

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 2 APRIL 2025

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Loughran (Chair), Earthey, Nann, Robinson, Shanks, C Theobald, Thomson (Deputy Chair) and Winder

Officers in attendance: Jane Moseley (Planning Manager), Katie Kam (Senior Lawyer), Steven Dover (Planning Officer), Helen Hobbs (Senior Planning Officer), Maria Seale (Planning Team Leader) and Shaun Hughes (Democratic Services)

PART ONE

76 PROCEDURAL BUSINESS

a) Declarations of substitutes

76.1 Councillor Sheard substituted for Councillor Galvin.

b) Declarations of interests

76.2 None for this meeting.

In light of the publicity surrounding applications BH2024/01720 and BH2024/01721, Members were reminded of their distinct roles and responsibilities whilst sitting as the planning committee as opposed to their roles as ward councillors representing their constituents. Members were advised that they must approach all applications with an open mind, willing to consider all evidence and arguments presented to them and determine the applications in accordance with the development plan and all other relevant material planning considerations.

c) Exclusion of the press and public

76.3 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.

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

d) Use of mobile phones and tablets

- 76.5 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'.

77 MINUTES OF THE PREVIOUS MEETING

- 77.1 **RESOLVED:** The minutes of the meeting held on 5 March 2025 were agreed.

78 CHAIR'S COMMUNICATIONS

- 78.1 The Chair noted that the webcasting would be via YouTube. It was also noted that the government planning paper on a new model of decision making was being considered, and a response would be sent soon.

79 PUBLIC QUESTIONS

- 79.1 There were none.

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

- 80.1 There were no site visit requests.

81 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

- 81.1 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 F: BH2025/00106: 29 Grantham Road, Brighton

A BH2024/01720 - Land and Part of Foot Golf Course and Benfield Barn at Benfield Valley, Hangleton Lane, Hove - Full Planning

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

Speakers

2. Helen Forester addressed the committee on behalf of objecting residents and stated that they considered the development did not conform to City Plan Part 2 and profits had been considered over a good development. The impact of the substation does not seem to have been considered on the area. There is a gas mains pipeline in the area. The trees should be protected in this green corridor, which includes Tree Preservation Orders (TPO). It was noted that councillors support the campaign to object to the scheme. The speaker requested that the committee work with campaigners to make this a flagship project of environmental value. The biodiversity of the site will be affected by the development as will the aquifer. It was not considered that the scheme would solve the housing problem in the city.

3. Ward Councillor Hewitt, accompanied by, and speaking for, Councillors Baghoth and Grimshaw, noted the administration had promised to preserve the site as open land for outdoor purposes. City Plan Part 2 notes the site is for 60 dwellings not the proposed 101. The development is not the only option for this site. The suggested pond is a smoke screen, and key views are going to be affected. It was noted that a local resident had raised the demolition of a local listed wall which alters the character of the area. The wildlife of the area will be affected by the development. The proposals are in contradiction to the National Planning Policy Framework (NPPF) of 2024. The committee were requested to refuse the application.
4. The committee were reminded that any covenants on the land were not a material consideration for this planning application.
5. David Godden addressed the committee as the applicant and stated they were a family run business, well known in the southeast for high quality developments. The scheme includes 40% affordable housing, parkland, ecological enhancement, and 238 new trees. New housing will always be difficult depending on local circumstances. The development is for one location only, not two as allocated. The scheme will safeguard trees and wildlife. The Design Panel supports the proposals. Martin Carpenter also addressed the committee as the planning consultant and stated that they considered the scheme to conform to policy SA7. The scheme was considered to be comprehensive and supported by planning officers.

