

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 27 JANUARY 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors MacCafferty (Chair), Hyde (Deputy Chair), Carden (Opposition Spokesperson), Cobb, Hamilton, Hawtree, Summers, C Theobald, Wells, Rufus, Robins and Bowden.

Co-opted Members: James Breckell (Conservation Advisory Group)

Officers in attendance: Jeanette Walsh, Head of Development Control; Paul Vidler, Deputy Development Control Manager; Kathryn Boggiano, Senior Planning Officer; Mick Anson, Major Projects Officer; Hilary Woodward, Senior Solicitor; Andrew Renaut, Head of Transport Strategy and Policy; Rob Fraser, Head of Planning Strategy; Scott Castle, Senior Environmental Health Officer; Sam Rouse, Senior Technical Officer; Paula Goncalves, Senior Planning Officer; Hilary Woodward, Senior Lawyer and Ross Keatley, Democratic Services Officer.

PART ONE

124. PROCEDURAL BUSINESS

124a Declarations of substitutes

124.1 Councillor Bowden was present in substitution for Councillor Kennedy, Councillor Rufus was present in substitution for Councillor Davey, and Councillor Robins was present in substitution for Councillor Farrow. Mr Breckell was present in substitution for Mr Towers.

124b Declarations of interests

124.2 Councillor Rufus declared a person but non-prejudicial interest in applications BH2011/02886, BH2011/02887 and BH2011/02888 as he was the Chair of the Health Overview and Scrutiny Committee.

124.3 Councillor Bowden declared a personal but non-prejudicial interest in applications BH2011/02886, BH2011/02887 and BH2011/02888 as he lived close to the site.

124.5 Councillor Carol Theobald declared a person but non-prejudicial interest in applications BH2011/02886, BH2011/02887 and BH2011/02888 as she was the deputy Chair of the Health Overview and Scrutiny Committee.

125c Exclusion of the press and public

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.

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

125. CHAIR'S COMMUNICATIONS

It was explained that officers would give one presentation to cover the three applications before the Committee but that separate votes would be taken for each.

126. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS FOR ROYAL SUSSEX COUNTY HOSPITAL, EASTERN ROAD, BRIGHTON (3TS)

(i) MAJOR APPLICATIONS

A. Application BH2011/02886, Royal Sussex County Hospital, Eastern Road, Brighton – Demotion of existing hospital buildings located to the north of Eastern Road and to the south of the existing children’s hospital building and Thomas Kemp Tower. Addition of a helicopter landing pad and associated trauma lift on top of Thomas Kemp Tower. Erection of new hospital buildings incorporating Stage: 1 Part 10, 11 and 12 storey building including reinstatement of the interior of the Chapel; Stage 2: 5 storey building; and Stage 3: Service yard with single storey building. Site wide infrastructure including substation, energy centre and flues, 2 floors of underground parking (390 spaces) with new access from Bristol Gate and associated highway works. Cycle parking, external amenity spaces including roof gardens and landscaping on Eastern Road.

(1) It was noted that this application had formed the subject of a site visit prior to the meeting.

(2) The Major Projects Officer, Mick Anson, and Senior Planning Officer, Kathryn Boggiano, drew Members attention to the late list; since its publication the City Sustainability Partnership had amended their submission to support the application, but highlighted their concerns. The Officers gave a presentation detailing the scheme as set out in the report by reference to plans, photographs, elevated drawings, concept drawings and a scale model of the proposed development. The proposed buildings for demolition were those south of the children’s hospital and Thomas Kemp Tower. The necessity to ensure the hospital remained operational during the construction had lead

to the use of a staged approach, where existing services would be able to decant into the new ones. The full proposal was outlined in Section 4 of the report.

