

**BRIGHTON & HOVE CITY COUNCIL**

**PLANNING COMMITTEE**

**2.00pm 7 MAY 2025**

**COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE**

**MINUTES**

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

**Officers in attendance:** Jane Moseley (Planning Manager), Alison Gatherer (Lawyer), Ben Daines (Planning Team Leader), Steven Dover (Planning Officer), Rebecca Smith (Planning Officer) and Shaun Hughes (Democratic Services)

**PART ONE**

**85 PROCEDURAL BUSINESS**

**a) Declarations of substitutes**

85.1 Councillor Sheard substituted for Councillor Loughran.

**b) Declarations of interests**

85.2 There were none.

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

85.3 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.

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

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

85.5 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'.

**86 MINUTES OF THE PREVIOUS MEETING**

86.1 **RESOLVED** – The minutes of the meeting held on 2 April 2025 were agreed.

**87 CHAIR'S COMMUNICATIONS**

87.1 The Chair noted that Jane Moseley (Planning Manager) would be leaving the authority and moving to London. The Chair thanked Jane for their hard work and support over the last 5 years and wished them good luck for the future.

**88 PUBLIC QUESTIONS**

88.1 There were none.

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

89.1 There were no site visit requests from the committee.

**90 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS**

90.1 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: BH2024/03121: Flat 2 Princes Mansions, 31 Sussex Square, Brighton
- Item E: BH2024/03122 (Listed Building Consent): Flat 2 Princes Mansions, 31 Sussex Square, Brighton
- Item G: BH2024/02767: 1 and 1A Pembroke Crescent, Hove
- Item H: BH2024/02554: 9A Harrington Road, Brighton
- Item I: BH2025/00222: Imperial House, 40-42 Queens Road, Brighton
- Item J: BH2024/03089: 3 Merston Close, Brighton
- Item K: BH2025/00268: 6B College Place, Brighton

**A BH2024/02729 - Royal Sussex County Hospital, Eastern Road, Brighton - Full Planning**

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

Speakers

2. Julian Redpath addressed the committee as a resident and stated that they represented the residents of Upper Abbey Road and Courtney King House. They considered that the amended application would inflict further loss of daylight, sunlight, views and privacy. The application is supported by residents, but two amendments are being requested: 1 – shift the location of the building and 2 – submission of a serious coherent travel plan. The new design is unrecognisable from original scheme with internal floor space reduced by 1/3, 285 parking spaces removed and roof top garden replaced with hard surface plaza at ground level. Removal or shrinking of the plaza would shift the new build up to 30m away from the existing homes. Allowing for a garden west of the building which could bio-diverse and good for wellbeing. Failure to provide this would be

a missed opportunity. Residents engaged with all avenues of consultation, and the only change has been to move the rooftop garage a few metres east. Councillors are requested to support the welfare and wellbeing of current and future residents and users by moving the build east and supplying a coherent travel plan.

3. Neighbouring Ward Councillor Burden addressed the committee and stated that they were a member of the hospital liaison group and the impact of the application on the community was a concern. There were not considered to be sufficient changes from the previous approved scheme. The cancer centre is needed however reducing onsite parking will place a strain on local traffic. The new height will be more imposing with 8.8m more building. The scheme will be closer to homes and families, when it could be closer to the existing Louise Martindale Building to the east. There will be a loss of privacy, air quality and unwanted noise.
4. Roy Evans addressed the committee on behalf of the Hospital Trust and stated that the development strategy was to improve the cancer centre as a key priority. Funding for other schemes in the UK have been restricted; however, Brighton has been allowed to continue with the development. Since the previous scheme was agreed the changes submitted here increase capacity, act as an alternative to Accident & Emergency in the main building, with 26 more beds. The best health care will be offered with an environment designed to deliver to both staff and patients. The scheme represents an opportunity to change cancer treatment.

