

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 5 FEBRUARY 2025

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Loughran (Chair), Allen (Deputy Chair), Earthey, Galvin, Nann, Robinson, C Theobald, Thomson and Hill (Substitute)

Officers in attendance: Jane Moseley (Planning Manager), Katie Kam (Senior Lawyer), Ben Daines (Planning Team Leader), Sonia Gillam (Senior Planning Officer), Chris Swain (Planning Team Leader), Michael Tucker (Senior Planning Officer) and Shaun Hughes (Democratic Services)

PART ONE

58 PROCEDURAL BUSINESS

a) Declarations of substitutes

58.1 Councillor Hill substituted for Councillor Shanks. Councillor Sheard substituted for Councillor Winder.

b) Declarations of interests

58.2 Councillor Thomson declared they would be addressing the committee regarding item C and would step out of the meeting during the decision makein process and discussions.

c) Exclusion of the press and public

58.3 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.

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

d) Use of mobile phones and tablets

58.5 The Chair requested Members ensure that their mobile phones were switched off, and where Members were using tablets to access agenda papers electronically ensure that these were switched to 'aeroplane mode'.

59 MINUTES OF THE PREVIOUS MEETING

59.1 **RESOLVED:** That the minutes of the meeting held on 8 January were agreed.

60 CHAIR'S COMMUNICATIONS

60.1 There were none for this meeting.

61 PUBLIC QUESTIONS

61.1 There were none for this meeting.

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

62.1 The Committee did not request any site visits prior to the determination of any of the applications on the agenda.

63 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

63.1 The Democratic Services officer called the agenda applications to the committee. The following items were not called for discussion and were therefore taken to be agreed in accordance with the officer's recommendation:

- Item D: BH2024/02421: 52 Brunswick Place, Hove (PLA)
- Item E: BH2024/02422: 52 Brunswick Place, Hove (LBC)

Item F: BH2024/02584: 6 St Aubyns Gardens, Hove was deferred to March committee meeting. All other applications were called for discussion.

A BH2024/00145 - Site Offices, Ground & First Floor, South Tennis Court, St Marys Hall, Eastern Road, Brighton - Full Planning

1. The Planning team leader introduced the application to the committee.

Speakers

2. A resident addressed the committee and stated that they thankful for the conditions attached the report. The resident considered the privacy to be good, however, the repair of the structure was bad. The applicants were considered evasive and disrespectful and in breach of the existing planning permission. The applicant had taken over a year to come to the planning with an application. The committee were asked to enforce the breached conditions. The lighting on the site has changed several times, and the committee were asked to condition no extra lights and repair to take place within 5 days. Between 7am and 9am the junction onto Eastern Road was very busy with the dropping off of staff and refuse collections. Bollards on the corner of the site would be a good way to protect pedestrians at this point.

Answers to questions to the speaker from the committee Members

3. Councillor Robinson was informed that there was security lighting on the site which stayed on all night on occasion and extra lights have been added over the last 9 years.
4. Councillor Loughran was informed that the resident wanted a work start time of 7am.
5. Councillor Hill was informed that the service road that meets Eastern Road was challenging in the morning between 7 and 9am.
6. Councillor Theobald was informed that noise was an issue from refuse collections.
7. Jonathan Steele addressed the committee as the applicant and stated that the strategic programme was managed for Brighton Trauma, Tertiary and Teaching (3Ts) redevelopment. The 3Ts project has strong support from the government with funding through till 2030 delivery. The structure allows co-ordination and organisation of building works. The applicant has worked with the council and if agreed, the applicant agreed to enhance the appearance of the structure. The applicant has attended community meetings. The committee were requested to support the application.