- (3) The tallest element of the proposal was 12 storeys on the Stage 1 building and five storeys on the Stage 2 building, and a three storey plinth would run to the corner of the site at Bristol Gate. Below both the Stage 1 & 2 buildings there would be two levels of basement including car parks and plant rooms creating a net increase of 297 parking spaces on the site. There would be extensive landscaping on the site with three courtyards on the Stage 1 building, as well as a café terrace, and roof terraces on the Stage 2 building.
- (4) In relation to the heritage considerations of the proposals Officers explained that the Barry Building had changed significantly since first erected, and a considerable number of additions had been constructed. The Bristol Gate piers, although in need of repair, would be reinstated and moved slightly to accommodate the proposed widening of the road. English Heritage had raised no objections in relation to the proposals for the chapel and the piers. The site was surrounded by five conservation areas, including the Grade 1 listed terraces in Lewes Crescent and Sussex Square, and a number of concept images were shown to demonstrate the impact of the proposals. Officers felt the proposals reduced the isolated visual impact of the Thomas Kemp Tower by creating a cluster of large building; colours had been chosen to help the proposed development blend with existing buildings, and samples of proposed materials were shown to the Committee.
- (5) In relation to transport issues Officers explained that the proposed underground car parks would be pay and display; with a tariff system designed to discourage all day parking for staff, and there would also be dedicated spaces for patients. The current issues at the site with queuing would be mitigated as there would no longer be a barrier system in place, and the underground car parks would include drop off zones for friends and relatives. The proposal included pedestrian cycling storage with 132 spaces at the front of the site and 92 on the northern access road, creating a net gain of 188 spaces on the whole site. The current pedestrian crossing would be relocated slightly to the east where a puffin crossing would be installed. A large drop off area was proposed on Eastern Road exclusively for use by the hospital patient transport services, and would be able to accommodate five of the transport vehicles at any one time. There would be some alterations to the existing bus stop arrangements, and upgrades would ensure they all had shelters and real time information. The local construction routes would only be on the A roads and Edward Street and Eastern Road.
- (6) Officers drew the Committee's attention to the environmental study that indicated six properties on the south side of Eastern Road would be severely affected by a loss of daylight. The build was scheduled to take place over approximately 10 years, and it was indicated that some periods of construction would be more noisy than others; measures to manage disruption during construction would be included as part of the Section 106 Agreement. In relation to noise from the proposed helipad it was explained that it was standard practise to condition the usage, and the application proposed a figure of 64 drops per year with a 10% margin of fluctuation. The scheme would result in significant service benefits and Officers recommended approval of the applications on the terms set out in the reports as updated by the late list.

Questions for Officers

- (7) Councillor Hawtree asked if the chapel would provide the same function when it was moved as part of the proposals, and it was explained that it would still be a listed building but the usage might change as the proposed Stage 1 building included a separate multi-faith room. Councillor Hawtree also enquired about wind on the site, and Officers explained that the application proposed mitigation measures, and they were confident there would no major issues. In response to further questions Officers explained that there was a condition requesting that the flint wall on Upper Abbey Road be rebuilt, and the usage of the helipad would be conditioned to restrict it for trauma use only. The Chair also highlighted a condition that Officers would be able to request a report on the helipad usage from the Trust with seven working days notice.
- (8) Councillor Rufus asked a series of questions in relation to the construction traffic, alternative car parking arrangements during construction and the consolidation centre. The Head of Transport Strategy and Projects, Andy Renaut, replied that the report contained information on the impact on the local highways network, and the construction work traffic would be tied into the construction work management plan, but the heads of terms proposed that the consolidation centre be established and operational before the commencement of any demolition on the site.
- (9) Councillor Hyde asked for clarification on point 7) g) of the head of terms, and the Head of Transport Strategy and Projects explained that the condition would allow for damage caused to the highway network during construction to be rectified. Councillor Hyde went on to explain that she had received a request that a plaque be installed on the new site commemorating Charles Barry; the Head of Development Control, Jeanette Walsh, explained that the Committee could be minded to include an informative to this effect.
- (10) Councillor Wells asked for clarification that not only the flint wall be reinstated but the ornamental brickwork also be reinstated, and Officers clarified that this was indicated on the proposed plans.
- (11) Councillor Carol Theobald asked specific questions in relation to: the hours of construction; the material and colours used; concerns from the Fire authority about the helipad safety and the provision of only a single length bus shelter at one of the bus stops. Officers explained that construction hours were proposed to be 0700 to 1900, and noisy work between 0800 and 1800 – with work at weekends only in exceptional circumstances – this was within usual hours allowed by the Council; however, the exact hours would form part of the Construction and Environmental Management Plan part of the Section 106 Agreement. In relation to the materials and colours it was explained they would all be conditioned, and samples were used to demonstrate colours and shades. The helipad would be subject to full safety controls, and this was subject to the regulations of the Civil Aviation Authority. The No37 and 40X staff bus stop in question did not have a shelter at all at present.
- (12) Councillor Bowden requested further information on the amended wording of the conditioning of the helipad to now read 0700 to 1900, and Officers explained this was due to an error in the original drafting which would have prevented flights after dark by

