

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****1.00pm 27 SEPTEMBER 2017****COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 4AH****MINUTES**

Present: Councillors Cattell (Chair), Mac Cafferty (Group Spokesperson), Hyde, Janio, Littman, Meadows, Miller, Moonan, Morris and Robins

Co-opted Members: Mr R Amerena, CAG

Officers in attendance: Paul Vidler, Planning Manager, Major Projects; Mick Anson, Principal Planning Officer; Sarah Collins, Principal Planning Officer; Tim Jefferies, Principal Planning Officer, Policy Projects and Heritage; Steve Tremlett, Principal Planning Officer, Policy Projects and Heritage; Liz Hobden, Head of Planning; Max Woodford, Assistant Director, City Development and Regeneration; Emma Kumar, Empty Property Officer; Sam Rouse, Senior Technical Officer, Environmental Protection; Steven Shaw, Development and Transport Assessment Manager; Hilary Woodward, Senior Solicitor and Penny Jennings, Democratic Services Officer

PART ONE**51 PROCEDURAL BUSINESS****51a Declarations of Substitutes**

51.1 Councillor Robins stated that he was in attendance in substitution for Councillor Gilbey. Councillor Meadows stated that she was in attendance in substitution for Councillor Russell-Moyle. Councillor Janio stated that he was in attendance in substitution for Councillor C Theobald.

51b Declarations of interests

51.2 Councillor Meadows explained that the Moulsecoomb and Bevendean LAT of which she was Chair had received a presentation in respect of the scheme in February 2017, she had not however expressed a view in respect of the scheme, remained of a neutral mind and would therefore remain present at the meeting during consideration and determination of the application.

51.3 Councillor Miller stated that he lived in close proximity to the application site. He had not expressed a view in respect of the scheme, remained of a neutral mind and would

therefore remain present at the meeting during consideration and determination of the application.

51.4 Councillor Mac Cafferty stated that he had attended South Eastern Region Design Panel meetings at which presentations had been given in respect of this application and pre-application presentations. He had not expressed a view in respect of the scheme, remained of a neutral mind and would therefore remain present at the meeting during consideration and determination of the application. The Chair, Councillor Cattell, also, Councillor Morris confirmed that they had also attended the meetings referred to by Councillor Mac Cafferty, that they too remained of a neutral mind and would therefore remain present at the meeting during consideration and determination of the application.

51c Exclusion of the press and public

51.5 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.

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

51d Use of mobile phones and tablets

51.7 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 ‘airplane mode’.

52 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

53 BH2017/00492, PRESTON BARRACKS, MITHRAS HOUSE, WATTS BUILDING, LEWES ROAD, BRIGHTON - FULL PLANNING, OUTLINE APPLICATION, WATTS PARCEL

Preston Barracks Parcel (Full application) Demolition of existing buildings and construction of (B1) 7 storey Central Research Laboratory, Student Accommodation (Sui Gen) providing 534 bed spaces within 3 blocks of 13, 11 and 15 storeys, 369 (C3) residential units in 8 Blocks with a range between 2 and 10 storeys with associated ancillary development, parking, public realm works and landscaping.

Mithras Parcel Demolition of existing building (Steam House) and construction of a mixed use Campus Development consisting of Student Accommodation (Sui Gen cluster flats) providing 804 bed spaces within five blocks, Block 1 (10 storeys), Block 2 (18 Storeys), Block 3 (10 storeys), Block 4 (12 storeys) and Block 5 (9 storeys), 596 sq. m of services including students union and welfare facilities (Sui Gen), 898 sq. m (GIA) gymnasium (D2), and associated ancillary development, including provision of 13

disabled parking spaces serving the student accommodation, cycle parking, public realm works and landscaping improvements.

Lewes Road Installation of new signalised crossroads and T Junction, pedestrian crossings and footway improvements, erection of pedestrian and cyclists bridge crossing Lewes Road.

Watts Parcel (Outline Application) Removal of existing Watts House temporary building and erection of a 6 storey (D1) Academic Building for a Business School consisting of 6,400 sq. m of floor space, linked canopy and provision of 600 space multi storey car park to the rear (maximum 8 storey equivalent height) with associated ancillary development, including provision of cycle parking, access and servicing road, public realm and landscaping improvements.

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

Officer Presentation

- (2) The two Principal Planning Officers, Mick Anston and Sarah Collins gave a joint presentation delineating the constituent elements of the scheme by reference to detailed plans indicating the four separate parcels of land which made up the scheme and was also effected by reference to elevational drawings, contextual drawings providing views across the site(s), photographs, indicative drawings and photomontages, also the existing and proposed boundary layout. Slides detailing proposals including the following were shown: Preston Barracks: East elevation, Lewes Road, showing the 7 storey Central Research (CRL); part 9/10 block A with ground floor retail A1/A3 uses and student blocks 6 and 7 of 13 and 11 storeys and a section of the proposed pedestrian bridge across Lewes Road ; West elevation to the Furlong (rear elevation of the Lewes Road frontage); East Elevation along the Furlong; East elevation to the Field; West elevation to the Field, rear of student block 8 and blocks B to D; East elevation, Saunders Park View; the West elevation: South elevation; North elevation, blocks A and B, CRL, Block C and F South elevation; Level 1; Level 3; Level 6 and Level 15 (roof); Watts Parcel (including the canopy to the frontage); Sections 1, 2 and 3 of the car park; Mithras Site (5 towers, 10, 18, 10, 12 and 9 storeys connected by a 2 storey podium with 804 student cluster rooms, student facilities and gym; ground floor uses (student union, welfare facilities and gym) were also shown. It was noted that on this element of the site student accommodation was provided from first floor level but there were no links between the towers internally. Typical floor layouts were shown and advice given that plant located a roof level would be hidden from view behind the parapet. Also shown was; location of parking spaces across all of the site(s) including disabled parking spaces for students and visitor spaces, podium level changes and bridge; proposed building materials and landscaping; the proposed highway layout. Reference was made to the Additional/Late Representation List, to additional representations received and recommended amendments to the Conditions and Informatives set out in the circulated report.
- (3) In relation to the landscaping proposals it was explained that the Landscape Masterplan had been designed to provide a series of linked spaces addressing the significant level changes across the site. Wherever possible, hard landscaping had been interspersed with trees and raised planters, and the public open spaces had been designed to allow

for informal play and flexible uses. New trees were proposed on the Preston Barracks site along Lewes Road, the Furlong shared space would provide alternative pedestrian routes to Lewes Road and Saunders Park View, with a central area for informal play and seating; the Field would have private and communal areas and Saunders Park View would be extended but would remain a cul de sac with pedestrian access to the north. The Watts site Business School Square would have a shared space which would link with the Preston Barracks site and bridge. It was intended that paving materials around the Business School would reflect the angular design of the external canopy planned to connect to the campus buildings; hedge planting and trees would soften the entrance and service road; the majority of the existing trees on the Lewes Road frontage were to be retained. Existing trees to be retained, existing trees to be removed and new trees proposed were indicated. The hard landscaping materials to be used across all 3 development areas were intended to provide continuity and a sense of place.

