



PLANNING COMMITTEE ADDENDUM

2.00PM, WEDNESDAY, 4 APRIL 2012

COUNCIL CHAMBER, HOVE TOWN HALL

ADDENDUM

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169. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST	1 - 6
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Page	Site Address	Application No.	Update
Part One 19	Former Nurses Accommodation, Brighton General Hospital, Pankhurst Avenue	Request for variation of s106 Variation BH2010/01054	<p>Amendments as a consequence of the NPPF</p> <p>Housing Commissioning Team: Southern have confirmed that notwithstanding the variation they are seeking to the section 106 agreement it is their intention is to deliver all the housing as affordable housing tenure, as detailed in their Framework Development agreement with the Homes and Communities Agency. We understand that the reduction in the level of the quota and flexibility in tenure in the legal agreement will have a positive impact on how their lenders value the development for security. This will assist Southern in maximising their borrowing capacity and ability to further invest in the City.</p> <p>On the basis of this information from the applicant and assurances that the affordable housing will be delivered through the Homes and Communities Affordable Housing Programme, Housing Commissioning support this requested variation in order that this key strategic site can be delivered.</p>
Item A Page 11	Park House, Old Shoreham Road, Hove	BH2012/00114	<p>Officer response: Additional consultation response received and noted</p> <p>Amendments as a consequence of the NPPF</p> <p>Page 26, Section 7. Delete reference to the PPS1, PPS3, PPS4, PPS9, PPS10, PPS22, PPS23, PPS25, PPG13, PPG17 and PPG24. Replace with reference to the National Planning Policy Framework.</p> <p>P28, Para 6 – The definition of Affordable Housing remains unchanged in the NPPF.</p> <p>P35, Para 6 – First line remove reference to PPG24.</p> <p>Public Art: <u>No objection.</u> Comments have been received in relation to public art on site. It is recommended that an 'artistic component' schedule is included in the Section 106 Agreement. It is suggested that the public art element for this application is to the value of £67,000.00 based on the internal gross area of the development proposed (8,500 square metres). The final contribution is a matter for the Case Officer to test against requirements for</p>

<p>Section 106 contributions for the whole development in relation to traffic detailed</p> <p>Officer Response: In accordance with current insulation measures paper, the contributions as set out in the report have been provided.</p> <p>A letter of objection has been received from Mr. Weatherby MP calling the following points:</p> <ul style="list-style-type: none"> * The proposed surrounds of the main block on its road frontages are too large and should be reduced to a minimum to reduce the visual impact of the scheme on the surrounding area. * The number of people that will travel in the car parks of the block, and as such, would suggest that it should be possible for residents to have to drive to work, if there is no alternative form of transport available. * The traffic study was performed in August and is therefore irrelevant to the development, contrary to the planning brief. * The development poses a significant safety risk to existing residents in Moreton Park. <p>Letter of representation has been received from Steve New as an occupier of the site. Concerns have been raised regarding the impact of the scheme on the local area, in particular the impact on the local environment, and the impact on the local economy. In addition, out of concern for the safety of the local community, he has requested that the scheme be delayed until a traffic study has been completed by a scientist.</p> <ul style="list-style-type: none"> * The number of people that will travel in the development, vehicle and pedestrian movements, and the impact on the local area. * There are outstanding uncertainties around traffic impacts on local roads. * The traffic study was performed in August and is therefore irrelevant to the development, contrary to the planning brief. * The development poses a significant safety risk to existing residents in Moreton Park. <p>Officer Response: All issues have been addressed in the report. In terms of the layout of traffic, a verbal criticism will be provided during this communication session.</p>	2
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Point C / Elm Close, New Road	B14201103/009 61	Amendments to the report: Paragraph 1 of the report states that the National Planning Policy Framework (NPPF) does not change the status of the land. The NPPF does not change this definition and there is no CSH criteria is unchanged.
Point F / 23 Cambridge Road 96	B14201103/005	Amendment to the report: Para 96, outside the Hosted SITE. This should read and is also other than end of area on page 101 first paragraph the number should read no. 25 instead of 55. Further to my email of 22 October I have a few comments. First, I would like to add that the letter from the Local Authority to the two receptors in the document demands that it is in a drafting area. In addition one of the receptors of the neighbouring houses has a significant adverse impact on the day to day living of the residents. I am aware that all Officers' responses: The crucial aspects of the neighbour's condition, and construed it as a material consideration to which weight should be given in the determination of the operation.
11 Drive Road	B14201103/005 B14201103/006	Amendments to the report: Please see para 4 and para 5 on section 7 of pages 113 and 125. Changes mentioned in para 4 and para 5 on section 7 of pages 113 and 125.

Late Item List

National Planning Policy Framework (NPPF) Key Points for Planning Committee

- The NPPF was published on 27 March 2012.
- The reports on the planning agenda for 04 April 2012 were written prior to that.
- For decision makers the NPPF has immediate effect
- Where relevant the late item list has been updated with any items that need to be drawn to Members attention to assist them with making decisions on planning applications.
- Set out below is a short briefing note which should assist

Determination of Planning Applications

Development plans

- The development plan continues to be the starting point for decision making
- Proposed development that accords with an up-to-date development plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise
- Policies in development plans should not be considered to be out-of-date simply because they were adopted prior to the publication of the NPPF but policies in the NPPF are material considerations which LPAs should take into account from the date of its publication (27 March 2012)
- Up until 27 March 2013 LPAs may continue to give full weight to policies in local plans adopted since 2004 even if there is a limited degree of conflict with the NPPF
- From 27 March 2013 the weight to be given to policies in existing plans depends on their degree of consistency with the NPPF
- LPAs may give weight to policies in emerging local plans, with weight increasing as the plan progresses, the fewer the unresolved objections and the more consistent the policies to the NPPF

Presumption in favour of sustainable development

For decision making this means that unless material considerations indicate otherwise local planning authorities should:

- approve development proposals that accord with the development plan without delay
- grant planning permission where the development plan is absent, silent or relevant policies are out-of-date unless

- (a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole; or
- (b) specific policies in the NPPF indicate that development should be restricted [eg policies relating to SSSIs, Green Belt, Local Green Space, AONBs]

Decision taking

Local planning authorities should:

- encourage good quality pre-application engagement
- approach decision-making taking in a positive way to foster the delivery of sustainable development
- look for solutions rather than problems
- approve applications for sustainable development wherever possible
- work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area

Planning Conditions and Obligations

- Planning conditions should only be imposed when they are necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects [no change]
- Planning obligations should only be sought where (a) they are necessary to make the development acceptable in planning terms (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development [no change]
- Where obligations are being sought or revised, Lpas should take account of changes in market conditions over time and, where appropriate, be sufficiently flexible to prevent planned development being stalled

02 April 2012