HM Coastguard and the Police. In response to further queries from Councillor Bowden, Officers explained that, despite extensive consultation, very few responses had been received from residents on the Bristol Estate, and issues in relation to noise from the helipad had all been assessed against the unpredictable and short period of usage and the overriding public benefits of the facility. Councillor Bowden also asked how the Highway Authority would be able to know if damage to the network was caused by construction, the Head of Transport Strategy and Projects explained that the condition formed the basis for monitoring and allowed discussion between both parties.

- (13) Councillor Bowden had further questions in relation to the monitoring of the construction process, and Officers were able to explain that on-going monitoring would be used to resolve any issues. The Head of Development Control explained that the Council had enforcement powers and would seek to monitor through on-going liaison and discussion.
- (14) Councillor Hawtree asked how the materials from the demolished buildings would be disposed of; Officers explained that there was separate legislation in relation to the requirements for Site Waste Management Plans, and the Council was not able to impose conditions in the manner it may have done in the past.
- (15) Councillor Robins asked a question in relation to the use of local contractors, and Officers responded that the Heads of Terms stipulated that a target of 20% of the workforce should be local.
- (16) Councillor Summers queried the short period of notice required for the commencement of work. The Head of Development Control explained that this was a legal obligation; in practise the Council would work closely with the applicant to agree commencement dates and ensure local residents were aware of these.
- (17) Councillor Carden flagged up specific queries in relation to restricted hours that travel cards for buses could be used, waiting times for the car park and the potential provision for a *Park & Ride* facility. Officers explained that issues in relation to travel cards were a matter for the bus operating company; however, the timing of out patient appointments was an ongoing issue for the Trust, and it was expected a travel plan would evolve to look at these issues. In relation to waiting times it was highlighted that the car park was intended for patient use only and there was no barrier system, so this issue should be alleviated; there was currently no proposal for a *Park & Ride* facility, but buses stopped outside the hospital which had routes into East and West Sussex, and there was regular bus access from the Brighton train station.
- (18) Councillor Cobb asked why photovoltaic panels were only proposed on one section of the Stage 1 building, and it was explained that this related to a viability issue for the Trust. In response to a further query from Councillor Cobb Officers explained that there were a variety of proposals for public art that went beyond what was proposed as part of the Section 106 Agreement.
- (19) Councillor Bowden requested more information on how staff would be encouraged to use more sustainable transport to get to work, Officers highlighted that this process was already on-going, and permits were awarded on a basis of postcode, unless

necessity could be proved; the tariff structure would also discourage staff by increasing the charges for all day parking and the use of the new parking spaces would be designated for patients and visitors only.

- (20) Councillor Robins asked if work had been undertaken to ensure the planting on roof terraces would be successful, and it was noted that a landscape architect had considered the proposed landscaping to be appropriate. In response to a query from Councillor Summers it was explained that real turf would now be used rather than synthetic turf.

