

**BRIGHTON & HOVE CITY COUNCIL**

**PLANNING, EMPLOYMENT, ECONOMY & REGENERATION CABINET MEMBER  
MEETING**

**4.00PM 15 SEPTEMBER 2011**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor Kennedy (Cabinet Member)

**Also in attendance:** Councillors C Theobald (Opposition Spokesperson) and Morgan (Opposition Spokesperson)

**Other Members present:** Councillors MacCafferty and Shanks

**PART ONE**

**22. PROCEDURAL BUSINESS**

**22(a) Declarations of Interests**

22a.1 There were none.

**22(b) Exclusion of Press and Public**

22b.1 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

22b.2 **RESOLVED** - That the press and public be excluded from the meeting during consideration of Item 39 onwards.

**23. MINUTES OF THE PREVIOUS MEETING**

23.1 **RESOLVED** - That the minutes of the meeting held on 7 July 2011 be approved as a correct record.

**24. MINUTES OF THE SPECIAL MEETING, 3 AUGUST 2011**

- 24.1 **RESOLVED** - That the minutes of the special meeting held on 3 August 2011 be approved as a correct record.

**25. CABINET MEMBER'S COMMUNICATIONS**

- 25.1 The Cabinet Member announced that the council had been nominated for three awards for its work with construction companies to recycle and reuse waste materials from building sites: a national and a regional Royal Town Planning Institute Award, and also a sustainability award through the South East Centre for the Built Environment (SECBE) Construction Excellence awards.

She stated that this represented excellent achievements and thanked the officers involved.

- 25.2 The Cabinet Member reported that she had attended Planning Summer School in September, which had been useful and informative at a time when planning issues were making national headlines.
- 25.3 The Cabinet Member welcomed Sue McHugh, Director of Finance at the University of Brighton, to the meeting. Ms McHugh was present for consideration of Item 35 Lewes Road (Preston Barracks and University of Brighton) Planning brief.

**26. ITEMS RESERVED FOR DISCUSSION**

- 26.1 **RESOLVED** – That all items be reserved for discussion.

**27. PETITIONS**

- 27.1 There were none.

**28. PUBLIC QUESTIONS**

- 28.1 There were none.

**29. DEPUTATIONS**

- 29.1 The Cabinet Member considered a deputation from Mr Russell Gotham concerning the development of the former Caffyns site at 227-233 Preston Road. Mr Gotham explained that residents were concerned about the use of the site and favoured high design, small scale development with low impact on the community. He noted the existing traffic and parking problems in Preston Village and stated that residents would support a regenerative development that contributed to maintaining and supporting local businesses and did not add to the congestion issues.
- 29.2 The Cabinet Member thanked Mr Gotham for his deputation and advised that she would be representing the council at the appeal hearing against the previous refusal for retail use on 8 December and that Councillor Davey, Cabinet Member for Transport & Public Realm, would be attending the hearing to speak about the transport issues

such as parking and hazardous movement of vehicles. She welcomed residents' attitude towards development on the site and recognised that they would be supportive of the right scheme for the site. She explained that she could not ask officers to begin work on a planning brief for the site while the appeal decision was pending, but that the idea would be returned to once the outcome of the hearing was known.

29.3 **RESOLVED** – That the deputation be noted.

**30. LETTERS FROM COUNCILLORS**

30.1 The Cabinet Member reported that she a letter had been submitted by Councillor Morgan concerning investment in student accommodation in the city.

30.2 Councillor Morgan explained that his letter had been prompted by changes to student finance nationally that could result in a drop in intake to the city's universities. He stated that is was important to plan for the future and to prevent a surplus of student accommodation and ensure that affordable housing was available to residents.

30.3 The Cabinet Member thanked Councillor Morgan for raising an important issue and explained that one of the proposed revisions to the Core Strategy would be a new policy to address the issue of student housing; that this had been discussed with the other group leaders at the Cross Party Working Group, with a report anticipated for the Cabinet meeting in October. The two universities had shared their assessments of student accommodation needs at the Strategic Housing Partnership and those assessments did not indicate that the level of purpose built student housing would reach a threshold at which reductions in student enrolment at either university would be an issue in the foreseeable future, with neither university anticipating a fall in enrolments.