#### Answers to Committee Member Questions

5. Councillor Galvin was informed that the 98 parking spaces for visitors and patients are included in the basement of the new Louisa Martindale Building (LMB). It was noted that the NHS Trust would be required by legal agreement to find off-site parking.
6. Councillor Earthey was informed that the scheme was for a regional cancer centre and the application included a more efficient layout so would serve more people than was previously the case. It was noted that the overall parking was increased which relies on a park and ride for staff parking at Whitehawk Football Club and the racecourse, thereby releasing parking spaces for visitors and patients. There is an existing bus stop outside the Louisa Martindale Building (LMB) with routes to/from all parts of the city and there will be drop off and pick up points.
7. Councillor Robinson was informed that both the previous and the amended scheme include single storey bunkers for storage. The estimated number of patients per day will be 350 which is around 100 more than the current situation. The Macmillan Horizon Centre has designated parking. A digital system for locating parking spaces can be looked into, however, the basement car park already has a digital display of spaces available. A parking management plan will be required by condition. The proposed layby will be for drop off and pick up only. There will be rear layby for ambulances. The Louisa Martindale Building (LMB) has lifts from the basement parking for accessibility with a covered way to the new cancer centre.
8. Councillor Thomson was informed that the amended building would be higher and stepped back. It was noted that there would be a total of 476 parking spaces on site with 107 given over to essential staff. 530 staff parking spaces are provided off site. The

council highways officer noted that parking details were required by condition, including off site provisions which would be secured by legal agreement.

9. Councillor Theobald was informed that the off-site staff parking was considered to be working already, the rooftop garden will be replaced by solar panels and a plaza at ground floor, which will be more accessible, some of the public art fund has been spent in the Louisa Martindale Building (LMB) and the blue plaque attached to the demolished building will be attached to the new building. It was noted that the previously proposed underground parking has been removed in the amended scheme due to costs. The parking contract for the racecourse will expire next year and a new 5-year agreement with Whitehawk Football Club is close to be signed. Other Sussex hospitals offer day services; however, the new centre treatments will provide specialist services similar to the Royal Marsden. It was noted that incidents of cancer were rising, requiring more treatments.
10. Councillor Nann was informed that moving the building east would create a wind tunnel by narrowing the space between buildings, with a decrease in sun/daylight. The new public space allows access and frames views from the children's hospital. It was noted that a long list of alternative options had been considered, and this amended scheme was the best option in design and position. The scheme includes a welcoming front door with plenty of space around.
11. Councillor Winder was informed that a draft travel plan has been submitted and the s106 agreement includes the need for a travel plan.
12. Councillor Sheard was informed that the funding for the scheme would be lost if the planning committee refused the amended scheme.

#### Debate

13. Councillor Shanks considered that costs have changed, and they had to consider the scheme before the committee. The councillor supported the application.
14. Councillor Sheard considered there was a need for a cancer centre, however, they felt upset at the amendments as they preferred the previous scheme. It appears that the Trust demolished the old building then looked at the previous scheme, then amended. Parking will always be a challenge, and it was noted that the s106 agreement required the Trust to look for off-site staff parking. The councillor considered it was this application or nothing, so they supported the application.
15. Councillor Robinson stated they were not happy with the amended scheme as they considered designated cancer centre parking was required and the travel plan to be submitted by condition needed improving.
16. Councillor Theobald considered the parking was an issue before on the previous scheme, and this will lead to more on street parking in the area. The design of the previous scheme appeared to be more characterful. The cancer centre is welcomed; however, the parking overall is an issue. The councillor did not support the application.

17. Councillor Earthey considered that cancer patients were not interested in views and the new building should adjoin the Louisa Martindale Building (LMB). The Royal Marsden hospital has a model drop off system from which lessons should be learned. The new building needs to be fully accessible. On consideration, the councillor supported the application.
18. Councillor Winder considered the cancer centre was needed, however, the Trust needed to think ahead and future-proof. On consideration, the councillor supported the application.
19. Councillor Thomson considered that the Trust needed to take onboard comments made in the meeting including an integrated travel plan.

Vote

20. A vote was taken, and by 8 to 1 the committee agreed to grant planning permission.
21. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to be **MINDED TO GRANT** planning permission subject to a Deed of Variation to the S106 agreement for planning permission BH2011/02886 (as amended by BH2021/03056), and the Conditions and Informatives as set out in the report **SAVE THAT** should the Deed of Variation not be completed on or before 30 July 2025 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 13 of the report.

