

**8<sup>th</sup> March 2023 Planning Committee – Additional Representations**

Item	Site Address	Application No.	Comment												
B	Saxon Works, Land to The Rear Of 303-305 Portland Road, Hove	BH2021/04068	<p><b>Councillor Bella Sankey</b> has <u>objected</u> to the application. A copy of the representation is attached.</p> <p><u>Officer comment:</u> The representation does not raise any new issues that are not already covered in the report.</p>												
C	Former Dairy, 35-39 The Droveaway, Hove	BH2022/00456	<p>An additional letter of representation has been received from <b>Councillor Samer Bagaeeen</b> <u>objecting</u> to the scheme.</p> <p><u>Officer comment:</u> The representation does not raise any new issues that are not already covered in the report.</p>												
D	Enterprise Point and 16-18 Melbourne Street, Brighton	BH2022/01490	<p><b><u>Minor Amendments to Conditions (underlined):</u></b></p> <p>Condition 1 (drawings list) – to clarify updated drawing references:</p> <table border="1" data-bbox="936 743 2123 858"> <tr> <td>Proposed Drawing</td> <td>2203-P-251</td> <td><u>F</u></td> <td>8 February 2023</td> </tr> <tr> <td>Proposed Drawing</td> <td>2203-P-301</td> <td><u>C</u></td> <td><u>6 February 2023</u></td> </tr> <tr> <td>Proposed Drawing</td> <td>2203-P-303</td> <td><u>D</u></td> <td><u>6 February 2023</u></td> </tr> </table> <p>Condition 8 (Contamination) – to acknowledge submitted desk-top study:</p> <p>(i) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:</p> <p style="padding-left: 20px;"><u>(a)</u> a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate <u>by the submitted desk top study (by Terrafirma ref. PO-22-020/P1EP dated Aril 2022)</u> in accordance with BS 10175:2011+A2:2017;</p> <p style="padding-left: 20px;">And if notified in writing by the local planning authority that the results of the site investigation are such that site remediation is required then,</p> <p style="padding-left: 20px;"><u>(b)</u> a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.</p> <p>(ii). The development hereby permitted shall not be occupied or brought into</p>	Proposed Drawing	2203-P-251	<u>F</u>	8 February 2023	Proposed Drawing	2203-P-301	<u>C</u>	<u>6 February 2023</u>	Proposed Drawing	2203-P-303	<u>D</u>	<u>6 February 2023</u>
Proposed Drawing	2203-P-251	<u>F</u>	8 February 2023												
Proposed Drawing	2203-P-301	<u>C</u>	<u>6 February 2023</u>												
Proposed Drawing	2203-P-303	<u>D</u>	<u>6 February 2023</u>												

use until there has been submitted to, and approved in writing by, the local planning authority a written verification report by a competent person approved under the provisions of condition (1)c that any remediation scheme required and approved under the provisions of condition (1)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority the verification report shall comprise:

- a) built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is suitable for use.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policies DM40 and DM41 of City Plan Part 2.

Condition 15 (Highways Improvements) – to adjust time of submission:

Notwithstanding the plans hereby submitted, no development above ground floor slab level of any part of the development hereby permitted shall take place until the Local Planning Authority, in consultation with the Local Highway Authority, have approved a full scheme of highway works for improvements to Melbourne Street that

- Improve the northern footway to and in the vicinity of the development by -
- removing the redundant vehicle crossovers and reinstates these as raised footway;
- widening the adopted footway (if necessary, through dedication of additional land as adopted highway) so that its unobstructed clear width after street furniture and other potential obstructions is either: (A)  $\geq 1.8\text{m}$  wide; or (B)  $\geq 1.5\text{m}$  wide but with regular  $\geq 1.8\text{m}$  wide passing areas of a minimum 2m length including but not limited to in front of doors and entrances;
- Resurface and improve the footway; and
- To provide an on-street inset loading bay on Melbourne Street in front of the Phase 2 development site.

