

PLANNING COMMITTEE ADDENDUM

2.00PM, WEDNESDAY, 30 SEPTEMBER 2020

VIRTUAL VIA SKYPE

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ADDENDUM

ITEM

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Members Questions and Responses

Planning Committee 30 September 2020 – Member Questions

<p>Item A BH2019/00964 Land At Brighton Marina Comprising Outer Harbour, Western Breakwater And Adjoining Land</p>		
1	<p>Can the s.106 please come back to planning committee if the appeal is allowed therefore changing the recommendations?</p>	<p>The Heads of Terms for the s.106 will need to be produced prior to the Public Inquiry, and will need to be agreed between the Council and appellant prior to the Inspector making their decision. The final terms of the s106 are subject to the Inspector's agreement.</p> <p>However, the proposed Heads of Terms can be determined by the Committee, rather than under officer delegation.</p>
2	<p>Does the affordable housing reason for refusal include the previous approval's Phase 1 development shifting its affordable housing into later phases, and then the land being sold on: and now they are starting afresh so as they don't have to pay affordable housing on the first phase 250?</p>	<p>The current application is a 'drop-in' application which would supersede the extant consent in terms of Phases 2 and 3. The outstanding phases of the consented scheme would thus not be delivered. The delayed delivery of affordable housing (which would be secured through the Deed of Variation to the S106) would not be triggered.</p> <p>The current application and the viability circumstance must therefore be considered on its own merits based on the affordable housing offer supporting the current application in isolation.</p>
3	<p>Why was this not determined on time so it would not have been a non-determination application?</p>	<p>Officers have been engaged in protracted discussions with the applicant in an attempt to address some of the issues that form part of the current recommendation for refusal. This has involved detailed and in-depth negotiations on transport, viability and design matters particularly. Unfortunately, it was not possible to adequately address the Council's concerns and the applicant has exercised their right to appeal the application due to its non-determination within prescribed timescales.</p>

