would be located to the east of the site, located between other facilities. The applicant has indicated the proposal would be temporary, for approximately 5 years.

#### 4. RELEVANT HISTORY

- 4.1. **BH2026/00315:** Non-material amendment to application BH2019/02948 to amend the description of development relating to phase 2 to: (Phase 2) Full Planning application for demolition of Club offices and partial demolition of southwest stand and the construction of new build extensions and adaptation of southwest stand to include commercial outlets, and hospitality areas, including bars, together with enhancements to the public realm. Approved March 2026
- 4.2. **BH2026/00105** Application to vary condition 1 of planning permission BH2023/02914 (original permission BH2019/02948) to amend approved drawings to allow design, layout and massing amendments to include 2no digital screens to Phase 2 and amend the wording of condition 17 (BREEAM). Under Consideration
- 4.3. **BH2025/00269** Erection of 4no. temporary cricket stands to be installed and in use from May to September of each year until 30 September 2031. Approved March 2025
- 4.4. **BH2024/00904** Reserved Matters application pursuant to Phases 3 and 4 of outline approval BH2023/02914 (original permission BH2019/02948) for approval of appearance, landscaping, layout and scale relating to provision of two stands of permanent seating to replace informal seating areas, improvements to spectator hospitality facilities and demolition of existing hospitality area and construction of new stand. Approved July 2024
- 4.5. **BH2023/02914** Application to remove condition 61 (Travel Plan) of planning permission BH2020/03745. Approved January 2024
- 4.6. **BH2022/00486** Erection of 4no. temporary seated spectator stands. Approved May 2022.
- 4.7. **BH2019/02948** Hybrid Planning Application comprising: (Phase 1) Full Planning application for the demolition of existing public house, single dwellinghouse & single storey commercial building and the construction of a 9-storey (over basement) mixed use building comprising re-provision of public house/restaurant (A3/A4), 37no. residential apartments (C3) and approximately 1,200sqm flexible commercial space (B1/ D1) together with ground & basement parking; (Phase 2) Full Planning application for demolition of Club offices and partial demolition of southwest stand and the construction of new build extension and adaptation of southwest stand to include club shop, reception area; bar and café, hospitality area together with enhancements to the public realm; (Phase 3) Outline Planning application for provision of two stands of permanent seating to replace informal seating areas, together with improvements to spectator hospitality facilities including works to existing single storey buildings; (Phase 4) Outline Planning application for demolition of existing hospitality area and construction of new stand to replace displaced seating. Approved August 2020.

## 5. REPRESENTATIONS

- 5.1. Five (5) letters of representation have been received objecting to the proposals on the following grounds:
- Increase in footfall to the locality
  - Proposals will intensify noise levels in the cricket ground
  - There are already 2 pubs on the site
  - Associated activities to the bar would be disruptive
  - Increase in food odours from hot food
  - Decrease in property value
  - Additional parking issues
  - Too close to boundary and neighbouring properties

## 6. CONSULTATIONS

- 6.1. **Environmental Health** No objection subject to condition
- 6.2. **Sussex Police Comment**  
The applicant is encouraged to consult the licensing team at Sussex Police.

## 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 Joint Area Action Plan (adopted October 2019).

## 8. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part 2:

DM9	Community facilities
DM18	High quality design and places
DM20	Protection of Amenity
DM26	Conservation areas

DM40      Pollution and Noise

Brighton & Hove City Plan Part One:

SS1      Presumption in Favour of Sustainable Development  
CP5      Culture and tourism  
CP9      Sustainable transport  
CP10     Biodiversity  
CP12     Urban design  
CP15     Heritage  
CP17     Sports Facilities

**Supplementary Planning Documents:**

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

**9.      CONSIDERATIONS & ASSESSMENT**

9.1.     The main considerations in the determination of this application relate to the impact of the development upon the character and appearance of the site (including setting of heritage assets), impact on neighbouring amenity, impacts upon the highways network and sporting/events considerations.

9.2.     When considering development within the setting of heritage assets, such as the adjacent Willet Estate Conservation Area, the Council has a statutory duty to have special regard to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. Case law has held that the desirability of preserving or enhancing the character or appearance of a conservation area should be given "considerable importance and weight".

**Principle of development**

9.3.     This application seeks to install a temporary bar facility for approximately 5 years. The applicant confirms that this bar facility is required to enhance the hospitality offering on the site and support the sports and events use of the cricket ground in the interim period whilst phases 2, 3 and 4 in connection with planning permissions BH2019/02948 (amended by BH2023/02914) are undertaken - as set out in the History section above. The wider Cricket Ground site is undergoing redevelopment and refurbishment as can be seen in the approved phases as set out below:

- Phase 1: Mixed use building to provide residential accommodation with public house at ground floor level with associated parking and landscaping. Note - this phase has been completed.
- Phase 2: Redevelopment of the south-west stand to include hospitality facilities and corporate facilities
- Phase 3: Redevelopment of the north end stands to include upgrades to spectator facilities
- Phase 4: New seating upgrades to south east corner.

