

11th December 2013 Planning Committee – Additional Representations

Page	Site Address	Application No.	Comment
17	City College, Pelham Street, Brighton	BH2013/01600	<p>Corrections to Committee Report:</p> <ul style="list-style-type: none"> • Para 4.6 Rooftop description– should also include photovoltaics. • Para 4.10 ‘the eighth storey section’ should state ‘eight storey section’. • Para 4.17 should state 28 x eight beds rather than 23. <p>Additional Representations: 112 standard representations of <u>support</u> have been received from the addresses listed in the attached appendix. The reasons for support are the same as those within paragraph 5.5 of the report to Planning Committee.</p> <p>An individual representation of <u>support</u> has been received from the Martlets Hospice, Wayfield Avenue, Hove although no reasons for support are given.</p> <p>An additional representation of <u>support</u> has been received from Brighton & Hove Chamber of Commerce as the scheme would be of benefit to the local business community.</p> <p>Officer Response: These reasons for support have already been considered within the report.</p> <p>An additional representation has been received from the University Of Sussex which states that the student accommodation would help address an urgent need for more University allocated student accommodation, further reduce their demand for private sector housing in the City and confirms their ambition to accommodate more students in managed accommodation. The proposal would support the University’s continued growth and would compliment the recent delivery of 957 bedrooms within its Northfield development on campus and the further provision of 150 rooms in early 2014. The University allocates undergraduate and postgraduate students to separate areas and it is the University’s intention to accommodate postgraduate and other mature students at the Pelham Street site with a mix of both home and overseas students. The University is one of the top universities in the UK, Europe and the World. Good quality, purpose built affordable housing is of vital importance</p>

and will help ease demand in the private rented sector which could free up more properties for family housing. The proposed accommodation is ideally located within the City Centre with excellent access by public transport to Falmer Campus.

Officer Response: It is noted that the University wishes to use the accommodation for postgraduate students. However, policy CP21 of the Submission City Plan requires that schemes have the support of one of the Universities or other education establishment in the City. It does not specify that residents must be a particular type of student. Therefore it would be unreasonable to restrict future occupiers to certain type of students.

Amendments to the recommended S106 Heads of Terms:

Deletion of public art contribution under each Phase and addition of the below head of term to cover the whole of the site:

- Public art to the value of £130,000 to be provided within the site.

Phase 1: College Building and Public Square

- Detailed Phasing Plan submitted to and agreed by the LPA for the demolition and construction related to Phase 1, Phase 2a and Phase 2b. Pelham Tower must be completely demolished within **2** years of first occupation of the Phase 1 College Building.
- Prior to commencement of development, the need to enter into a S278 Highways Agreement (under Highways Act 1980) for the highway works relevant to Phase 1 to be defined on a plan within the S106. **With appropriate agreed measures to ensure completion of those works.**

Phase 2a – Student Residential Building

- The Higher Education Provider must have appropriate outdoor and indoor sport provision for the occupiers or else a further contribution of £218,380 is required (to be added to the ‘clawback’ contribution of £322,347).
- Prior to commencement of development, the need to enter into a S278 Highways Agreement (under Highways Act 1980) for the highway works relevant to Phase 2a to be defined on a plan within the S106. **With appropriate agreed measures to ensure completion of those works.**

Phase 2b – Residential Development

- Prior to first occupation, the applicant must have entered into a Walkways

Agreement under Section 35 of the Highways Acts 1980 and **must have used reasonable endeavours to ensure that the owner of 15 York Place** also enters into the same Walkways Agreement, to agree means of security, access and management of the new access route which will include security measures.

Amendments to recommended conditions:

Plans condition 1) Site Survey as Existing should read P1101, Site Elevations as Existing should be revision B and SRA courtyard elevation – West façade should be revision B.

The full text of the other amended conditions are included below:

15) No development of the Phase 1 College Building shall take place until details of a minimum of 56 secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. **These facilities or such alternative facilities as may be agreed in writing with the Local Planning Authority** shall be fully implemented and made available for use prior to the occupation of the Phase 1 College Building hereby permitted and shall thereafter be retained for use at all times.

16) **No development of the Phase 1 College Building at first floor level or above** shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for all non-residential development has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

17) **Within 6 months of first occupation of the Phase 1 College Building** hereby approved a BREEAM Building Research Establishment issued Post

Construction Review Certificate confirming that the Stage 1 College Building built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

28) **All windows at the first and second floor levels of the south elevation of the three storey section of the Phase College Building, which is located to the south west of the main building,** shall not be glazed otherwise than with obscured glass, in accordance with details to be submitted to and approved in writing prior to work starting on the Phase 1 Building. The scheme shall be implemented fully in accordance with the approved details prior to first occupation of the Stage 1 College Building and retained as such thereafter.