**B BH2022/02689 - 126 Gloucester Road, Brighton - Amendment to Head of Terms**

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

Answers to Committee Member Questions

2. Councillor Shanks was informed that the Community Infrastructure Levy (CIL) payment would be £57,570.
3. Councillor Galvin was informed that the viability of the scheme was calculated using standard figures identified in national guidance.
4. Councillor Nann was informed that the viability review would be undertaken by Brighton and Hove City Council.
5. Councillor Sheard was informed that a large amount of up-to-date detail has been submitted to the council regarding the viability of the scheme.
6. Councillor Robinson was informed that the applicant pays the costs of the Viability Assessment being reviewed.
7. Councillor Theobald informed there was no information available regarding whether previous late reviews had been successful. It was noted that land value was based on benchmarking and formula.

## Debate

8. Councillor Robinson considered there was no choice and the £57,570 for CIL was a good amount. The councillor supported the application.
9. Councillor Theobald considered that applicants in general were not building affordable housing as it was not viable.
10. Councillor Shanks did not support the application as they wanted to stop the lack of provision of affordable housing.
11. Councillor Galvin considered that social housing had been promised and should be supplied. The applicants only seem to want large profits. The planning manager noted that acceptable profit levels were set at 17% under the National Planning Policy Framework (NPPF).
12. Councillor Robinson considered that the late review would provide information on how much money the applicant acquires as profit.
13. Councillor Sheard felt uncomfortable as they considered money should be provided for affordable housing. After consideration the councillor supported the application.
14. Councillor Earthey considered that there would be a review and upon consideration the councillor supported the application.
15. Councillor Winder felt frustrated at the situation but considered nothing could be done.
16. Councillor Thomson considered the more housing supplied the better.

## Vote

17. A vote was taken, and by 7 to 2 the committee agreed to grant permission.
18. **RESOLVED:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to agree they are **MINDED TO GRANT** the application, excluding the Head of Term requiring an affordable housing commuted sum, subject to the conditions set out in the original Officer Report and Heads of Term relating to a late stage viability review to confirm whether a commuted sum amount can be paid towards affordable housing, and a contribution towards Highway Works.

**C BH2025/00230 - 47 Eastbrook Road, Portslade - Full Planning**

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

## Speakers

20. Robert Selvey addressed the committee as a resident and stated that there were some 70 houses in the road, and they had spoken to residents of approximately 63 of them.

The speaker represented the residents who had many objections. Parking is an issue in this street of families, as was the over development of this small home. The resident wished to focus on two issues: a House of Multiple Occupancy (HMO) would reduce the number of family homes on the market and the developer tried to undermine the planning process with many previous applications, some retrospective.

21. John Wright addressed the committee as the applicant and stated that they ran a small family business in the city. The property was in poor condition when purchased with water damage and was not selling. The applicant spent some £200,000 on improving the property. This would not have been viable for a family to convert. The HMO would be aimed at young professionals with a high specification interior. Planning criteria have been met and there are no planning objections. The applicant considered that people were entitled to rent.

#### Answers to Committee Member Questions

22. Councillor Theobald was informed that some sound proofing was included in the scheme, however, it was not usual for the council to ask for noise attenuation on such a small property. It was noted there was one other HMO in the street however this was beyond the 50m assessment boundary.
23. Councillor Sheard was informed that the layout was functional, including the head height in the bedroom.

#### Debate

24. Councillor Robinson considered there was a lack of affordable housing and young professionals also needed housing. The councillor supported the application.
25. Councillor Shanks considered the development to be nice and they supported the application.
26. Councillor Sheard stated they lived in an HMO, and it was not true that all HMOs attract anti-social behaviour. HMOs are much needed due to the high house prices in the city. The councillor supported the application.
27. Councillor Earthey noted the property had been derelict when bought by the applicant. The councillor supported the application.
28. Councillor Theobald noted the 43 objections, and stated they preferred a family home. The councillor hoped for good tenants.
29. Councillor Thomson considered that HMOs were much maligned, but actually they were very much needed. The councillor supported the application.