- (4) This represented a key site identified in the City Plan for regeneration under Policy DA3 to go towards meeting the City's housing and employment needs during the Plan period as well as contributing towards the bringing forward of modern University academic and research facilities and purpose built student accommodation for which an under provision had been identified in the City Plan. The Lewes Road corridor had also been identified under policy CP21 as being a suitable location for modern well managed student accommodation along this sustainable transport corridor linking the City's two Universities. The site had been vacant and underutilised for a number of years and the supported funding of £7.7m from the Local Enterprise Partnership would be available for a limited period.
- (5) The proposal was part full and part outline and would provide 369 residential units and 534 student bed spaces on the Preston Barracks site together with 4,600 sqm mix of retail and workshop space. On the Mithras Site 804 student bed spaces were proposed with student facilities and a gym. On the Watts site a 551 space multi storey car park and 6,400sqm Business School were proposed.
- (6) Officers had requested a viability assessment covering all of the parcels comprised by the application site, but the one submitted with the application only related to the Preston Barracks site. The applicants had explained that this was due to the different and distinct funding structures of the two applicants. Officers had therefore requested that the University commit to the financial contributions required in mitigation of the Watts and Mithras development proposals, this amounted to £991,580. The viability assessment for the Preston Barracks site had been scrutinised independently by the District Valuer who had been in agreement that 15% affordable housing and £1.5 m financial contributions were the maximum which could viably be offered. This represented a shortfall of £750, 723 and officers considered that the most appropriate response would be to reduce those contributions which were considered to be of lower priority in terms of planning policy objectives and to maintain those contributions which were required for direct mitigation of the impact of the development, such as sustainable transport. It should also be noted that officers had negotiated a reduction to the levels of car parking originally proposed. The scheme recommended for approval comprised 156 spaces in the podium car park on the Preston Barracks site and 551 spaces in the multi-storey car park on the Watts site. During the course of the application the multi-storey car park had been reduced from 600 spaces to 551 as a result of negotiation between officers and the applicants.

- (7) In conclusion, it was recognised that Preston Barracks had been vacant and underused for a number of years due to difficulties in identifying a viable scheme, capable of providing key employment and housing needs as well as providing a new phase in the provision of much needed University academic and student accommodation on site which would meet modern requirements and provide a high quality design approach and addressing the transport and infrastructure needs of the neighbourhood and Lewes Road corridor. The City Plan and Development Brief had anticipated a very high density development featuring some very tall buildings which would result in challenging environmental impacts to be addressed. A key factor had been the need to provide a viable development which could be implemented whilst seeking to meet the City Plan policy requirements, in particular employment and affordable housing needs. The balance of different floor space for different uses had been challenged and independently tested and it had been accepted that there was an identified need for the amount of residential, employment and student accommodation proposed.
- (8) Some environmental impacts of the proposal had been mitigated, in particular the layout and design of the tall buildings had evolved and been amended in order to reduce their impact on the townscape and in the immediate neighbourhood. It was acknowledged that there would be minor harmful visual impacts but not substantially so and on balance they were considered to be acceptable. The impacts on sunlight and daylight had also been mitigated and changes made to enhance the quality of the new accommodation whilst the site layouts took account of neighbouring dwellings at the design stage to minimise the impact overall. The scheme would provide acceptable daylight and sunlight into the public spaces with acceptable climatic conditions confirmed by the BRE.
- (9) In relation to the transport proposals in particular the parking provision had been reduced and the reinstatement of key elements of the Lewes Road corridor following negotiations were now considered to be acceptable. Additional parking for Preston Barracks itself would be significantly below the maximum policy standards and there would be no increase in university parking except for disabled bays. This would result in a sustainable development which would be less reliant on parking and car journeys with options for sustainable transport use with over 1000 cycle parking spaces, bike share and car share provision, motorbike spaces together with a Travel Plan and parking management for the proposed main car parks proposed.
- (10) Air quality impacts would not threaten the air quality strategy north of the site and had been mitigated by a series of measures including parking space reduction, ultra low NOx, CHP and additional Electric Charging Points on site and the Air Quality Officer had indicated that they considered the proposals to be acceptable. Therefore given that the overall benefits arising from regeneration of this site it was recommended that Minded to grant planning permission be given subject to the conditions and planning obligations set out in the report and the Additional/Late Representations List.

Public Speakers

- (11) The Chair, Councillor Cattell, stated that before calling forward those who were registered to speak she wished to refer to a submission received from Chris Todd representing Friends of the Earth who had submitted an objection to the application,

which had been circulated to Members of the Committee; she had also arranged for paper copies to be made available for any substitute members. Mr Todd had requested to speak, however the Protocol for Public Speaking did not permit this and it was important to adopt a consistent approach when considering applications. As Chair, she was satisfied however, that as a result of having had the opportunity to read the letter, Members were aware of the views expressed by Friends of the Earth. The relevant officers were in attendance to respond to any questions by Members in relation to parking or air quality.

- (12) Ms Bengé spoke in her capacity as a local resident setting out her objections and those of other nearby residents to the scheme. Whilst redevelopment of the site was welcomed some of the blocks were very high, excessively so in her view, particularly those which would be located nearest to Saunders Park View, which would also be located in very close proximity to the neighbouring residents who would be overshadowed and overlooked. It was considered that the height of these blocks could have been redistributed across the site overall. The height of that element of the scheme would compromise the amenity and privacy of neighbours and would also impact on the levels of daylight/sunlight. The level of student accommodation to be provided to that part of the site would be detrimental to those families living nearby, they would not benefit from the proposals. Saunders Park View was currently a quiet cul-de-sac, if approved those living there would have 300 new neighbours.
- (13) Ms Barkaway spoke on behalf of the Coombe Road Area Local Action Team (LAT) setting out their objections to the scheme. Ms Barkaway explained that the local community was becoming increasingly concerned at the concentration of student accommodation in the vicinity. There were already a number of Houses in Multiple Occupation in the vicinity, primarily occupied by students. The increase in student numbers here would further exacerbate the existing problem. Local residents were becoming overwhelmed by this transitory community. It made greater sense to encourage a more even distribution of its student population across the city as a whole. Additionally, there were concerns in with regard to the level of vehicle movements and on-street parking which would be generated. There would inevitably be an impact on the local road network and residents were anxious to be included in a Controlled Parking Zone. Residents would bear the brunt of any negative impacts arising from a major scheme and they were concerned that for them any benefits did not outweigh those negative factors. They considered that greater head needed to be paid to the issues flagged up by residents.
- (14) Mr Taylor, the Commercial Planning Manager for Sussex and Surrey Police spoke on behalf of the Police detailing their concerns in respect of the scheme. He referred to a letter prepared by the Police and Crime Commissioner (who was in attendance at the meeting), and which had been circulated immediately prior to the meeting which set out the Police's position in terms of seeking developer contributions under the s106 in order to address the additional policing requirements which would arise from this hybrid planning application. The 369 new homes and 1,338 student bedrooms proposed would place a significant additional burden on police resources within the city.
- (15) The Police had adopted a revised approach to seeking developer contributions which sought to resolve all issues raised in the past with local planning authorities including