Public Speakers

- (21) Mr Pickup, a local resident, spoke in objection to the application. He stated that he did not disagree with the expansion of the hospital, but questioned the proposal to retain the existing site, rather than move it elsewhere in the city stating that it was already crowded and had poor local transport links. Mr Pickup went on to state that the proposed length of the building period would create logistical problems, and there was the potential for the existing buildings to be maintained for others uses.
- (22) Mr Passman and Mr Benedict, representatives for the applicant, spoke in favour of the application. It was stated that the proposals had been in development for over three and a half years, and part of this process had been to consult extensively with the public. It was important that clinical needs be balanced against access and amenity for patients, staff and visitors. The proposals would create an increase in public space on the site as well as providing better facilities, and having a direct impact of the city economy through the creation of local jobs. The benchmark for the proposed design was the Children's hospital, and the Trust had wanted to create a strong civic presence with the development.

Questions, Debate and Decision Making Process

- (23) Councillor Bowden asked how many jobs would be created, and the applicant clarified they were currently projecting 450 new permanent jobs.
- (24) Councillor Hawtree followed up his earlier question to Officers and asked how waste from demolition would be handled on site. The applicant explained that the intention was to re-use as much material on site as possible, an internal target of approximately 60-70% had been set, and other potentially hazardous materials would be covered by relevant legislation. The role of the consolidation site was also clarified: to bring contracted labour to the site; to receive pre-fabricated materials offsite, to minimise traffic and to take waste offsite to be properly disposed of.
- (25) Councillor Hawtree asked if there would be a degree of inbuilt adaptability in the proposed new building, and it was explained that work had been undertaken to look at the internal divisions and services to ensure they could be adapted to suit changing demands.
- (26) Councillor Cobb asked why there was no proposal to provide a shelter for the patient transfer service drop off site. It was clarified that, although the main drop off point would not be covered, there would a patient discharge lounge at street level and a

significant increase to the number of parking spaces available exclusively for patients and visitors.

- (27) Councillor Carol Theobald asked if the applicant had considered signage for the site, and where the taxi drop off points would be located. It was clarified that the signage would need to form the basis of a separate application, and the taxi drop off points would be located in the underground car parks.
- (28) Councillor Bowden followed up his earlier question in relation to encouraging staff to use sustainable transport to get to work. It was explained that staff who lived in postcodes BN1, BN2 and BN3 would not be offered parking permits, unless necessity could be proved, and there was already a developed transport plan in operation that included measures such as loans for bicycles, salary sacrifice for bus permits and car share schemes; measures were also being considered to charge more to park for higher emission vehicles. It was also confirmed that there were no current proposals for electric car or bike charging points, but the Committee could be minded to include this as an informative.
- (29) Councillor Summers followed up the earlier question in relation to viability of the photovoltaic panels, and it was explained that the repayment period would exceed the life expectancy of the panels.
- (30) Councillor Hyde commended the scheme and welcomed: the liaison between contractors and local residents; the proposed appointment of a Travel Plan Coordinator; the designation of underground car parking spaces for patients and visitors and the retention of the chapel on site. It was hoped that concerns over the helipad would be alleviated by the annual monitoring by the local authority for five years after the installation. It was noted that, although the site would be dense, it was not a viable option for it to decamp, and the scheme had evolved, and improved, through consultation and compromise. The improved car parking facilities were welcomed as this had been a contentious issue, and the improvement to healthcare in and around the city were highlighted. The facility would provide jobs and encourage people to move to the city, and serve to save the lives of many people; for these reasons Councillor Hyde noted her support of the application.
- (31) Councillor Carol Theobald thanked the Officers and all those who had been involved in the application. It could be more suitable if the building had been set back from Eastern Road to allow the pavements to be widened, and although the Barry Building and Jubilee Building were not being retained it was good that the chapel would be relocated on site. The application would create a modern facility to update the Victorian buildings that were no longer fit for purpose. The increase in car parking spaces, new trauma and neurological units and increase in cancer facility capacity were all welcomed; and Councillor Carol Theobald noted her support of the application.
- (32) Councillor Wells noted that the Barry Building had been so altered since its original construction that it was no longer recognisable, and the current arrangements on the site were unsightly and not fit for purpose. The new car parking facilities were welcomed, as well as the helipad which would help save lives and had restrictions on the amount of usage. It was positive that both the chapel and the Bristol Gate piers

would be retained, and Councillor Wells extended his thanks to the Officers involved in the application.