#### 30. Vote

31. A vote was taken, and the committee agreed unanimously to grant planning permission. (Councillor Winder took no part in the discussions or decision-making process)

32. 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 BH2024/03121 - Flat 2, Princes Mansions, 31 Sussex Square, Brighton - Full Planning**

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

**E BH2024/03122 - Flat 2, Princes Mansions, 31 Sussex Square, Brighton - Listed Building Consent**

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

**F BH2024/02834 - 9 Princes Square, Hove - Householder Planning Consent**

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

Speakers

2. Polly Tudor-Williams addressed the committee as a resident and stated that they were the neighbour to the applicant, and they objected to the proposals as dust would be created by the demolition work. This is an issue for the family as is noise. The air source heat pump position on the boundary is inconsiderate, the other side of the property would be preferred. No consultation has taken place with the neighbour before the planning application was submitted. The side windows of the scheme should be obscured glazed to protect the privacy of the neighbour. It is also considered that the heritage of the building should be protected.
3. Steven Chard addressed the committee as the applicant and stated that there were structural issues at the property, and they wanted to bring light back into the house. All planning considerations have been addressed. (The 3 minutes speaking time was shared between the applicant and agent).
4. Corin Morton addressed the committee as the agent acting on behalf of the applicant and stated that the building was not listed and was built as a match to no.11. The council heritage officers have been consulted. The proposed roof dormer is in keeping with the guidance and the other neighbouring properties who have extended. The new windows will be timber to replace the existing UVPC. The proposed patio will be away from the neighbours at no.11. The basement will be unseen as it is below ground. The committee were requested to agree the application. (The 3 minutes speaking time was shared between the applicant and agent)

Answers to Committee Member Questions

5. Councillor Earthey was informed that the air source heat pump will have 1m space around and will be placed in a storage cupboard outside on the ground floor.

6. Councillor Shanks was informed that it not usual for this scale of property to have a condition requiring a construction and environmental management plan (CEMP). It is hoped that the neighbours will liaise.
7. Councillor Theobald was informed that the air source heat pump could not be moved to opposite side of the property. The side windows facing the neighbour are slot windows for light. The working hours for construction will be covered by standard environmental health requirements. Any issues arising from the works can be looked at by environmental health.
8. Councillor Robinson was informed that if the air source heat pump were raised to the first floor this would increase noise for neighbours. The case officer stated the location was acceptable in a cupboard with sliding doors.
9. Councillor Thomson was informed that the new wooden windows would be more efficient. The basement will not be visible and is therefore considered to have no effect on the conservation area. The council Building Regulations will cover the safety of the build. Party Wall agreements cover impact of the development on adjoining neighbours.

#### Debate

10. Councillor Sheard was concerned that the medical conditions of the neighbour would be harmed by the development. It was noted by the planning manager that the committee could only take a reasonable, objective approach, not whether neighbours had additional sensitivities.
11. Councillor Shanks considered the proposals to be an improvement and supported the application.
12. Councillor Robinson considered the proposals to be an improvement and supported the application.
13. Councillor Thomson asked the neighbours to talk to each other. The councillor supported the application.
14. Councillor Earthey was in favour of the development and supported the application. The councillor requested that the applicant be considerate of the neighbour.
15. Councillor Theobald requested that the applicant be mindful of the neighbour.

#### 16. Vote

17. A vote was taken, and the committee agreed unanimously to grant planning permission. (Councillor Winder took no part in the discussions or decision-making process)
18. **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.

#### **G BH2024/02767 - 1 and 1A Pembroke Crescent, Hove - Full Planning**

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

**H BH2024/02554 - 9A Harrington Road, Brighton - Householder Planning Consent**

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

**I BH2025/00222 - Imperial House, 40 - 42 Queens Road, Brighton - Full Planning**

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

**J BH2024/03089 - 3 Merston Close, Brighton - Full Planning**

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

**K BH2025/00268 - 6B College Place, Brighton - Full Planning**

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

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

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

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

- 92.1 There were none for this agenda.

**93 APPEAL DECISIONS**

- 93.1 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 5.52pm

Signed

Chair

Dated this

day of