Brighton & Hove City Council and followed a nationally adopted methodology to ensure compliance with CIL regulations. The Committee were asked to take into account the substantial weight of legal evidence (instances of decisions of Planning Inspector's relating to various local authorities country wide were cited), which supported the principle of developer contributions towards policing. A 16 page letter had been submitted to the Council dated 22 March 2017 which had provided a detailed methodology in addition a High Court judgement in favour of contributions towards policing issued in November 2016. There was a clear link between population growth and demands on the police service and investment was needed to invest in the infrastructure of the police base at John Street in Brighton and to strengthen front-line policing. The police were concerned that this was being overlooked.

- (16) The local authority had a duty to support the infrastructure needed for the increase in population and it was considered that if no support was provided towards additional police infrastructure this application would fail to meet the requirements of the National Planning Policy Framework to secure sustainable development and would negatively impact on the ability of the police to provide a safe and appropriate level of service and to respond to the needs of local communities effectively. Mr Taylor cited a number of decisions of the Planning Inspectorate where the local planning authority had been directed to allocate s106 funding towards or to cover the cost of additional/local neighbourhood policing arising from a development.
- (17) Members sought clarification and had a number of questions for Mr Taylor and for ease of reference these have been summarised separately below in paragraphs 20 to 30.
- (18) Councillor Hill spoke in her capacity as a Local Ward Councillor in support of the scheme. Councillor Hill stated that she supported the application in general terms, Preston Barracks had been unused for many years and the city needed to make use of this key open space to provide much needed housing and business space. The provision of student housing on this site, alongside general and affordable housing was also supported, it accorded with council policy and would help to address the chronic shortage of student housing for University of Brighton students and would also help to alleviate some of the pressure on residential areas which was leading to overdevelopment of HMOs. It was important therefore to specifically protect the general housing on site from being used for student accommodation. The use of tall buildings was also supported although it needed to be recognised that it would impact on local residents by making the area more built up. In order to address that potential negative impact it was important to ensure that there was good open space provision. Traffic Management issues need to be fully addressed and use of sustainable transport positively encouraged.
- (19) Ms Humphris, Vice Chancellor of Brighton University spoke on behalf of the applicant in support of their application accompanied by Mr Hoskins who also sought to address the concerns raised by objectors and to answer questions. The applicant was also attended by the specialist team who had been engaged in preparation of the application in order to answer any detailed technical questions put by Members.
- (20) Ms Humphris explained that the applicants had worked with officers since the inception of the current Master Plan in 2012 and were pleased to commend this scheme to

Members for approval. It represented an opportunity to significantly improve the offer currently available to students making the University campus a more vibrant hub which would provide a vibrant new neighbourhood with good public realm improvements and improved connectivity and employment opportunities. The applicants considered this to be a landmark development and were pleased to be instrumental in helping to create a new community which the city could be proud of.

Questions of Police Representative

- (20) The Planning Manager, Major Planning Applications, Paul Vidler suggested that if Members were minded that officers revisit the constituent sums allocated under the s106, in order that the Police receive a sum towards policing costs associated with the scheme, they did not agree a figure at this meeting but that they authorise officers to suggest any changes to the sums currently suggested as/if appropriate and for those to be agreed in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- (21) The Planning Manager, Major Planning Applications, Paul Vidler, went on to explain that irrespective of the decision taken by the Committee in respect of this application officers would be arranging a separate meeting with Police representatives in order to consider whether/how it might be appropriate to amend existing s106 policy in order for changes to be made to the current formula used when considering applications.
- (22) Councillor Moonan sought clarification that if approval was given to provide funding towards policing in the vicinity of the site, it would be used directly within the neighbourhood in which this site was located and the purposes to which it would be put. Mr Taylor explained that any money allocated would be placed into a central "pot" but would be used to off-set additional policing requirements which would arise as the result of the additional number of residents moving into the area if the scheme was approved. The sum requested would be made available to the Moulsecoomb Policing Team.
- (23) Councillor Miller also sought clarification of the sum requested and it was explained that the sum of £217,000 was requested in order to cover the capital costs needed to service these additional policing requirements. Councillor Miller considered that it was germane to know whether all of the local planning authorities approached Loc
- (24) Councillor Morris requested a breakdown of the sum referred to as he did not understand how that was made up. Mr Taylor explained that an itemised breakdown of the figure requested was set out in the paperwork which had been circulated to Committee Members. He wished to understand the level of funding proposed towards site specific things in association with this scheme. Councillor Morris stated that notwithstanding the responses given he remained confused regarding the figures given and why they appeared to be so high.
- (25) Councillor Littman concurred with the views expressed by Councillor Morris, in that he also considered the figures quoted to be very high and found it difficult to understand how they had been arrived at. Whilst reference had been made to instances when the Planning Inspectorate had directed the local planning authority to allocate s106 monies

towards local policing it would be helpful to know whether this had been so in all cases and whether appeals had been made which had been unsuccessful.