- 9.4. It is therefore considered appropriate and necessary to tie in the installation of the temporary bar into a timeframe that sits alongside other permissions on the site.
- 9.5. The appropriate introduction of uses and buildings which support sporting facilities and event spaces in the city is supported in principle given their importance to the city's cultural, sporting and economic offer, in accordance with relevant City Plan Policies.

#### **Design and appearance**

- 9.6. The application proposes the installation of a temporary bar facility which comprises a single storey metal container which will have a black finish. The proposal would have a somewhat plain and functional appearance, however, this is considered acceptable given the temporary nature of the development.
- 9.7. Further, the building would not appear out of context with the wider site, which contains a mix of ancillary buildings of varying designs. The modest scale of the development, and its siting along the edge of the pitch between other buildings, is considered appropriate in the context of surrounding buildings and the wider site. Given its siting and scale, it would not unduly impact the setting of the nearby Conservation Area.
- 9.8. The proposed container is therefore considered to be an acceptable addition to the site on a temporary basis that would not unduly harm its appearance, in accordance with policies DM18, CPo12, CP15 and DM26 of Brighton and Hove City Plan.

#### **Impact on amenity**

- 9.9. The proposed bar facility would be sited on the eastern boundary of the Cricket Ground. The nearest residential properties are those which front Palmeira Avenue and back onto the Cricket Ground. The new facility would be separated from these properties by the vehicular access road which follows the perimeter of the site. As a result, the bar facility would be sited approximately 7m from the rear boundary wall of 57 and 59 Palmeira Avenue and approximately 20m from the rear elevation of these neighbouring properties.
- 9.10. An earlier application in relation to the cricket ground (BH2025/00269) approved the erection of a temporary cricket stand for seating on this part of the site during the summer months. The approved stand measured approximately 4.2m high and 24m long. This was considered to result in an acceptable impact on neighbouring properties. By comparison the bar would measure approximately 2.5m-3m in height, owing to land levels and is 12m long. Given what has previously been considered acceptable, coupled with the separation distance between the development and the nearest neighbouring property, the scale of the development is not considered to result in significant harm to the outlook and light levels of nearby residents. The building would also be placed between existing buildings which have similar relationships to neighbouring properties.

- 9.11. The proposed bar would not include any serving hatches on the eastern side of the development, with all associated activity contained within the cricket ground. As such no additional harm to neighbouring privacy is considered to result.
- 9.12. Residents have raised concerns with regards to associated noise levels that could result from the bar and also the cumulative impact of noise generally associated with the cricket ground, including from other bars. The proposed bar facility is however small in scale and located within the context of the main site. This bar is intended to provide an interim facility while the wider redevelopment of the site progresses. A condition would seek removal of the bar prior to Summer 2031.
- 9.13. The applicant has confirmed that the use of the bar is limited to match and event days which equates to approximately 75 days a year. A condition is therefore sought to restrict the use of the bar in line with the above. It is considered that this condition will ensure that the bar remains as an ancillary use to the cricket ground (matches and events) and is not operated as an independent venue or for longer periods. The description of the development also secures this.
- 9.14. Concerns have also been raised by neighbouring residents with regards to the potential for odour as a result of food being prepared within the new facility. The applicant has confirmed that no hot food will be prepared or cooked from this bar facility. The new facility would only be for the sale of drinks and limited food only. It is considered appropriate to attach a condition which secures this.
- 9.15. The Environmental Health Team raise no objection subject to condition to restrict to match/event day use only, and Sussex Police raise no objection. It should be noted that planning permission does not override the need to obtain an alcohol licence or prevent the Environmental Health Team carrying out an investigation under the Environmental Protection Act 1990 should any future complaints be received.
- 9.16. Therefore, subject to the inclusion of the recommended conditions, it is considered that the proposals would not have a significant impact on the amenities of neighbouring residents and as such the proposal is in line with policies DM20 and DM40 of the City Plan Part 2.

#### **Sustainable transport**

- 9.17. Some concerns have been raised by residents with regards to impacts on increased footfall and parking pressures. The proposal is small scale and would not alter the established match day operation of the Cricket Ground nor would it increase the existing spectator capacity. As such it is not considered that the proposed bar facility would materially change the existing situation with regards to transport aspects.

#### **Biodiversity/Sustainability**

- 9.18. The proposed development would be sited on an existing area of hard standing within the Cricket Ground. Given that the development is temporary in nature, in this instance it is not considered proportionate to secure conditions for ecological or sustainability improvements.

### **Other Matters**

- 9.19. The potential for loss of property value is not a material planning consideration.