Reason: To safeguard the amenity of adjacent occupiers and to comply with policies QD27 of the Brighton & Hove Local Plan.

43) **No development of the Phase 2a Student Residential Building at first floor level** or above shall take place until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' for the Phase 2a Student Residential Building has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

44) **Within 6 months of first occupation of the Phase 2a Student Residential** hereby approved a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the Phase 2a Student Residential built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has

been submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

80) The heights of the residential buildings shall not exceed the following Ordnance Datum levels (AOD); Block A **34.5 metres**, Block B 30.95 metres Block C ridge height 23.42 metres and eaves height 20.349 metres as shown on plans referenced P1286 C and P1288 C received on 13 November 2013.

Reason: For the avoidance of doubt over what is approved.

Additional conditions recommended for both Phase 1 College Building and Phase 2a Student Residential Building:

No development of the Phase 1 College building/Phase 2a Student Residential Building shall take place until detailed elevations at scale 1:20 of all proposed gates shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with polices QD1 of the Brighton & Hove Local Plan.

Additional condition recommended below for Phase 2b Residential Development:

No demolition of York or Trafalgar buildings and their associated extensions, shall take place unless a programme of building survey and recording of York or Trafalgar buildings and their associated extensions, has been carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority prior to commencement of the Phase 2 development.

Reason: To ensure the satisfactory recording of these buildings and to comply with policy QD1 and QD2 of the Brighton & Hove Local Plan.

Additional Recommended Informative:

In accordance with the National Planning Policy Framework and Policy SS1 of the

			Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
191	Dorothy Stringer School, Loder Road, Brighton	BH2013/03280	<p>Corrections to Committee Report:</p> <ul style="list-style-type: none"> • Para 4.1: The proposed pitch is to the south and east of the school and not south and west as stated. • Para 5.1: 14 Swanborough Court, New Road, Shoreham and 3 Barnsway are incorrectly listed as objections. These addresses are in <u>support</u> of the scheme. • Para 8.33: The last sentence of this paragraph to be amended as follows: 'The separation between the pitch and the nearest residential property are as far as can be practically achieved on the site. Sounds from the pitch that may be heard by neighbouring residential properties should not be significantly intrusive or unduly disturbing and should not be significantly more harmful than the noise from sports activities which currently take place on the school playing fields.' <p>Additional Comments & Representations: Six (6) emails from Flat 8, 49 Norton Road, 83 Maldon Road, 80 Richmond Street, 48 Lowther Road, 7 Osborne Road & 86A Ditchling Road in <u>support</u> of the application.</p> <p>13 Keymer Road: <u>Object</u> to the tree felling and general disruption of true green spaces.</p> <p>Councillor Pete West: <u>Support</u> (email attached).</p> <p>Children and Young Peoples Trust: <u>Support</u>.</p> <p>An additional representation has been received from the Headteacher of Dorothy Stringer School in <u>support</u> of their application. The representation states that the scheme would bring considerable financial and community benefits to the school and local community. In respect of noise disturbance, the hours of use of the pitch can be reduced down to 9pm Monday and Thursday. The two mature Elms have to be removed to build the facility. The Headteacher points out the school's</p>

			<p>commitment to ecology and wildlife.</p> <p>The agent has also submitted additional acoustic information and lighting levels to overcome the amenity concerns as outlined in the report. The applicant has also offered the following amended hours of use:</p> <ul style="list-style-type: none"> • Monday to Thursday: 08.00 to 21:00. • Fridays 08.00 to 21:00. • Saturday and Sunday: 09.00 to 18:00. <p>Officer response: The Environmental Health Officer has commented that the additional information is insufficient to overcome their concerns. To address the potential noise disturbance, a site specific background survey is required. In respect of lighting levels from the floodlights, there are still concerns regarding the glare created at source by the lamps which has not been addressed. The reduction in hours of use is not enough to address concerns regarding lighting levels and noise impact.</p> <p>Given the comments of the Environmental Health Officer, the additional information and amended opening hours submitted by the agents have not overcome the concerns regarding the potential noise and lighting impact of the scheme. The recommended opening hours of the Environmental Health Team are referred to in section 8.42 of the report.</p> <p>The other representations received do not raise any new material considerations.</p>
217	18 Wellington Road, Brighton	BH2013/01254	<p>One additional representation from 24 Hill Drive: <u>Supports</u> the application on the grounds that this is a great opportunity to deal with shortage of housing and to reduce rough sleepers, it will also create jobs.</p> <p>Officer response: Issues regarding housing are addressed within the officer report.</p>
249	13 - 22 North Street, 12D Meeting House Lane and 11-14 Brighton Place, Brighton	BH2013/00710	<p>Conditions 33, 34 & 35 should be placed earlier in the conditions list under regulatory conditions:</p> <p>Additional recommended conditions:</p> <ul style="list-style-type: none"> • The A3 uses hereby permitted shall not be open to customers except between the hours of 07:00 and 24:00 on Mondays to Saturdays and 08:00