The Cabinet Member instructed officers to provide Councillor Morgan with a briefing paper and suggested they meet to agree the best forum to discuss the he continued to have concerns regarding the numbers of purpose built student accommodation. She advised that the University of Brighton had indicated that the baseline of student accommodation was so low that even if there was no increase in student numbers and they built all the potential student housing they had in mind, it would still only accommodate 50% of first year students. She noted that the university anticipated an increase in foreign students requiring Halls of residence accommodation and that this could require 50-60% of available student accommodation.

30.4 **RESOLVED** – That the letter be noted.

**31. WRITTEN QUESTIONS FROM COUNCILLORS**

31.1 There were none.

**32. NOTICES OF MOTION**

32.1 There were none.

**33. GOVERNMENT CONSULTATIONS: LOCAL PLAN REGULATIONS AND NATIONAL PLANNING POLICY FRAMEWORK**

- 33.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the council's responses to two recent Government Consultations relating to the Local Plan Regulations and the National Planning Policy Framework (NPPF)
- 33.2 The Cabinet Member stated that the proposed Local Plan Regulations were broadly welcomed as they would introduce changes arising from the Localism Bill and help to consolidate the Regulations into a single document. She explained that while the draft NPPF would streamline national planning policy into a single document, she had a number of concerns with the content, which appeared to contradict the government's aims around localism. She stated that the council would continue to progress its new City Plan.
- 33.3 Councillor Morgan advised that he shared concerns regarding the draft NPPF, in particular that it would give developers free-reign to build in the city. He stated that unachievable housing targets would be passed on to local authorities and that the council would no longer be able to protect its urban fringe. He was also concerned about the threat to traditional high streets and stated that, despite the aims of localism, residents would have no say in planning matters and that the proposals would result in an increase in the number of planning appeals.
- 33.4 In response to a question from Councillor Morgan, the Cabinet Member advised that the council was not in a policy void as many policies from the Local Plan, which was adopted in 2005, had been saved when the Core Strategy was adopted. She stated that the council was committed to bringing forward developments that residents wanted, that accorded with Local Plan Policies and the needs of neighbourhoods and communities.
- 33.5 Councillor C Theobald advised that she had been assured that green spaces would be protected, but agreed that the draft NPPF raised questions in relation to housing targets. She stated that developers would not build homes on unsuitable sites because they would be difficult to sell and that overall, despite a small number of concerns, she welcomed the government's proposals.
- 33.6 The Cabinet Member advised that the council was seeking further clarity regarding housing targets and explained that the council may be forced to include higher targets in the new City Plan than were in the South East Plan.
- 33.7 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:
- (1) That the Cabinet Member for Planning, Employment, Economy & Regeneration approves the council's response to the Government's consultation relating to the Local Plan Regulations (see Appendix 1); and,
  - (2) That the Cabinet Member for Planning, Employment, Economy & Regeneration approves the council's response to the Government's consultation relating to the draft National Planning Policy Framework (see Appendix 2). The Cabinet

Member will be consulted should minor amendments be suggested following officer attendance at a Department for Communities and Local Government NPPF seminar on 28 September.