The occupation of the development shall not occur until those works have been completed in accordance with the Local Planning Authorities approval in consultation with the Local Highway Authority.

Reason: To ensure that suitable footway provision is provided to and from the development and to comply with policies DM33 of Brighton & Hove City Plan Part 2, and CP9 of the Brighton & Hove City Plan Part One.

Condition 41 (Noise Levels) – to clarify this relates to operation and not construction: Noise associated with plant and machinery incorporated within the development when in use shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:2014 (or the relevant updated Standard). In addition, there should be no significant low frequency tones present.

Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part 2.

Three (3) additional letters of representation from new individuals have been submitted objecting to the application for the following reasons:

- The co-living spaces are only ever (high) rent and will not solve the housing crisis that Brighton is experiencing.
- Communal living is not a permanent solution.
- Height of this development would result in the loss of amenities.
- The development proposes 27 accessible studios, but only 8 accessible parking spaces.
- No proper infrastructure set up in relation to doctors, dentists, parking, water and sewerage systems.

Officer Comment:

8 no. wheelchair accessible parking bay are proposed (the submission indicates 2 no. parking spaces will be allocated for the employment use, and 6 no. parking spaces will be allocated for the residential use). There are also existing on-street disabled bays on nearby streets including Melbourne Street. The Local Highway Authority have no objection to the provision in this instance. No other concerns have been raised that are not already covered within the Officer Report.

Two (2) additional letters of representation from individuals already included within the total of objections set out in the committee report, has submitted further comment as follows:

- Increased noise and pollution.
- Overly high development. Viaduct Lofts was deemed to high for the area however this development is deemed acceptable.

- Overlooking, loss of privacy and loss of light to neighbouring properties at Viaduct Lofts, Melbourne Street and Shanklin Road. The size could be reduced by 25% to reduce impact on amenity
- Increased parking pressure, including from taxis and deliveries.
- This type of short-term living accommodation is not in demand. The site should be used for sustainable and affordable housing to bring families into the area.
- Will be used students and/or for short-term letting/nightly rentals.
- The development will not improve or benefit the local residents and community.

Officer Comment:

It is considered the objections raised are already covered within the Officer Report.

H Land to the East of The Vale, Brighton

BH2022/03066

**Trees:**

Updated plans including tree protection details have been received to reflect the retention of T22 and a revised replanting scheme to show Red and Field Maple Trees. Comments from the Arboriculturist have already advised that the revisions are acceptable, and this is reflected in the current committee report.

**Report amendment:**

9.7 of the report should refer to Field Maple Trees and not Holm/Holly Oak Trees. The correct paragraph should read and be inserted as follows:

9.7 The felled trees would be replaced with suitably sized Red Maple Trees (11 in number) and Field Maple trees (11 in number), which the Arboriculturist also agrees with, subject to the final details and a maintenance scheme being agreed by condition.

**Drawings:**

Conditions 1 drawings list to be inserted into the decision notice to reflect the updated plans:

Plan Type	Reference	Version	Date Received
Proposed Drawing	LLD783/ 01		26 September 2022
Proposed Drawing	LLD783/ 02		26 September 2022
Proposed Drawing	Development site tree works		22 February 2023
Proposed Drawing	Revised planting/tree installation scheme		22 February 2023

			Location and block plan	01B		22 June 2015	
			Block Plan	02D		22 June 2015	
			Proposed Drawing	04D		22 June 2015	
			Proposed Drawing	05C		22 June 2015	
			Proposed Drawing	06C		22 June 2015	
			Proposed Drawing	07C		22 June 2015	
			Proposed Drawing	08B		22 June 2015	
			Proposed Drawing	09C		22 June 2015	
			Proposed Drawing	12B		22 June 2015	
			Report/Statement	Arboricultural Evidential Report		4 January 2023	
I	126 Gloucester Road, Brighton	BH2022/02689	Error in the report – the report states that there are 47 employees existing on the site, however, there are only 6 employees on site.				