			<p>and 22:00 on Sundays, Bank or Public Holidays. No other activity within the site shall take place between the hours of 24.00 and 06.30 daily. Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.</p> <ul style="list-style-type: none"> • No intoxicating liquor shall be sold or supplied within the unit hereby approved except to persons who are taking meals on the premises or who are seated at tables. 'Meals' means food that has been cooked or prepared and purchased within the premises. Any alcohol sales shall be ancillary to the approved use. Reason: In the interest of general amenity and public order and to comply with policies QD27 and SR12 of the Brighton & Hove Local • Prior to the commencement of development full details of land levels of the proposed development relative to surrounding properties shall be submitted to and approved in writing by the Local Planning Authority. The details shall include finished floor and roof levels and the development shall be constructed in strict accordance with the approved details. Reason: To ensure the protection of amenities of adjacent residential occupiers, for the avoidance of doubt, in the interests of the visual amenity of the area and to comply with policies QD1, QD2 and QD27 of the Brighton and Hove Local Plan. • The A1 and A3 units hereby approved shall not be joined into each other to operate as a larger single commercial unit without the prior express permission of the Local Planning Authority. Reason: In the interest of general amenity and public order and to comply with policies QD27 and SR12 of the Brighton & Hove Local Plan.
299	7-10, 13-16, 26-28 and 33-36 Brighton Square, Brighton	BH2013/00712	<p>Additional recommended conditions:</p> <ul style="list-style-type: none"> • No development shall commence until a scheme for the glazing of the proposed townhouses has been submitted to and approved in writing by the Local Planning Authority. The glazing specification for these apartments shall provide an airborne sound reduction of 45dB and shall ensure that the internal noise conditions comply with BS8233:1999 good standard. Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan. • Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive

			<p>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 4142:1997. Reason: To safeguard the amenities of the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.</p>
325	17-19, 21-23 and 37-40 Brighton Square, Brighton	BH2013/00715	<p>Additional recommended condition:</p> <ul style="list-style-type: none"> • If the development is to commence prior to the implementation of Hanningtons Lane development (BH2013/00710), details of the junction of the new development where it incorporates access to the existing underground car park, with the existing vacant and unfinished retail unit at 11 Brighton Place shall be submitted to and approved in writing prior to the commencement of development on site. In the event Hanningtons Lane is not constructed, the development shall be conducted in accordance with the approved details. Reason: To safeguard the character and appearance of the Old Town Conservation Area and to ensure a satisfactory completion to the development and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.
385	Brooke Mead, Albion Street, Brighton	BH2013/02152	<p>Corrections to Committee Report: Paragraph 8.32: 'None of the 36 residential flats' should read '<u>nine</u> of the residential flats'.</p> <p>One (1) additional letter has been received from 6 Grove Bank, <u>commenting</u> and querying the 'Tall Buildings' letter dated 11/11/2013 and its compliance with SPGBH15 'Tall Buildings'.</p> <p>Officer response: The applicants 'Tall Buildings' letter argues that as the proposal is only marginally above the threshold 18m set out in SPGBH15, it should not be subject to the requirements of the SPGBH. The application has been assessed on the basis that the development is over 18m in height and therefore a 'tall building' as defined in SPGBH15.</p> <p>Sussex Police and Southern Water have raised <u>no objection</u> to the proposed development, referencing their previous comments during the initial consultation period.</p>

457	Flat 3, 5 Preston Park Avenue, Brighton	BH2013/03162	<p>Four (4) additional letters have been received from Flats 1 & 2, 6 Preston Park Avenue and Yew Tree House 5b Preston Park Avenue (x2), objecting to the development on the following grounds:</p> <ul style="list-style-type: none"> • Impact of the revised bin store and cycle stand on the appearance of the front garden and conservation area • The bin store is in the same position as refused by the appeal inspector • The metal bicycle stand is ugly and an invitation to thieves • The bicycle stand will too close to the driveway and will damage parked cars • The bicycle stand is shown to be outside the red site line. • Noise disturbance • Overdevelopment of the building • The existing 3-bed maisonette forms good family accommodation • Additional parking pressure <p>Officer response: The application be deferred to clarify extent of red site line.</p>
-----	---	--------------	---

NB. Representations received after midday the Friday before the date of the Committee meeting will not be reported (Sub-Committee resolution of 23 February 2005).