Answers to Committee Member Questions

6. Councillor Shanks was informed that the affordable housing would be a split tenure with 55% social/affordable rent and 45% shared ownership. It was noted that there is on balance considered no need for more bus stops. Bus numbers 47, 55, 59a, 71 71a and 98 stop to the east of the site and numbers 6, 55, 16a, 71a 98 and N1 stop to the west of the site.
7. Councillor Theobald was informed that there would be an archaeological survey required by condition. The garden sizes are small; however, the design includes multi layered spaces for the houses, raised and on ground level. No formal playground is proposed, however, there is an informal community square and green space to the south. The applicant stated the studio workspaces were small and would have 1 to 2 employees only and the event area would be restricted to 20 attendees.
8. Councillor Sheard was informed that the southern open space would remain in perpetuity for that use, secured via s106 agreement. It was noted that the under the NPPF the scheme was considered justified and strong planning mechanisms are in place to protect the green land and open spaces. The current review of the City Plan could consider expanding the local green space allocation to cover the southern area.
9. Councillor Thomson was informed that there had been two years of pre-application discussions, and the site has been allocated for 11 years so a 'no development' option was not considered. The developer will make community improvements. The cottages are included in the 101 homes proposed. The existing formal footpaths are to be retained. There are 141 car parking spaces with 52 on the roads, the remainder off

street. There is an enforcement investigation ongoing into the demolition of the listed wall which was unauthorised. It was noted by the applicant that the existing BMX track is to be retained and upgraded in the southern parkland.

10. The Heritage Officer noted the conservation area was not at risk. The scheme is considered sympathetic. The boundary wall is to be rebuilt. It was noted that a management plan will be put in place to maintain the historic buildings on the site. It was noted that there was no clear date to when the deterioration of the historic buildings started. The legal officer noted that this was not a planning consideration.
11. Councillor Loughran was informed that the heritage officer considered the scheme to be less than substantially harmful and there were employment benefits. It was noted that there was a small substation proposed within the proposed residential area, the appearance of which would be covered by condition. A flood risk assessment has been submitted and no adverse impact identified.
12. The county ecologist noted that there would be a net loss of diversity due to the density of the development, however, there would be enhancements to the area beyond the curtilage of the development, a 20% biodiversity net gain. All protected species and habitat would be looked after by condition.
13. Councillor Nann was informed that while the scheme intruded into the local green space so the 'golden rules' regarding green belt had to be taken into account, it was essentially a land swap with the southern area remaining undeveloped, so a flexible approach was considered justified. The s106 agreement would cover footpaths, bus stop improvements and parkland. There will be a legal agreement to allow open access to the site. It was noted that the land is currently under private ownership so in theory access could be prevented.
14. Councillor Robinson was informed that the parking will be allocated. It was noted that air source heat pumps and solar panels will be included in the scheme. It was noted by the planning policy officer that there is a need to be flexible in the percentage of affordable homes.
15. Councillor Winder was informed that the privacy screens have been included in the design to prevent overlooking in this relatively high-density scheme. It was noted that there is a community square proposed and food growing area, which was accessed via a tway.
16. Councillor Earley was informed that the new cottages will not be within the conservation area.

Debate

17. Councillor Theobald considered the development had some good parts, such as the barn refurbishment. City Plan Part 2 states 3 floors are acceptable; however, this scheme has 4. There could be light pollution, and the bus stops are not near enough. The pedestrian crossing is dangerous. The loss of 39 trees is not good. There may be overflow parking from the barn. The small gardens are not good. The design of the

development is too dense. This is a green lung for the city. The councillor was against the application.

18. Councillor Robinson considered the 101 dwellings were much needed. The application pack was very comprehensive, and the benefits are considered to outweigh the harm. The affordable housing is good, and the heritage areas will be enhanced. The southern parkland was considered good, as was the design. The councillor supported the application.
19. Councillor Thomson considered it was not ideal to build on green spaces, however the southern parkland was good. The councillor was glad the BMX group had been consulted. The councillor supported the application.
20. Councillor Sheard considered more affordable housing would be better. The scheme will not cure the housing crisis in the city; however, it will help. Green space needs saving and housing is needed. The councillor supported the application.
21. Councillor Shanks did not consider the development would destroy the valley. The scheme is well designed, and the housing balance is good. It was considered there was a compromise between wildlife and housing need. The councillor supported the application.
22. Councillor Winder considered the scheme a compromise and the density was not good. The number of new trees was good, as was the access to nature. The councillor supported the application.
23. Councillor Loughran considered the development to be well designed and to meet policy. The access will be improved to the downlands and the southern parkland will also be improved. The affordable housing is good as is the sensitivity of scheme, which will revive the area. The councillor supported the application.