- (26) Councillor Robins enquired whether the sum being requested was time limited. It appeared a lump sum was being requested for start-up costs to address additional needs arising due to the new development. Once spent, how would any on-going additional costs be met? Mr Taylor explained that following start-up costs once occupied those living there would be required to pay Council Tax. A proportion of that precept was allocated towards policing costs and could therefore be used towards policing in the vicinity of the site. Councillor Robins stated that he was confused by the response given as this appeared to be at variance with earlier information given. Confirmation was also requested as to whether the University was prepared to provide additional funding towards these costs and it was confirmed that the University currently funded two posts in the locality.
- (27) Councillor Meadows asked regarding the consultation process which had taken place internally within the Police given that they had been consulted in respect of this scheme in order to assist in designing out crime as far as practicable. Councillor Meadows expressed surprise given the time it had taken for this application to come before Committee that the police had sent in a very late submission on this matter. Mr Taylor explained that the two issues were separate, as any new development of the scale proposed would result in additional policing needs. His role was to seek funding in order to facilitate this and in answer to further questions he confirmed that he had successfully obtained additional funding in respect of schemes elsewhere in the Surrey and Sussex policing division. The letter he was referring to had actually been submitted to the Local Planning Authority on 22 March, it had however only recently become known that s106 funding was not being recommended towards policing costs in respect of this scheme.
- (28) Councillor Janio stated that he was also somewhat confused by the responses given. Mr Taylor reiterated his earlier responses.
- (29) Councillor Cattell, the Chair, referred to the suggestion that officers meet with the police in order to discuss how/ whether it would be appropriate to revisit the formula used when assessing the level of s106 obligations going forward, considering that would be a productive, changing the existing formula set out in the Council's Supplementary Development Document which set out the agreed formula against which s106 contributions were assessed. She explained that developers usually provided a "shopping list" in relation to contributions they intended to make in mitigation, these were discussed agreed with officers using an established formula. Whether Members were minded to consider revisiting the level of contributions proposed in respect of this application would need to be voted on at the conclusion of the debate.
- (30) Councillor Cattell asked for further details in relation to appeal decisions referred to but considered that it was difficult to use the information provided as a basis for comparison. The decisions taken by the Planning Inspectorate would have been made in the light of the criteria and methodology applied by those individual planning authorities which could have a very different townscape and demography from Brighton & Hove and use a different formula when allocating s106 contributions.

Questions for the Applicants

- (31) Mr Hoskins who was in attendance on behalf of the applicants stated that he would address the concerns raised by the objectors and to respond to any questions of Committee Members; the relevant officers were also available in order to respond to any technical questions.
- (32) Councillor Meadows sought clarification in respect of policing arrangements in the vicinity of the site and whether as indicated, a proportion of those costs were met by the University. Mr Hoskins explained the University funded the cost of two police officers in the locality of the site. The s106 had been devised by officers using an agreed formula and the applicants were happy to contribute the sum agreed, and any changes to the suggested allocations from that overall pot, it did not behove the applicants to indicate how s106 funding should be spent.
- (33) In answer to further questions Mr Hoskins explained that the applicants had sought to design out/minimise the opportunity for crime by opening up the site which had no dark/secluded corners. This had been an integral part of the process. There was connectivity and pedestrian permeability with the constituent elements of the scheme and linkage between the open spaces, all of which was well lit. The stairways to the rear of the development fronting Lewes Road which gave access to Saunders Park View and to Moulsecoomb Station would be well lit and had been designed to be of as shallow an incline as possible.
- (34) In answering the concerns of residents Mr Hoskins considered that it was important to point out that there would be no additional students, the proposals would significantly improve and enhance the offer available to future students and particularly, to provide state of the art science laboratories. By increasing the level of student accommodation available in the longer term it was anticipated this would decrease the demand for private rented accommodation.
- (35) Councillor Mac Cafferty referred to Policy DA3 as set out in the City Plan, enquiring regarding measures to be undertaken in order to avoid a negative impact on air quality; bearing in mind that Lewes Road corridor was heavily trafficked and issues relating to existing air quality in that part of the city were acknowledged. Ms Wheeler, referred to detail research using industry standard models had been undertaken in order to ensure that no negative impact would arise. The council's own monitoring data had been used as a starting point and the applicants had liaised with the council's technical officers.
- (36) Councillor Mac Cafferty also enquired regarding whether discussions had taken place with Network Rail to improve Moulsecoomb Station including disability access and works to the existing footbridge. Mr Brady spoke on behalf of the applicants and explained that public realm improvements proposed included access across the site to the station, pedestrian routes to/from the station had been improved significantly. Network Rail had not requested additional upgrades to the existing station.
- (37) Councillor Moonan asked what measures the applicant had taken to future proof the site, in relation to parking, cycle parking, affordability challenges, permeability of the site and to the public squares. Mr Hoskins stated that no additional parking was

proposed on-site, the site was located adjacent to and had easy access to good Public transport links into and out of the city. Where there was shared highway space within the site this would be clearly delineated and would meet agreed industry standards which took account of the safety requirements to be met. Pedestrian crossings across the Lewes Road into the site were to be enhanced. The Public spaces would be accessible to all and had been designed to ensure best use of them.

- (38) In answer to further questions it was explained that the tall blocks which would be located to Saunders Park view had been sited at a sufficient distance to minimise any negative impact as far as it was possible to do so. Mr Hoskins explained that as with any large scheme there had been a number of challenges to be addressed and the applicants considered that this scheme represented the best “fit” for the site which could be achieved in terms of viability. As the application had been driven primarily by the University’s academic considerations it had not been profit driven.
- (39) Whilst the element of the scheme which included the Watts parcel was outline and illustrative at this stage full details of landscaping, materials etc., would be provided for approval and it was anticipated that it would be possible to include docking stations and cycle hire arrangements.
- (40) Councillor Robins sought detailed information in respect of the materials to be used, noting that a number of different materials and finishes were proposed. He referred to the painted steel cladding and white brick facing materials (the silicone coating applied to the bricks was susceptible to discolouration) to some of the buildings and to the dark grey painted surface proposed for the bridge across the highway. Unless very high-grade materials were used, based on his knowledge these were unlikely to be sufficiently robust and could deteriorate quickly. It was explained that the steelwork for the bridge would be applied as part of the manufacturing process and that it was designed to be very robust. Manufacturers guarantees would be obtained to ensure that the other materials were fit for purpose.
- (41) Councillor Mac Cafferty referred to the Environmental Statement, noting that some blocks would be built facing into the prevailing south- westerly wind enquiring as to mitigating measures to be taken to address this. It was explained that this had been acknowledged especially in respect of Block A which had undergone some re-design and reconfiguration. Spacing between the buildings would also ameliorate this and overall buildings had been sited to and attention paid to their massing in order to utilise the topography of the site.
- (42) Councillor Meadows stated that she was mindful of the recent Grenfell Tower tragedy enquiring regarding inclusion of sprinkler systems in the tallest blocks, fire retardant quality of any cladding materials proposed and general safety measures proposed. It was explained advice had been sought in respect of this matter and that, although not part of the planning process itself, all of the buildings would be required to meet vigorous Building Control Regulations.
- (43) Councillor Janio referred to the proposed parking arrangements and to the concerns expressed by residents relating to overspill parking by students and others. In answer to questions it was confirmed that no additional student parking above that contained on the existing campuses was proposed. The number of parking spaces proposed had

been amended as a result of discussion with officers and careful thought had been given to the number and location of the disabled parking bays.