Answers to questions to the speaker from the committee Members

8. Councillor Hill was informed by Sam Oguz (applicant) that the traffic access is established and is under constant review. It was noted that the bin store was not on the original plans submitted 9 years ago. Highways were consulted and did not object. It was noted that the waste collection could not be covered by a condition requiring a transport assessment featuring access.
9. Councillor Robinson was informed that refuse trucks are able to access the site via side access adjoining Brighton College. The approach of the refuse trucks could be looked at. It was noted that the refuse bins were located to the rear of the structure, and the access road was exit only.
10. Councillor Theobald was informed that the scaffolding was temporary, the repair of the listed wall was being looked at and signage to deter smokers on the stairwell was in place. The in-box from the public was constantly monitored. No extra lighting is being proposed and anything more would require planning permission.
11. Councillor Galvin was informed by Sam Oguz that the netting was to protect neighbours and 'no see' netting was being looked into.
12. Councillor Sheard was informed that the netting is for the ground floor to protect neighbours. The case officer noted that a 5-year planning permission would trump the 10-year policy on temporary buildings.
13. Councillor Loughran was informed that the land to the rear of the site was owned by National Health Service (NHS). It was noted that a joint waste collection plan with the NHS was not possible as the waste was collected by a commercial provider. A start time

of 6.30am was negotiated with 7am at weekends. It was also noted the lighting has malfunctioned and problems have been incurred.

- 14. Councillor Allen was informed that the welfare of the staff needed to be looked after and there was nowhere else on the main hospital site.
- 15. Councillor Thomson was informed that the walkway with netting was for emergency exit only.
- 16. Councillor Nann was informed that the stairs and walkway were fire escapes, and the designated smoking area was to the rear of the structure.

Debate

- 17. Councillor Theobald considered 14 years was a long time for a temporary permission, however, it was also considered that the structure was useful for the hospital and the 3Ts project. The councillor considered the application was for a building much needed for the city.
- 18. Councillor Hill requested a waste management plan.
- 19. Councillor Allan considered it was good to hear progress, which is vital to the 3Ts project. The councillor supported the application.
- 20. Councillor Sheard was glad to see progress was being made. The structure is temporary even though it has already stood for 9 years, this application will be 14 years. A long-time extension of time making the structure semi-permanent.
- 21. Councillor Robinson considered the structure was needed for the ongoing works and was happy it was moving forward.
- 22. Councillor Earthey considered the 3Ts work to be essential and therefore the structure was vital. The councillor supported the application.
- 23. Councillor Loughran was informed that an informative to manage the waste collection was not weighty enough and a condition would be better.
- 24. Councillor Hill proposed a condition to manage waste collections. The wording to be agreed by officers. Councillor Loughran seconded the motion.

Vote on proposed condition:

- 25. A vote was taken, and the proposal was approved unanimously.

Vote on recommendation to approve:

- 26. A vote was taken, and the recommendations were approved unanimously.

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 **GRANT** planning permission subject to the Conditions and Informatives in the report.

B BH2024/02477 - Withdean Sports Complex, Tongdean Lane, Brighton - Council Development - Full Planning

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

Speakers

2. Simon Farncombe addressed the committee as a resident and stated that they lived in a peaceful home close to the facility. It was noted that the Multi Use Games Area (MUGA) had limited use until padel boarding started. The proposed storage container would be very close to the house. Concerns relate to noise as the previous use for padel boarding was a noise nuisance. Pickle ball will be an issue.
3. Kerry Taylor addressed the committee as the applicant stated that the sports facilities were for the city and this application would form part of the starting, living and ageing well strategy. Access is required for all onto this former Brighton and Hove Albion site. The application is not for change of use. Planning permission is required to change the physical appearance of the MUGA, replace fencing, and to make the main entrance accessible with a ramp.

