



MINUTES	Open Forum meeting 10 February, 7pm, St Mary Magdalen Church Hall, Coldean
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Item	Subject	Action
Part A - Preamble		
1	<p>Present: Robert Davidson (Principal Planning Officer, Brighton & Hove City Council (BHCC), Sandra Rogers (Planning Manager, BHCC), Patrick Lowe (Chair), Anant Suchak, Manish Suchak, Merrie Pryor, Maria Krassowska, Deborah Annells, Erica Verrall, Reverend Betsy Gray-Hammond, Arthur Elsley, P. Smith, L.Smith, Andrew Metcalf (Planning Consultant for the Forum), Naomi Newsham, Millane Maze, Cllr Martin Osborne, Deborah Yuill, Annemarie Frank, Ashley Frank, Malcolm Gasson, Polly Eason, David Whitmore, .</p> <p>Apologies: Zoe Johns, Kara Ward, Philip Jenkins, Eileen Jenkins</p>	
2	<p>Minutes of Meeting 12 November 2021</p> <p>Approved</p>	
3	Dates of future Open Forum meetings	To be arranged
Part B – Main Business		
4	<p>Chairman's update</p> <p>Patrick welcomed attendees and the Council officers.</p>	
5	<p>Presentation by Sandra Rogers, Planning Manager BHCC</p> <p>The presentations by Sandra Rogers and Robert Davidson are available as PowerPoint print-outs. What follows is a summary.</p>	PPT print-outs

Sandra provided a definition and background on Neighbourhood Plans (i.e. a statutory land-use plan for an area) and the benefits and challenges they present. Coldean's Neighbourhood Planning Forum has brought the number of designated Neighbourhood Plan areas in Brighton & Hove to six.

Presentation by Robert Davidson, Principal Planning Officer BHCC

Robert set out the legal status of Neighbourhood Plans, and their aims. He noted that the existence of an approved Neighbourhood Plan raises the amount of funding levied on developers. Other salient points included:

- the need to **liaise with all stakeholders** in addition to residents – developers, statutory bodies (including the South Downs National Park Authority), landowners and service providers
- the Forum's policies must be **capable of being used to determine planning applications**, and must also be **congruent with the City Plan**
- the process of gaining approval for the Neighbourhood Plan includes **ongoing, frequent consultation with BHCC**, which, informed by the recommendations of an independent examiner, will give final approval, followed by **a community referendum**, in which 50% approval of those voting is required
- **local authorities have a legal duty to assist Neighbourhood Planning Forums** in matters such as providing practical help with mapping resources, evidence-gathering, legislation, environmental audits, consultation and funding.

Patrick explained that the Forum will hold quarterly update meetings for members.

Prepared questions (see paper 2 for details)

1. *How do City planners envisage assessing the negative impacts of HMOs and what would be the outcomes of a negative assessment?*

Sandra explained that the Article 4 Directions on Change of Use set limits on the concentration of HMOs **within 50-metre radius**. The Council is now looking to tighten this further (i.e. a house cannot be 'sandwiched' between two HMOs, and you can no longer have three HMOs in succession). There are also plans to reduce the concentration of HMOs over a wider area. However, nothing can be done to reverse HMOs that were granted before the Article 4 Direction came into effect. Ashley noted that the 986-bed spaces in Varley Park take Coldean's Neighbourhood Plan area over the agreed concentration of students.

2. *To what extent does a City Plan or Neighbourhood Plan determine the outcome of planning applications?*

Robert referred us to his presentation.

3. *Apart from Site 21A, what other major housing developments are identified for the City?*

Robert stated that the focus is on brownfield sites (see also Polly Eason's question below).

4. *How can we embed the concept of connected green space in the Neighbourhood Plan so that the ecological unity of our area is protected and preserved?*

Sandra said that the City Plan has an Open Space policy. We could map and designate some of our green spaces as Local Green Spaces in order to protect them and promote connectivity.

5. *What impact do you expect the many developments of student housing in the Lewes Road/Preston Barracks and London Road Open Market areas to have on the number of HMOs given consent?*

Sandra said that BHCC is monitoring this, and expects to see the demand for HMOs to fall. Polly asked whether the Council can influence the availability of ex-HMOs to families. Sandra said that the Council cannot influence landlords directly.

6. *Can you tell us how much brownfield land in the City is currently land banked (i.e. held for investment purposes without evidence of specific plans for its development)?*

Sandra said that BHCC does not have this data, only anecdotal evidence that planning permission is gained and then lapses, so it is difficult to say at any one point how much development land is standing empty. Deborah said that it would be useful if the Council could provide data on empty properties and those pieces of land for which planning applications have lapsed. Sandra seemed unsure how useful this information would be or indeed whether the Council would be able to provide it. Polly Eason explained the context of land banking, because of the pressure that is being put on greenfield sites.

7. *What advice would you give to the owner of The Ruby and the Forum to remove the communal bins outside the Ruby?*

There was some discussion as to whether this is strictly a matter for planning. Andrew explained that while the bins themselves would not be a specific policy, there might be a more overarching policy that would cover the use or positioning of communal bins. David Whitmore said that bins and similar matters could also be dealt with by the Coldean Residents' Association.