- (44) Councillor Miller enquired regarding management of car parking on the site and it was confirmed that the spaces would be managed by the developer on each parcel.
- (45) Councillor Morris sought clarification regarding the provision of public art and it was explained that the applicants were committed pledged to provide this although the precise form this would take e.g., whether this would take the form of a permanent feature/installation had yet to be determined.

Questions for Officers

- (46) Councillor Moonan sought clarification that should the Committee agree to the Police request for as proportion of the s106 funding be allocated to them that the level of funding available overall would require re-allocation and would result in less being available for others, for instance for enhancements/mitigation measures for the benefit of the local community including off-site improvements. It was confirmed that would be so, as the sum available overall would remain unchanged. If that was agreed by the Committee, it was intended that officers would revisit the issue and that changes to the sums allocated would be agreed in consultation with the Chair, Deputy Chair and the Opposition Spokespersons.
- (47) Councillor Miller enquired whether it would be possible for further consideration of the sums allocated for s106 funding to be brought back to the Committee. It was confirmed that if that occurred it would result in a delay in issuing planning permission but that could be done.
- (48) Councillor Meadows queried whether it would be possible to condition the phasing of the development in order to address local residents' concerns regarding detrimental levels of overspill parking from the development, also regarding any other measures available in this respect. Councillor Meadows was concerned regarding the impact should the existing park and ride arrangement cease ahead of the completion of the development; also in relation to the large number of new residents, no community dedicated community space was proposed on site asking whether consideration could be given to such provision in order to foster community cohesion. Councillor Meadows also referred to the disappointingly low number of affordable housing units in her opinion, enquiring whether there was any opportunity to increase this.
- (49) The Development and Transport Assessment Manager, Steven Shaw, explained that the existing Park and Ride would continue and that arrangements in respect of this lay with Brighton and Hove Albion Football Club, not with the applicants. There was a phasing plan in place and off site mitigation measures were proposed under the S106.
- (50) The Principal Planning Officers, Mick Anson and Sarah Collins, explained that the applicants were aware that Members' preference was for community facilities to be provided on site and the possibility of meeting space being available for community use would be actively pursued. In view of the comments received from the District Valuer Service on viability it was considered that it would be unreasonable to seek a higher number of affordable units.

- (51) Councillor Meadows also sought confirmation regarding the timeline of the correspondence received from the Police. The Development Control Manager, Paul Vidler explained that the letter received on 22 March had not made reference to s106 monies made available in respect of any specified scheme. Irrespective of the decision of the committee in respect of this application officers intended to meet with the Police in order to discuss any future formula for such funding further.
- (52) Councillor Moonan wished to receive assurance in relating to the broader traffic management measures proposed apropos the site, in particular relating to the flow of traffic and pedestrians, the rationale for siting of pedestrian crossings and footbridge, use of shared cyclist /pedestrian space and impact on the bus lanes. The Development and Transport Assessment Manager, Steven Shaw referred to the proposed layouts by reference to plans and indicated how shared spaces would be delineated using tactile paving. Changes to the layout of the existing bus lanes were also shown. There would be some delay due to the junction arrangements although this would be minimal (9-23 seconds) and would be off-set by other arrangements to be put into place. Officers had worked very hard in order to mitigate any disbenefits.
- (53) Councillor Morris referred the impact of the development on Saunders Park View and to cul de sac arrangements, also the location of the lift. The Development and Transport Assessment Manager, Steven Shaw, detailed the proposed arrangements by reference to plans. It was explained that the existing cul de sac would be improved, there would be stepped access due to the sloping nature of and changes in level across the site, and to the gradient between blocks B and C. The location of the steps and ramped access to Saunders Park View and to Moulsecoomb Station were indicated and it was confirmed that there would not be public access to the lifts as secure access was required to some of the core areas of the university blocks.
- (54) Councillor Hyde referred to the treatment to the corner aspects of some of the buildings, also details of the finishes proposed to the science/commercial buildings asking to see visuals and the rationale for this design solution. Councillor Hyde also asked whether it was anticipated that there would be any impact on views along Coombe Road towards the South Downs National Park; also in relation to any impact assessments carried out in respect of sunlight. The Principal Planning Officer, Sarah Collins, confirmed that it was not anticipated that there would be any impact on long views of the National Park. The materials proposed for the science block and commercial buildings were considered suitable and sufficiently hardwearing. sunlight/daylight impact surveys had considered the site as a whole and met at least minimum standards; it should be noted that levels of sunlight would be much higher during the summer months.
- (55) Councillor Miller asked whether it would be possible to add a condition requiring the local ambulance station to be relocated on site, whether condition(s) could be included to prevent accommodation on site from becoming houses in multiple occupation (HMOs) and whether sound installation was to be installed to the student units and gymnasium; also the standard of student accommodation to be provided.
- (56) It was explained that the potential to provide an ambulance station ultimately lay with the CCG but could form part of a new medical centre in the vicinity. The student rooms

would be of an agreed standard size, some windows would be capable of being opened and some would be fixed. The site would be covered by an Article 4 Direction which would restrict HMO use. In answer to further questions it was explained that arrangements were in place to re-house existing residents of the blocks in Saunders Park View if they wished.

- (57) Councillor Mac Cafferty sought further information regarding measures proposed (including the BRE study), to minimise any negative impact on Saunders Park View. It was explained that any negative impact to a small number of dwellings would not be significant as it fell just outside BRE guidelines and would be mitigated to a degree by the gradient of the site immediately below Saunders Park View and the pedestrian through routes to be provided. Details of the vehicle and cycle parking to be made available on site were also reiterated. It was noted that it was not proposed to relocate reptiles living on site in the absence of a suitable alternative habitat having been found.
- (58) Councillor Mac Cafferty also sought clarification regarding materials, and whether some was intended to be self-cleaning, details of trees to be removed and to be retained and the species and age of those to be provided in instances where replacement was intended and indicatives showing the other landscaping and planting arrangements proposed. Councillor Mac Cafferty considered it critical that replacements were sufficiently well established that they survived, flourished and provided the desired level of screening as soon as possible.
- (59) Councillor Mac Cafferty referred to the need to encourage the provision of community space and use enquiring whether it would be possible for community notice board(s) to be provided, also use of the gymnasium and or meeting rooms on site. It was confirmed that whilst use of the gym/other facilities might not be possible as it could present a security issue for the University erection of notice board(s) to advertise community events could be included. Representatives of the applicant who were present indicated their willingness to provide that at a suitable location. Councillor Mac Cafferty also enquired regarding traffic management arrangements for access/egress to the site, within the site itself and its impact on Lewes Road and the wider locality. Whilst noting all the information set out in the report and the responses given he was of the view that it might be appropriate to strengthen some of the proposed conditions and to include additional informatives to any permission granted.
- (60) Mr Amerena, CAG, referred to the Mannock Building mentioned in the Heritage Statement, stating that comments made in relation to loss being outweighed by the wider urban design benefits which would accrue from implementation seemed to be at variance with comments acknowledging it as a building which was attractive in its own right and had historic interest as part of the barracks' historic development. The Principal Planning Officer, Projects and Heritage, Tim Jefferies, confirmed that the building whilst attractive was a very late example of its style, old fashioned even for the date at which it was constructed and had limited townscape value. It did not have a particular relationship with the Napoleonic Building which was to be retained and it was considered that it would be difficult to integrate it successfully within a large scale modern development of the type proposed. Therefore it was considered that the limited harm arising from its loss was outweighed by the wider urban design benefits of the scheme as a whole.