## **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 determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.

## **11. CONCLUSION**

- 11.1. The principle of the development is acceptable and it would support an existing sporting facility/event space, in accordance with policy. The temporary nature and appearance of the proposal mean it would not be suitable for a permanent permission and temporary permission for 5 years is recommended, and this would be in line with the longer-term phased development proposed for the site. The modest scale of the development and its distance away from neighbouring properties mean no adverse impact would result. The proposal would be used only on match/event days and would not involve any cooking facilities, also limiting its impact. The proposal would not give rise to any adverse highways impacts.
- 11.2. The proposal would comply with the policies of the Development Plan as a whole, and help support an important sporting/event facility for the city, and approval is therefore recommended.

**NEW APPEALS RECEIVED BETWEEN**  
**02/04/2026 - 06/05/2026**

**Ward** Moulsecoomb & Bevendean  
**Appeal Ref** APL2026/00026  
**Appeal App Number** BH2025/02490  
**Address** Holden Court 35 Hollingdean Road Brighton BN2 4QY  
**Development Description** Certificate of lawfulness for proposed change of use from existing Purpose-built Student Housing (Sui Generis), to flexible use as Purpose-built Student Housing and Co-living use (Sui Generis).

**Application Status** APPEAL IN PROGRESS  
**Appeal Received Date** 27/04/2026  
**Application Decision Level** Delegated

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**Ward** West Hill & North Laine  
**Appeal Ref** APL2026/00022  
**Appeal App Number** BH2025/03000  
**Address** 42 Tidy Street Brighton BN1 4EL  
**Development Description** Change of use from private dwelling (C3) to flexible use as holiday let/private dwelling (Sui Generis/C3) (retrospective).

**Application Status** APPEAL IN PROGRESS  
**Appeal Received Date** 09/04/2026  
**Application Decision Level** Delegated

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**Ward** Hanover & Elm Grove  
**Appeal Ref** APL2026/00027  
**Appeal App Number** BH2025/01833  
**Address** Austen House 104 Southover Street Brighton BN2 9UD  
**Development Description** Erection of second floor extension and upwards extension to provide additional third floor with dormer windows, to provide 1no additional residential flat (C3).

**Application Status** APPEAL IN PROGRESS  
**Appeal Received Date** 05/05/2026  
**Application Decision Level** Delegated

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**Ward** North Portslade  
**Appeal Ref** APL2026/00024  
**Appeal App Number** BH2025/02475  
**Address** 1 Hillbank Close Portslade BN41 2WE

**Development Description** Erection of three-storey detached dwellinghouse (C3) to rear of existing dwelling. Associated landscaping, parking and new vehicle crossover to Mile Oak Road.

**Application Status** APPEAL IN PROGRESS

**Appeal Received Date** 14/04/2026

**Application Decision Level** Delegated

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**Ward** Woodingdean

**Appeal Ref** APL2026/00025

**Appeal App Number** BH2025/02317

**Address** 544A Falmer Road Brighton BN2 6ND

**Development Description** Raise the wall and complete roof to existing rear storage building.

**Application Status** APPEAL IN PROGRESS

**Appeal Received Date** 16/04/2026

**Application Decision Level** Delegated

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**Ward** Brunswick & Adelaide

**Appeal Ref** APL2026/00023

**Appeal App Number** BH2025/01368

**Address** 23 - 24 Brunswick Square Hove BN3 1EJ

**Development Description** Refurbishment of the front entrance steps to 23-24 (reinstated in the same design and construction of original steps and coverings)

**Application Status** APPEAL IN PROGRESS

**Appeal Received Date** 10/04/2026

**Application Decision Level** Delegated

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**APPEAL DECISIONS FOR THE PERIOD BETWEEN**  
**22/04/2026 - 19/05/2026**

**Wardname** Kemptown  
**Appeal Application Number** APL2025/00003  
**Address** 35 Devonshire Place  
Brighton  
BN2 1QB  
**Development Description** Certificate of lawfulness for existing use as 12no self-contained flats (C3).  
**Appeal Type** Against Refusal  
**Appeal Decision** Appeal Allowed  
**Planning Application Number** BH2024/01137  
**Application Decision Level** Delegated

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**Wardname** Regency  
**Appeal Application Number** APL2026/00010  
**Address** 1 Marlborough Mews  
Brighton  
BN1 3EB  
**Development Description** Change of use from a dwellinghouse (C3) to short term holiday let (Sui Generis). Retrospective  
**Appeal Type** Against Refusal  
**Appeal Decision** Appeal Dismissed  
**Planning Application Number** BH2025/01767  
**Application Decision Level** Delegated

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**Wardname** Round Hill  
**Appeal Application Number** APL2025/00086  
**Address** 9 Park Crescent  
Brighton  
BN2 3HA  
**Development Description** Replacement of single glazing with slim double glazing in existing frames and the addition of glass in boxing around internal stairs.  
**Appeal Type** Against Refusal  
**Appeal Decision** Appeal Dismissed  
**Planning Application Number** BH2024/01841  
**Application Decision Level** Delegated

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