**34. CLG CONSULTATION: HOW CHANGE OF USE IS HANDLED IN THE PLANNING SYSTEM**

- 34.1 The Cabinet Member considered a report of the Strategic Director, Place seeking approval of the council's response to the Government Issues Paper seeking views on revisions to improve and reform how change of use is handled within the planning system, which included reviewing how the current Use Classes Order (UCO) was structured and possible changes to the General Permitted Development Order (GPDO).
- 34.2 The Cabinet Member advised that she was supportive of a review of Permitted Development Rights and the UCO and the need to remove unnecessary barriers to economic growth and provide additional homes, but that she was concerned about the complete liberalisation of the UCO because it was important to maintain a balance between homes and places to work in city with limited space.
- 34.3 Councillor Morgan welcomed the review and proposed flexibility, but did not support wholesale deregulation in relation to change of use. He noted that Section 106 contributions for 'public good' would be lost and that high streets would be threatened by the promotion of out-of-town shopping developments.
- 34.4 Councillor C Theobald stated that it was a shame that the response had already been submitted to the government. She advised that, when considering change of use, it was necessary to strike a balance between encouraging development and maintaining democratic accountability.
- 34.5 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:
- (1) That the Cabinet Member for Planning, Employment, Economy & Regeneration approves and endorses the council's response to the Government's consultation regarding the reform and further deregulatory role of the change of use process and GPDO (see Appendix 1).

**35. LEWES ROAD (PRESTON BARRACKS AND UNIVERSITY OF BRIGHTON)  
PLANNING BRIEF**

- 35.1 The Cabinet Member considered a report of the Strategic Director, Place seeking approval of the planning brief for Lewes Road (Preston Barracks and University of Brighton) following a six week consultation on the draft version of the document.
- 35.2 The Cabinet Member reported that the planning brief had been prepared in partnership with the University of Brighton to assist in bringing forward a shared vision for a comprehensive mixed use development across the Barracks site and the University's Moulsecoomb Campus. The consultation had been well publicised and responses had been considered, resulting in a number of changes to the brief, including providing a

greater emphasis on the council's sustainability objectives for new development through zero carbon or carbon neutral developments. She noted that the council's successful bid to the Local Sustainable Transport Fund for improvements in the Lewes Road area would help realise those objectives and thanked officers for their work on the planning brief.

35.3 Councillor Morgan congratulated officers on the planning brief and stated that it represented a significant achievement after a long period without any progress.

35.4 Councillor C Theobald noted the low number of response to the consultation, but welcomed the changes that had resulted from them and the planning brief in general. She raised concerns about the proposed car parking spaces, which she felt were too low and could discourage developers; she stated that there should be a balance between car use and public transport.

35.5 The Cabinet Member stated that provision for bus travel was already in place and that she looked forward to working further with partners on sustainable transport in relation to the development and also in order to tackle the serious issue of air quality in the Lewes Road area.

35.6 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:

(1) That the Cabinet Member for Planning, Employment, Economy & Regeneration notes the results of the public consultation held in April and May and the resulting changes that have been proposed to the planning brief.

(2) That the Cabinet Member for Planning, Employment, Economy & Regeneration approves the amended planning brief and that it be adopted by the council for development control purposes.

## **36. SHOREHAM HARBOUR: INTERIM PLANNING GUIDANCE (IPG) UPDATE**

36.1 The Cabinet Member considered a report of the Strategic Director, Place seeking approval to adopt an update of Interim Planning Guidance (IPG) for Shoreham Harbour, jointly produced with Adur District Council and West Sussex County Council following a public consultation.

36.2 The Cabinet Member advised that the aim of the IPG was to guide development at the Harbour pending the production of formal planning policies in a Joint Area Action Plan and reported that minor changes to the wording had been made following the consultation. She stated that she looked forward to progressing the JAAP and working with partner local authorities and the Port to move forward.

36.3 Councillor C Theobald welcomed the inclusion of housing in the IPG and looked forward to further progress, including vital improvements to the surrounding infrastructure.