- (33) Councillor Hamilton highlighted the importance of contractors liaising closely with local residents, and suggested an informative could be added that a dedicated line be available for local residents to contact the Council with any concerns during the construction period. It was noted that most hospitals were situated in residential areas, and there was good access by bus to the site. Councillor Hamilton also welcomed the installation of a plaque on the new site commending Charles Barry.
- (34) Councillor Carden expressed his support for the application, and noted the proposal would be an important modern addition to the city.
- (35) Councillor Summers highlighted the significance of the decision before Members of the Committee, but expressed her concerns in relation to the increased number of car parking spaces on the site which she felt this did not fully address the transport and traffic problems in this part of the city. Councillor Summers asked for further reassurance that other forms of transport would be promoted as part of the development, and close work be undertaken with the transport liaison group.
- (36) Councillor Hawtree also noted that there were plaques in the buildings proposed for demolition and suggested an informative that they should also be retained. He noted reservation in relation to some of the transport issues, and concern over a lack of unity in the design of the new buildings; but noted his general support of the application.
- (37) Councillor Bowden hoped that lessons had been learned from previous construction projects in the City, but welcomed the number of jobs that would be created by the proposal. There was concern in relation to the helipad; however, the potential to save lives would mitigate some of these concerns; the installation of the plaque commending Charles Barry was also welcomed.
- (38) Councillor Rufus welcomed the application as a significant facility for the city and wider region; he was satisfied with the proposed consolidation centre and supported an informative for a dedicated contact line for local residents. It would be crucial to ensure that the impact of the construction was minimised, and he shared some of the concerns in relation to the bulk of the application and the helipad. There should be some relaxation in relation to parking issues, and an expectation that as this was a regional facility it would be necessary for a significant number of staff, patients and visitors to arrive at the site by car; however, he would still support any new measures to increase access by sustainable transport.
- (39) Before the vote was taken the Chair highlighted the four potential informatives proposed by the Committee in relation to: the need to draw attention to the installation of charging points for bikes as well as cars; the dedicated Council phone line for local residents; the wish to see a portion of the s106 public art contribution (potentially £1,000) for a blue plaque to commend Charles Barry and the re-use and retention of any existing historic plaques in the proposed buildings.
- (40) A vote was taken and the 12 members present voted unanimously that they were minded to grant planning permission.

- 126.1 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 1 of the report and the policies and guidance in section 7 of the report and resolves that that it is **MINDED to GRANT** planning permission subject to the completion of a Section 106 planning obligation in accordance with Heads of Terms set out in the late list, the conditions and informatives also set out in the late list and the following additional Informatives:
1. The applicant should note that the Planning Committee expects the Travel Plan to address the need for electric charging points for bikes as well as for cars.
 2. The applicant should note that the CEMP as finally agreed should include details of 24 hour helpline for local residents to contact Council officers as well as the applicant/contractor.
 3. The s106 Public Art Contribution should in part be used to fund the installation of a blue plaque to commemorate the work of Charles Barry on the site.
 4. The existing historic signage located on the site should not be lost and the Planning Committee would like to see them re-used throughout the site as appropriate.

B. Application BH2011/02887, Royal Sussex County Hospital, Eastern Road, Brighton – Demolition of the Bristol Gate Piers.

- (1) A vote was taken and the 12 members present voted unanimously that listed building consent be granted.

- 126.2 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 1 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** listed building consent subject to the Conditions and Informatives set out in the report as updated by the late list.

C Application BH2011/02888, Royal Sussex County Hospital, Eastern Road, Brighton – Demolition of hospital chapel.

- (1) A vote was taken and the 12 members present voted unanimously that they were minded to grant listed building consent.

- 126.3 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 1 of the report and the policies and guidance in section 7 of the report and resolves that it is **MINDED TO GRANT** listed building consent subject to confirmation from the Secretary of State and the Conditions and Informatives set out in the report as updated by the late list.

The meeting concluded at 5.13pm

Signed

Chair

Dated this

day of