- (61) Councillor Robins referred to the fenestration proposed to the student accommodation seeking assurances that the proposed units would receive the required daylighting levels. It was confirmed that the proposed units would meet all BRE and other relevant standards.
- (62) Councillor Meadows sought confirmation that as well as receiving appropriate levels of lighting that there would be sufficient air circulation bearing in mind that some of the proposed student units would be non-opening. It was explained that officers were not aware of any changes to existing standards and that these matters needed to meet current Building Control Regulations.
- (63) Councillor Littman requested information comparing current and anticipated daylighting levels. It was confirmed that the existing dwellings located behind the rear of the site already fell marginally below guideline standards and that the additional blocks proposed would have a minimal impact. Those buildings had been designed in order to avoid overlooking and to maintain an acceptable distance between them and the nearest properties. It was confirmed that there would be no increase in the level of on-site site parking and it was recommended that there would be 156 spaces in the Podium car park on Preston Barracks and 551 spaces in the multi storey car park on the Watts site. During the course of the application the multi storey car park was reduced from 600 to 551.
- (64) Councillor Littman also requested details of changes to the existing road layout to the Lewes Road and the Lewes Road Gyratory and the projected impact these would have. He had concerns akin to those of Councillor Mac Cafferty regarding the number of vehicle movements and impact on air quality that could result from significant delays to traffic/buses. Councillor Littman also wished to hear what thought had been given to allowing for future growth. The Senior Technical Officer, Environmental Protection, Sam Rouse, explained that although improvements to future air quality would be dependent on technological advances, the models used in making the assessments set out in the report had been based on 100% capacity and using industry standards.

Debate and Decision Making Process

- (65) Councillor Mac Cafferty stated that whilst supporting the scheme overall wished consideration to be given to the proposed amendments which he and other Members had put forward. These related namely to the age/maturity of the replacement trees proposed and suggested amendments to Conditions 23 and 29 respectively; to the request that samples of the final palette of materials proposed be agreed in consultation with the Chair, Deputy Chair and Opposition Spokespersons. It was noted that the Legal Adviser to the Committee had confirmed that whilst it was not possible to condition provision of a community notice board on site an informative to the effect could be included in any planning permission granted.
- (66) Councillor Robins stated that whilst concerns had been raised relating to additional traffic generated by the scheme he considered that that the traffic management measures proposed were sufficient to mitigate them as far as it was practicable to do so. Overall he considered the scheme to be a good one and supported it, notwithstanding that he had concerns regarding the durability of some of the materials

proposed. He considered it was important that guarantees were obtained from the manufacturers to ensure that they were fit for purpose.

- (67) The Chair, Councillor Cattell, confirmed that Councillor Robins' comments relating to materials had been noted and that final approval of them would be given following consultation with herself, the Deputy Chair and Opposition Spokespersons.
- (68) Councillor Hyde stated that as would be expected in relation to such a major scheme a number of detailed questions had been asked and answered. This was a large scheme which would utilise a site which had been a "mess" for a long time. She recognised that it had taken a long time to come to fruition and represented in her view the best that could be achieved, she liked the design overall and was pleased that in seeking to accommodate the growing needs of the University the applicants were also making a significant investment which would help to address the city's housing needs. In her view the scheme would create a whole new community. Whilst acknowledging that there would be an impact in consequence of that the mitigation measures proposed would reduce that and she would be supporting the officer recommendation.
- (69) Councillor Hyde also referred to the recommendation included in the heritage section of the report at paragraphs 7.71, 7.72 (page 70), suggesting that a plaque be erected on site commemorating Mick Mannock, (the existing Mannock Building was to be demolished), the most highly decorated First World War flying ace, posthumously awarded the Victoria Cross in 1918. She considered this was appropriate, requesting that consideration also be given to erection of a plaque on site commemorating and reflecting the historic Napoleonic/Wellington Barracks building and asking whether an informative to that effect could be attached to in any planning permission granted. The Legal Adviser to the Committee, Hilary Woodward confirmed that an informative to that effect could be added if the Committee were minded to do so. Members of the Committee indicated their support for Councillor Hyde's suggestion and the applicants indicated that this proposal was acceptable to them.
- (70) Councillor Miller stated that when had read the report initially he had concerns in view of the size of the site and scale of the scheme. However, the site had been dormant for his entire lifetime, he was also aware of the housing crisis which was facing the city. He understood and accepted the rationale for the officer recommendations and the comments of the District Valuer Service relating to viability. Whilst loss of the Mannock Building and lack of community space on site were regrettable and concerns in respect of on-site parking and traffic management were noted he considered it was impossible to achieve absolute perfection in for a scheme covering such a large site, it would undoubtedly alter that part of the city forever. The scheme had much to commend it, he considered it to be of a clever design which would provide much needed student accommodation and housing and economic benefits and regeneration in the vicinity and for the city as a whole. His only caveat was that he considered that the comments the comments received from the Police in respect of potential s106 contributions needed to be taken on board and an early meeting arranged to discuss matters going forward.
- (71) Councillor Meadows stated that this represented a huge development on a site which had been empty for a very long time. She hoped that the opportunity could be taken to provide an ambulance station on site. Whilst she considered there had been some lost

opportunities and would be detriment to some immediate residents, with some reluctance she was minded to support the scheme. She was satisfied with the level of on-site parking proposed and was also pleased to note that money could be set aside towards future CPZ provision. In her capacity as a Local Ward Councillor if permission was granted she would be monitoring the scheme very closely as it developed in order to ensure that it delivered as promised and to ensure that the interests of her residents were protected and that the developers and University continued to work pro-actively with the local community. In respect of the funding request put forward by the Police in this instance she did not consider it was reasonable given that the University already supported the cost of providing two officers in the area, no additional funding could be provided for the Police without it reducing the amount available for improvements from which residents would be benefit and she did not consider that it was acceptable that for them to be dis-benefitted in that way.