Questions were raised from the floor:

Patrick Smythe asked whether an HMO (C4) dwelling that has reverted to becoming a C3 residence can be prevented from again reverting to C4.

Sandra said that all changes of use from C3 to C4 require planning permission.

Polly Eason asked how we can influence the ongoing development of Site 21a and 21c under the City Plan, in the context of the timescales required to prepare the Neighbourhood Plan, particularly in terms of protecting further destruction of wildlife habitats, especially affecting the badgers that have had setts destroyed as a result of the development.

Sandra said that you cannot use a Neighbourhood Plan to stop development that has already been allocated. Site 21A is due to be adopted in autumn 2022

	<p>and we could not use the Neighbourhood Plan to remove this piece of land from development.</p> <p>David Whitmore asked what the financial advantage is to land banking brownfield sites?</p> <p>Sandra said that 88% of development is on brownfield sites.</p> <p>Deborah Annells asked how the borders of the Neighbourhood Plans are decided. She also expressed some surprise that there are so few Neighbourhood Forums in Brighton and Hove.</p> <p>Patrick Lowe explained that the area was established by participants in our early consultation. He noted that we have included Varley Park, which was important for incorporating the high student population in our area and reflecting that in the subsequent Plan. In answer to a similar question from Merrie, Ashley clarified the border with the Wild Park, which is to the left of the steps leading down to Lewes Road.</p> <p>In response to Deborah Annells' question, Cllr Martin Osborne commented that Coldean could consider establishing a Parish Council, as these appear to more commonly produce Neighbourhood Plans. Martin also suggested that the Forum could consider a Local Action Plan (LAT), and recommended Ceza da Luz at the Trust for Developing Communities, which is helping Hollingdean to develop a LAT.</p> <p>Cllr Martin Osborne asked what the procedure is for designating Open Green Spaces.</p> <p>Patrick Lowe said that this would be subject to public consultation and through the Forum's policies. The environmental policy is in development currently.</p> <p>Cllr Martin Osborne asked whether the Council would introduce a policy for encouraging all C4s to be dual C3 and C4 properties, so that they can revert to C3? He added that if ex-HMOs revert to family homes, their layout would make them more suited to community ownership.</p> <p>Sandra explained that a property can return to C3 without requiring planning permission. Martin's remarks on community ownership were noted.</p>	
6	<p>Patrick addressed the meeting with a general summary. He explained that our early work will be in gathering evidence. He spoke about the HMO application for Talbot Crescent, explaining that at this early stage the Forum cannot directly influence the planning decision. He reiterated the importance of transparency and consultation, so that our policies and plan have the support of residents and stakeholders, and cannot subsequently be challenged by developers. He urged members to encourage their friends and neighbours in Coldean to join the Forum, so that we can gather the views of as many people in Coldean as possible</p> <p>Patrick explained the Forum's appointment of a Planning Consultant, and why this is important to its work. He introduced our Planning Consultant, Andrew Metcalfe. Andrew introduced himself and also explained that the Forum may have greater influence than the presentation by the Council's two Planning Officers had implied.</p>	

	<p>Deborah noted that we cannot stop the development at 21A. Andrew confirmed this. Patrick noted that the more people who join the Forum and contribute to its work, the more influence it will have. We may not be able to prevent developments that have already been agreed, but we can protect what we have.</p>	
7	<p>HMOs report by Ashley Frank</p> <p>Ashley expressed disappointment with what Sandra said, but gave examples of Exeter St David's and Falmouth, where the argument had been made that the increase in student population was having a detrimental effect on other age groups. Anant said that as landlord of The Ruby, he tries to employ local people, but that the continued sale of homes as HMOs will detract from this, because there are no families with young people looking for work locally.</p> <p>Deborah commented on the implications for local democracy if the area has a high proportion of students, as well as the impact on local schools if families are unable to buy homes in the area. She gave the example of Nottingham City Council, which after experiencing enormous increases in the student population in some areas has increased landlord registration fees and raised council tax on empty properties, which has had the effect of discouraging HMO expansion in those areas.</p> <p>Cllr Martin Osborne explained the process of planning and planning appeals, noting that local planning committees are under pressure to pass applications where there is a risk of an appeal being made and subsequently granted by the national planning authorities. There is also a risk of the Council being sued by developers if they are successful on appeal.</p>	
8	<p>Open Green Spaces report by Deborah Yuill</p> <p>Deborah presented a rough map indicating over that half of the Neighbourhood Planning Area is green space. She asked members to contact the Forum with their ideas of using and protecting the wide variety of green spaces in Coldean.</p> <p>David Whitmore asked what protection there will be in the Plan for the heritage and history of Coldean. Deborah said that this was in the Forum's draft Environmental Policy, and welcomed David's help with researching and recording Coldean's heritage, particularly its characteristics as a classic garden estate.</p>	
9	<p>AOB</p> <p>Naomi Newsham asked about visual improvement at the bottom of Coldean Lane. Ideas were discussed and would be looked into.</p>	
	<p>Meeting ended 9.13pm.</p>	