Answers to committee Member questions

4. Councillor Robinson was informed that the MUGA had been established for at least 14 years.
5. Councillor Theobald was informed that pickle ball was a form of mini tennis and would not be permanently played on the MUGA. Other sports include basketball and football. The case officer informed the councillor that the container would be raised and thereby no threat to the existing trees. A tree protection plan is requested by condition. There would be no change to opening times.
6. Councillor Hill was informed that noise was not monitored, and pickle would not be all the time. It was noted the courts were not in a good condition, however, pickle ball may be played at this time. It was also noted that there is an existing process for complaints.
7. Councillor Earthey was informed that the noise would depend on the players and games would not be all day long.
8. Councillor Thomson was informed that working with the provider, Freedom Leisure, noise mitigation has been implemented by planting trees and working with neighbours. It was noted the fence was to be increased in height to 3m. The applicant noted that it was possible that there would be two events a week and not played every night. Pickle ball is mostly played inside and only sometimes outside.
9. Councillor Nann was informed that padel court was used all day.

10. The Planning Team leader noted that the existing MUGA did not require planning permission for a replacement and the use was not to be intensified.
11. Councillor Loughran was informed that pickle ball would not be played all day and there would be a rotation of games. It was noted that the applicant was happy to meet with neighbours with Freedom Leisure. The case officer noted there was no change of use. The noise impact assessment was aimed at the existing MUGA. The manager has an open-door policy.

Debate

12. Councillor Theobald considered it an improvement to have variety and pickle ball was acceptable. The councillor supported the application.
13. Councillor Thomson considered more sport to be better. The councillor supported the application.
14. Councillor Galvin considered the site to be traditionally for sports. The councillor supported the application.
15. Councillor Allen considered the tarmac replacement surface was good. The councillor supported the application.
16. Councillor Hill wished the neighbours to be considered properly. The councillor supported the application.
17. Councillor Robinson stated they understood residents' concerns and asked the venue to work with the residents. The councillor supported the application.
18. Councillor Sheard considered the changes to be positive and noted there were no objections from environmental health. Although the residents were frustrated the councillor did not consider the application to be more impactful. The councillor supported the application.
19. Councillor Loughran proposed an informative that a Noise Impact Assessment should be undertaken by the Sport's Centre operator if the MUGA did give rise to noise complaints in the future. Councillor Earthey seconded the motion. The wording to be agreed by officers.

Vote on informative:

20. A vote was taken, and the committee agreed the informative unanimously.

Vote on the officer recommendation:

21. A vote was taken, and the committee agreed to grant planning permission.

22. **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.

C BH2024/02268 - 132 Kings Road, Brighton - Full Planning

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

Speakers

2. Ward Councillor Thomson addressed the committee and stated that they object to the proposals. This is the third application for the property and the previous applications were rejected as they caused harm to the conservation area and the attached listed building. This appears to be development by stealth. The councillor was concerned that the proposed new roof to the rear of the building could be to support more development. The councillor was concerned that the bungaroosh walls would not be able to support any further development. The proposals were considered architectural vandalism, and the committee were asked to refuse the application.
3. Chris Wilmshurst addressed the committee as the agent and stated that the previous application for four storeys had been refused on heritage grounds not planning. A revised scheme had also been refused but supported by the planning officer. The current application is for a refurbishment. The roofing needs repair, which results in an increase in height, along with new windows and balustrade. All the repairs are supported by the heritage officer as there would be no harm to the building. The committee were requested to support the application.

Answers to committee Members questions

4. Councillor Hill was informed that the three-bed flat was currently in use and the standard head room was 2.3m. The application would accord with nationally described minimum space standards.
5. Councillor Sheard was informed that the structural integrity of the building was not a planning matter.
6. Councillor Nann was informed that the development required planning permission as the refurbishment was not like-for-like.
7. Councillor Galvin was informed that the insulation of the bungaroosh walls was not a planning matter.

Debate

8. Councillor Theobald considered there was no problem with the application as the new windows would be an improvement. It appeared the applicant had listened to planning officers. The councillor agreed with the recommendation to approve.
9. Councillor Hill considered that the committee should only look at the application in front of them.

10. Councillor Earthey considered as there were no architectural heritage issues the committee should support the application.
11. Councillor Nann considered it was hard to vote against the application as the refurbishment was acceptable.
12. Councillor Robinson considered the development to be an improvement, especially the windows. The councillor supported the application.
13. Councillor Loughran supported the application as they considered the improvements were needed.