- (72) Councillor Moonan stated that whilst the number of affordable housing units on site was lower than she would have liked, she accepted the opinion of the District Valuer in terms of viability and welcomed the benefits which would accrue from the scheme and the mitigation measures which had been put into place. Given the size of the scheme it was inevitable in her view that there would be an impact locally, she was strongly of the view however, that the benefits of this scheme outweighed any potential harm. Councillor Moonan also considered that it was important to have a policy in place relating to s106 contributions being made towards policing costs and that the necessary discussions took place as soon as possible.
- (73) Councillor Janio supported the officer recommendation considering however that it was crucial that the applicants liaised fully with local residents throughout the construction in order for any further refinements to be made as necessary.
- (74) Councillor Morris stated that he was concerned that some elements of the scheme were being treated as separate parcels of land and was also disappointed that it had not been possible to provide a greater number of affordable housing units, the fact that some windows could not be opened was also a negative in his view. He had reservations as to the design, height and materials proposed for some elements of the scheme considering they lacked cohesion, also, in relation to parking arrangements on-site and their potential impact off-site and to the changes to be made to the existing bus lanes. Notwithstanding these qualifications, he would on balance, be voting in support of the scheme.
- (75) Councillor Littman stated that it was important the needs of existing residents, incoming residents needed to be balanced. Some of the proposed buildings would be tall and would have an impact. The site had however been derelict for a number of years, there was a need for additional student and other housing and there were few sites of comparable size. Overall, he considered the scheme was a good one and he would be voting in support.
- (76) Councillor Mac Cafferty noted that some of the blocks proposed would undoubtedly be high and would change the area and this key route into the city. Having visited the site he considered that its topography, there were significant changes in level across it, had allayed those reservations. His concerns regarding the impact on air quality in this heavily trafficked part of the city had, he considered, been addressed satisfactorily.

This site had been redundant for a very long time and in view of the scale of the housing crisis which the city was facing it was necessary to maximise use of every development site which came forward. His remaining concerns related to community provision considering that it was very important that this should be “with” rather than done “to” the community. Reference was made to Condition 53 set out on page 32 of the report. As drafted he considered this was “weak”, by removing the final sentence he considered it would be more robust. He considered it would be beneficial if a community noticeboard could be located on site, also in residents could be permitted to use the gym or have access to university meeting rooms. Looking to the future the site would deliver improved educational facilities, innovation, housing and job opportunities, something which the city could be proud of and with that in mind he would be voting in support.

- (77) The Chair, Councillor Cattell was in agreement that meeting(s) with the police should be expedited in order to review the existing s106 formula to include consideration of policing needs as appropriate. She welcomed this scheme noting that it had evolved over a number over time in response to comments received and in response to the consultation which had taken place. She was also impressed by the manner in which the developer’s team had engaged with the city and with the council’s officers. Overall she considered the scheme to be exciting and innovative and was for her an example of “place making” rather than just a collection of buildings and would create an entirely new neighbourhood in the city, in her view this was particularly important when a scheme included tall buildings. The provision of squares throughout the development was welcomed and the palette of materials proposed which in her view complemented each other. In concluding the Chair wished to place on record her thanks and those of the Committee to officers for the huge amount of work undertaken over a long period of time in liaising with the applicants in working up their scheme to the point at which it could be brought forward to the Committee for decision. The Committee concurred in that view.
- (78) Before inviting the Committee to vote on the scheme she also wished to commend the officer team for their diligent work over a number of months in facilitating this application in coming to Committee. This represented an exciting project for a long neglected site and she supported the officer’s recommendations.
- (79) Councillors Hyde and Miller sought clarification regarding whether it would be possible to ring fence a proportion of the s106 towards policing costs should Members be minded to do so. The Legal Adviser to the Committee, Hilary Woodward, advised that it would not be appropriate to agree a percentage/sum for policing costs at this meeting. If Members were minded to do so, a figure could be agreed following further work by officers in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- (80) Councillor Moonan enquired whether it would be practicable for further details to be brought back for consideration by the Committee at its next meeting thus enabling further discussions to take place. Officers explained that would delay the issuing of the s106 which could in turn impact on the funding streams in place. Members were therefore in agreement to vote on this matter separately and then to proceed to the substantive vote.

- (81) A vote was taken in respect of whether or not Members wished officers to revisit the constituent elements of the s106 contributions, in order for consideration to be given to allocating a proportion of the available funding to the Police in the terms set out by Mr Taylor. This was lost on a vote of 4 to 6. Members noted however that it had been agreed that officers would meet with Police representatives at an early date in order to discuss this matter further and to amend current policy as appropriate.
- (82) Before moving to the substantive vote Members engaged in further discussion in respect of the additional/amended conditions which had arisen as a result of their discussions during the course of the meeting. These are summarised below:

Additional/Amended Conditions Arising From Committee Discussion and Substantive Vote

- Community access to the site, gym and meeting room facilities etc., in site. The Legal Adviser to the Committee, Hilary Woodward, advised that a condition requiring public access to the gym could be added and that an informative encouraging community access would be appropriate. Members indicated their unanimous agreement to this.

- Landscaping. Full details to be provided, with particular reference to tree planting proposed, in terms of age, size and species. Councillors Moonan and Robins noted that younger trees absorbed CO2 more effectively. However, the trees provided needed to be sufficiently established that they were likely to flourish.

- Condition 41 (page 28 of the circulated report), to include details of lift management. Members indicated their unanimous agreement to this.

- An Informative be added requesting that a Notice Board be provided on site on which could be used to publicise community/local events. Members indicated their unanimous agreement to this.

- Erection of Blue Plaques. In addition to a blue plaque commemorating the Napoleonic/Wellington Buildings, an Informative be added requesting that a further plaque be erected commemorating Mick Mannock/the Mannock Building and its association with the highly decorated World War 1 fighter pilot.

- Final material details to be agreed in consultation with Members at the Chair's Briefing Meeting.

Vote on the Substantive Recommendations

- (83) A further vote was then taken on the substantive recommendation set out in the report and the 10 Members present voted unanimously that **Minded to Grant** planning permission be granted; subject to a s106 agreement on the Heads of Terms, Conditions and Informatives set out in the report; also to include the additional and amended Conditions and Informatives set out in the Additional/Late Representations List and agreed by the Committee at the meeting (summarised above) and as set out below.