Vote

24. A vote was taken, and by 8 to 1 the committee agreed to grant planning permission.
25. RESOLVED: That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **MIND TO GRANT** planning permission subject to the following Section 106 Obligations, Conditions and Informatives, **SAVE THAT** should the s106 agreement not be completed on or before 2/8/25 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 13 of the report.

B BH2024/01721 - Land and Part of Foot Golf Course and Benfield Barn at Benfield Valley, Hangleton Lane, Hove - Listed Building Consent

1. The case officer introduced the application to the committee.
2. The application for listed building consent was considered at the same time as the planning application. For minutes, please see BH2024/01720.

Vote

3. A vote was taken and the committee agreed unanimously to grant listed building consent.
4. 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.

C BH2024/01639 - University of Brighton, 10 - 11 Pavilion Parade, Brighton - Full Planning

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

Answers to committee Member Questions

2. Councillor Robinson was informed that the Heritage team were aware of the new access which required partial removal of the existing railings, the impact was considered acceptable.
3. Councillor Theobald was informed that the bin and recycling facilities were to be agreed by condition. The fire alarms were a building control matter. The number of bathrooms was considered acceptable. The internal works were considered acceptable as they were minimal due to previous alterations. The s106 agreement regarding a skills/employment contribution was based on standard calculations.
4. Councillor Shanks was informed that a noise impact assessment had been submitted, and sound proofing is to be provided by condition. A 30-day stay was deemed acceptable with to prevent long stays because accommodation was not suitable long term.
5. Councillor Earthey was informed that the bins and access details would be provided by condition.
6. Councillor Loughran was informed that a bedroom had been removed from the scheme for internal cycle parking and details would be provided by condition.

Debate

7. Councillor Robinson considered the development to be good for the city and supported the application.
8. Councillor Theobald considered the scheme to be a good idea and supported the application.
9. Councillor Earthey considered the site to be a prime location and supported the application.

10. Councillor Sheard considered the facilities to be good and a helping reduce the number of short term lets in the city, freeing up housing. The councillor supported the application.
11. Councillor Thomson considered it was good to get away from short term lets and supported the application.
12. Councillor Winder considered the accommodation to be flexible and in a prime location. The councillor supported the application.
13. Councillor Loughran supported the application.

Vote

14. A vote was taken, and the committee voted 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 be **MINDLED TO GRANT** planning permission subject to a s106 agreement and the Conditions and Informatives in the report.

D BH2024/01640 - University of Brighton, 10 - 11 Pavilion Parade, Brighton - Listed Building Consent

5. The case officer introduced the application to the committee.
6. The application for listed building consent was considered at the same time as the planning application. For minutes, please see BH2024/01639.

Vote

7. A vote was taken and the committee agreed unanimously to grant listed building consent.
8. 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.

E BH2024/01310 - 12 Richmond Parade, Brighton - Full Planning

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

Answers to committee Members questions

2. Councillor Theobald was informed that the fenestration and external appearance are different from the previous application. The roof terrace has been removed, and parking for disabled and cycles has been increased. On balance the scheme is considered acceptable. The purple panels have been replaced with dark grey. It was noted that it was considered that there would be no substantial impact from the development blocking views, or light, for the existing flats.

3. Councillor Robinson was informed that the Brighton Academy are currently using the site for music and noise has been an issue. The hours of use will be limited by condition from 8am to 7pm, Saturday 9am to 1pm, with no Sundays or bank holidays. Outside performances will be prevented by condition. It was noted that the single storey structure fronting onto the road is not part of the application site.
4. Councillor Shanks was informed that the current class use was E and B, and the application is not specific to Brighton Academy.

Debate

5. Councillor Shanks considered the proposals to be an improvement and supported the application.
6. Councillor Theobald considered the site to be a good facility for the arts.
7. Councillor Thomson considered the proposals to be an improvement and supported the application.
8. Councillor Robinson considered the site to be unattractive and supported the application.
9. Councillor Nann supported the application.
10. Councillor Loughran considered the scheme was good for musical theatre and dance.

Vote

11. A vote was taken, and the committee unanimously agreed 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.

F BH2025/00106 - 29 Grantham Road, Brighton - Full Planning

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

82 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

83 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

- 83.1 None for this agenda.

84 APPEAL DECISIONS

- 84.1 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 5.41pm

Signed _____ Chair

Dated this _____ day of _____