Vote

14. A vote was taken, and the committee agreed unanimously to grant planning permission.
15. **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.

D BH2024/02421 - 52 Brunswick Place, Hove - Full Planning

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

E BH2024/02422 - 52 Brunswick Place, Hove - Listed Building Consent

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

F BH2024/02584 - 6 St Aubyns Gardens, Hove - Full Planning

1. This application was deferred before the meeting to the March 2025 committee meeting.

G BH2024/00942 - Exton House, 4 Second Avenue, Hove - Listed Building Consent

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

Answers to committee Member questions

2. Councillor Robinson was informed by the Principal Heritage Planning Officer that the majority of stained glass would remain and there would also be some reinstatement. Alterations on the lower ground floor would reveal the bay window and the original high ceilings. Cornices would also be reinstated to match the existing. None of the fireplaces will be removed. A lift has been installed and this will remain. The officer considered on balance the changes to be improvements. The removal of partitions will open up rooms, particularly on the ground and second floors. It was noted that there are later additions to the property to the rear.

3. The Planning Manager noted that all changes will need approval.
4. Councillor Sheard was informed that the matter of all toilets being ensuite was not a planning issue on a listed building application.
5. Councillor Theobald was informed that the no fireplaces will be removed, and only one modern fireplace was considered, however, this is to stay.
6. The Planning Manager noted that condition 5 covers all items to be removed.

Debate

7. Councillor Theobald noted the property had been divided up and was concerned at the loss of features. As the heritage officer finds the works acceptable, the councillor supported the application.
8. Councillor Loughran noted that condition 5 covered all items to be removed or refurbished.
9. Councillor Robinson considered the renovations to be sympathetic so far and supported the application.
10. Councillor Thomson considered the works to be sympathetic and supported the application.

Vote

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

H BH2024/02777 - Coppers, The Green, Rottingdean, Brighton - Full Planning

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

Speakers

2. Helena Hughes addressed the committee as a resident and stated that they had lived at Challoners for 30 years and had always shared a drive with Coppers and never experienced any problems with large vehicles. The property is located in a conservation area, and it is important to keep the driveway free of parked vehicles, so the peace and beauty of the village is maintained. If the driveway is widened there will be an increased hazard for pedestrians and road users. Users may be encouraged to illegally turn right onto Falmer Road. Coppers had a parking space outside its gate which was screened from the road. The site is at the entrance to the conservation area, with vegetation that is essential to the rustic look of Rottingdean and testimony to its agricultural origins.

3. Simon Bareham addressed the committee as the agent and stated that the applicant purchased the site in 2015 and has reconstructed the property and the works are now complete. The driveway was temporary expanded to 5m. The application is for 3.7m and the access to Falmer Road would remain the same. The original red bricks of the driveway are to be put back. The 3.7m width driveway will not have room for parking. Driveway parking is not needed. The hedging will be retained.

Answers to committee Members questions

4. Councillor Earthey was informed that the hedging was suspected to be a local species.

Debate

5. Councillor Hil considered any conservation concerns were answered by the reduction in width. The councillor supported the application.
6. Councillor Theobald considered there was no problem with the application.
7. Councillor Robinson was glad to hear there was not room for two cars on the driveway. The councillor supported the application.
8. Councillor Allen noted there was no objections from Rottingdean Parish Council. The councillor supported the application.
9. Councillor Sheard was not sure which policy the ward councillor had objected to the application, and noted that heritage officers raised no objections, and neither did transport, or arboricultural officers. The councillor supported the application.
10. Councillor Loughran considered the proposals to have minimum impact on the property and area. The councillor supported the application.

Vote

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

64 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

65 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

66 APPEAL DECISIONS

66.1 The Committee noted the content of the letters received from the Planning Inspectorate advising of the results of planning appeals which had been lodged as set out in the agenda.

The meeting concluded at 5.27pm

Signed _____ Chair

Dated this _____ day of _____