- 53.1 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves that it is **MINDED TO GRANT** planning permission subject to a s106 agreement on the Heads of Terms, Conditions and Informatives set out in the report and to the conditions and Informatives and to the additional and amended Conditions and Informatives set out in the Additional/Late Representations List and agreed by the Committee at the meeting and set out below.

Application Description

Amend number of parking spaces in Watts car park to read 551 not 600.

S106 Heads of Terms

1.2 Amend to read: 'Affordable housing to be ready for occupation prior to 80% of residential being ready for occupation'.

1.7 Amend to read: 'Residential Travel Information Packs for each first residential unit which should include one of the following:

Offer the provision of free grants towards the purchase of a bicycle (value of £150, one per dwelling for the first occupants of each dwelling only)

Offer the provision of Brighton & Hove bus season tickets (one annual bus pass per dwelling for the first occupants of each dwelling only) or contribution towards rail season tickets

Offer 2 years membership to Enterprise Car Club (one per dwelling for the first occupants of each dwelling only)

Membership to Brighton & Hove Bike Share scheme; And

Student Residential Travel Information Packs on a continuous basis for each occupier which should include:

Taster public transport tickets for Brighton & Hove Buses (1 month)

Local public transport, walking and cycling maps

Details of Brighton & Hove Bike Share scheme

Information and advice on road safety

1.13 Implementation of the Walkways Agreement shall be required on Preston Barracks and Watts Sites respectively.

1.14 Phasing Plan. Amend to read: '

The CRL shall be completed and ready for occupation prior to first occupation of the residential accommodation on the Preston Barracks site;

s278 to be entered into prior to the commencement of development (not including demolition) with the phasing of the highway works to be agreed as part of the s278 agreement.

Construction phasing timetable to be submitted to include details of interim parking arrangements on the development site at each phase of the construction phases.

The Multi-Storey Car Park shall not be brought into use until the existing parking areas on the Mithras and Watts sites have been removed from use for the parking of vehicles, except for vehicles related to the ongoing construction of the development; and

The Business School shall have been built above slab level prior to first occupation of the student accommodation on the Mithras site.

Conditions

23. Delete. Condition 36 covers the same (Servicing) requirements in more detail.

35. Amend to read:

Details of the provision, location and design of a minimum (set out below) of 20 Bike Share spaces and the specification of bikes (in consultation with the Local Planning Authority) to be provided shall be submitted to and approved in writing by the Local Planning Authority, and installed prior to the completion (excluding soft landscaping) of each of the following sites:

- a) Preston Barracks site - 10 spaces and bikes
- b) Mithras site – 10 spaces and bikes

40. Amend by adding additional sentence at the end:

These facilities shall be fully implemented and made available for use before each car park is brought into use and shall be retained for use at all times.

41. Amend to read:

Prior to first occupation of the Podium Residential development hereby permitted (as set out on drawing ref. 0195-Sew-Zz-00-Dr-A-501000), details of an additional publically accessible lift to be located between blocks B & C on the Preston Barracks site, including details of the management and maintenance of the lift, shall be submitted to and agreed in writing by the Local Planning Authority and shall be installed, managed and maintained in accordance with the approved details, to enhance the pedestrian accessibility of the development between the Furlong and Saunders Park View.

44. Amend by deleting reference to 'on the adopted highway' as extended part of Saunders Park View will not be requested for adoption by the Highway Authority.

53. Amend to read:

'Best endeavours shall be used for a minimum of 3 months from the date of this permission to reach agreement with a medical provider (on acceptable commercial terms to both U+I and the medical provider) for a Class D1 medical centre on the Preston Barracks site with a minimum floorspace of 900 – 1000 sq.m. Within 2 months from the date of the agreement floorplans and elevations shall then be submitted to the local planning authority for approval for this D1 use. Should reasonable evidence be provided by the applicant that an occupier for a medical facility could not be secured after the stated period of negotiation, then the use of the Preston Barracks site may be implemented in accordance with the hereby approved plans for the commercial ground floor uses permitted by this approval.'

55. Amend to read:

a) No demolition and development shall take place on the following sites until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

i) Preston Barracks

ii) Mithras Site

b) The development of each of the site parcels above hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under a) above and that provision for analysis, publication and dissemination of results and archive deposition has been secured, unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

Reason: This pre-commencement condition is imposed because it is necessary to ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove City Plan Part One.

Additional Condition 60 to read:

Prior to the commencement of development above slab level of the following phases of the development hereby permitted and set out on the Site and Landscape Parcel Plan (Ref: 0195-Sew-Zz-00-Dr-A-501000), large scale drawings and details of the relevant landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

Watts Car Park and Business School (Watts and Business School Square

- 1) Landscape Parcels)
- 2) Mithras site (Mithras Landscape Parcel podium and terraces)
- 3) the Bridge
- 4) Block J Residential (Block J Landscape Parcel)
- 5) Podium Residential (Podium Landscape Parcel)
- 6) Block A Residential, CRL and Student Blocks 6-8 (The Furlong and Business School Square Landscape Parcels)

The scheme shall include the following:

- a. details of all hard and soft surfacing to include type, position, design, dimensions and materials including durability;
- b. details of all proposed planting including numbers and species of plants and planting method;
- c. details of size, age and specification of trees; and
- d. a landscape management plan spanning minimum 20 years.

All hard landscaping shall be completed in accordance with the approved scheme within 6 months of completion of the relevant phase of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following completion of the relevant phase of the development; and any trees or plants which within a period of 5 years from the completion of the relevant phase of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.

Additional Condition 61 to read:

Prior to the occupation of the gymnasium on the Mithras site, a scheme setting out details of the use of the gymnasium by the public ('Community Use Agreement') shall be submitted to and approved in writing by the Local Planning Authority. The use of the gymnasium shall be carried out in accordance with the approved ~~scheme~~ Community Use Agreement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of appropriate community facilities within the development and to comply with policies HO21 of the Brighton & Hove Local Plan and CP18 of the Brighton & Hove City Plan Part One.

Informatives

Amend Informative 8 to read:

The Local Planning Authority would welcome details of the design and location on the site of commemorative plaques to Major Edward 'Mick' Mannock and the history of the Preston Barracks site which could be installed within a reasonable period prior to hand over of the site following completion of the construction works.

Additional Informative 12 to read:

The Local Planning Authority would welcome the provision of community notice boards within the development within a reasonable period following completion of the construction works.

The meeting concluded at 7.15pm

Signed

Chair

Dated this day of