- 36.4 Councillor Morgan stated that the development of Shoreham Harbour was of regional significance for jobs and homes and that he was concerned how it would be effected by the proposed NPPF.
- 36.5 The Cabinet Member noted that the abolished regional development agencies had played an important role in such developments, but that there was a genuine feeling of goodwill and excitement which would propel the project forward. She also welcomed the involvement of Overview & Scrutiny in the development of the Joint Area Action Plan.
- 36.6 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:
- (1) That the Cabinet Member agrees to adopt the Shoreham Harbour: Interim Planning Guidance update, subject to any minor grammatical and non-material text and illustrative alterations agreed by the Strategic Director Place in consultation with the Cabinet Member for Planning, Employment, Economic Development and Regeneration, and agreed by Adur District Council and West Sussex County Council.
- 37. DRAFT FOOD GROWING ON DEVELOPMENT SITES PLANNING ADVISORY NOTE**
- 37.1 The Cabinet Member considered a report of the Strategic Director, Place seeking endorsement of the draft 'Food Growing and Development' Planning Advice Note (PAN), which offered technical guidance on the delivery of food growing opportunities and facilities as part of development schemes.
- 37.2 The Cabinet Member welcomed the PAN and reported that it was thought to be the first of its kind nationally and was intended as a model document that may be emulated by other planning authorities. She explained that the PAN did not create additional expense or requirements for developers, but offered information on appropriate options to incorporate food growing within planning proposals. She reported that the council had recently seen a proliferation of major applications with a food growing element, which reflected a growing movement and technological developments and which supported growing opportunities in small spaces in the urban environment.
- 37.3 A presentation on the development and aims of the PAN was given by the Sustainability Officer from the Planning Projects Team (see Appendix 1). She explained that the PAN had been proposed by 'Food Matters' and written by one of its directors, Clare Devereux in conjunction with the council.
- 37.4 Councillor Morgan welcomed the introduction of the PAN. He noted that while it was not compulsory, it was necessary to make it clear to developers that it was not a determining factor in considering planning applications to ensure that there was no detrimental effect on economic development.
- 37.5 Councillor C Theobald supported the increase in food growing locally and noted that work to encourage this had been undertaken by former Councillor Ayas Fallon-Khan.

37.6 The Cabinet Member thanked opposition Members for their support and gave assurances that officers would make it clear the PAN was guidance only. She advised that there was significant media interest in the initiative.

37.7 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:

- (1) That the Cabinet Member for Planning, Employment, Economy & Regeneration approves the draft 'Food Growing and Development' document as a Planning Advice Note to provide information and guidance for use by Development Control, Planning Policy officers, applicants and their agents.

### **38. EMPLOYMENT UPDATE**

38.1 The Cabinet Member considered verbal update from the Economic Development Manager concerning employment within the city. She made the following points:

- Brighton & Hove was fairing marginally better than the national outlook for employment and the anticipated rise in employment support allowance had not yet materialised.
- The rise in public sector job cuts had resulted in a high number of part time redundancies, which had disproportionately affected working women.
- Nationally, there had been a rise in the numbers claiming Job Seekers Allowance (JSA) and it was necessary to create the right conditions for private sector growth to make up for public sector job losses.
- Locally there had been a modest increase in JSA claimants and youth unemployment was a concern in the city and nationally; however, the new work programme had shown some positive results with exposure to employers having an impact on young people obtaining employment.
- The City Employment & Skills Working Group had set up a steering group to look at apprenticeships and City Employment & Skills Plan included a commitment to making progress in this area.

38.2 The Cabinet Member noted the mixed news and acknowledged the concern around youth unemployment. She welcomed support from partners in relation to apprenticeships and requested an update from the steering group at a future meeting.

38.3 Councillor Morgan echoed concerns about female and youth unemployment and agreed that apprenticeships were key to helping tackle the youth problem. He stated that the lack of progress on major projects in the city had contributed to the problem, making it difficult to attract businesses.

38.4 Councillor C Theobald noted that the city was attractive to young people and that school leavers were now competing with graduates for many jobs.

38.5 The Cabinet Member reported that officers were working hard to deliver less complex projects to bring business premises up to specification. She stated that she would like to see employment space as part of all major developments.

38.6 **RESOLVED** – That the update be noted.



PART TWO

**39. PART TWO MINUTES OF THE PREVIOUS MEETING**

39.1 **RESOLVED** - That the Part Two minutes of the meeting held on 7 July 2011 be approved as a correct record.

**40. PART TWO ITEMS**

40.1 The Cabinet Member considered whether or not any of the above items should remain exempt from disclosure to the press and public.

40.2 **RESOLVED** – That item 39, contained in Part Two of the agenda, remains exempt from disclosure to the press and public.

The meeting concluded at 5.30pm

Signed

Cabinet Member

Dated this

day of