**Appendix
BH2013/01600: City College Pelham Street
Additional Letters of Support**

Property Name / Number	Street	Town	Postcode
79	Stocks Lane	East Wittering	PO20 8NU
5	Kings Henry Road	Lewes	BN7 1BT
44	Shirley Drive	Worthing	BN14 9AY
74	Sunnywood Drive	Haywards Heath	RH16 4PB
100	Chester Terrace	Brighton	BN1 6GD
203	Nevill Road	Hove	BN3 7GN
81	Lustrells Crescent	Saltdean	BN2 8FL
58	Park Road	Burgess Hill	RH15 8ET
28	Dyke Road Avenue	Brighton	BN1 5LB
126	Sycamore Avenue	Horsham	RH12 4TT
The Sparrows	Broyle Lane	Ringmer	BN8 5PH
70	Maywood Avenue	Eastbourne	BN22 0TN
East Cottage	Church Lane	Ardingly	RH17 6UR
109	Stanmer Park Road	Brighton	BN1 7JH
24	Richmond Road	Brighton	BN2 3RN
18	Gordon Road	Brighton	BN1 6PD
141	Woodbourne Avenue	Brighton	BN1 8EJ
12	Wythwood	Haywards Heath	RH16 4RD
Flat 2, Beaufort Court	Admirals Walk	Littlehampton	BN17 6RH
95	Stanmer Villas	Brighton	BN1 7HN
124	Havelock Road	Brighton	BN1 6GQ
145	Goldstone Crescent	Hove	BN3 6BB
145	Goldstone Crescent	Hove	BN3 6BB
28	Selba Drive	Brighton	BN4 4RG
159a	Ditchling Rise	Brighton	BN1 4QR
32	Kenmure Avenue	Brighton	BN1 8SH
15	Doubledays	Burgess Hill	RH15 0HT
25	Oving Road	Chichester	PO19 7EH
68	Maplehurst Road	Chichester	PO19 6XL
28	Mayfield Crescent	Brighton	BN1 8HQ
6, Viaduct Lofts	Melbourne Street	Brighton	BN2 3BN
74	Old Fort Road	Shoreham by Sea	BN43 5HA
76a	Old Shoreham Road	Hove	BN3 6HL

88a	Marine Parade	Brighton	BN2 1AJ
	Wellgreen Lane	Kingston	BN7 3NP
182	Tivoli Crescent North	Brighton	BN1 5NA
16	Mardale Road	Worthing	BN13 2AZ
12	West Way	Worthing	BN13 3AY
26, Vanbreght Court	Easton Gardens	Hove	BN3 3TN
Flat 3, 16	Melville Road	Hove	BN3 1TH
24	Hide Gardens	Rustington	BN16 3NP
Flat 2, 13	Cissbury Road	Hove	BN3 6EN
50	Firle Road	Peacehaven	BN10 8DA
4	Lansdowne Crescent	Hailsham	BN27 1LN
Flat 8, 15	Kings Gardens	Hove	BN3 2PG
Hillview, 7	Church Lane	Brighton	BN45 7FE
79	Mackie Avenue	Brighton	BN1 8RD
112	Richmond Road	Brighton	BN2 3RN
15	Chester Terrace	Brighton	BN1 6GB
37	Northway	Lewes	BN7 1DT
9	Stocklands Close	Cuckfield	RH17 5HH
127	Havelock Road	Brighton	BN1 6GN
76	Lincoln Street	Brighton	BN2 9UH
9	Clappers Lane	Fulking	BN5 9ND
50	Court Farm Road	Hove	BN3 7QR
Copper Beeches	North Camma Road	Wivelsfield Green	RH17 7RJ
19 Hereford Court	Hereford Street	Brighton	BN2 1LF
44	Whitehawk Way	Brighton	BN2 5HE
98	Canterbury Road	Worthing	BN13 1AN
33 Warwick Mount	Montague Street	Brighton	BN2 1JY
48A	Vere Road	Brighton	BN1 4NR
Champions Row	Wilbury Avenue	Hove	BN3 6AZ
75	Fairway Crescent	Portslade	BN41 2FN
40	Meadow Crescent	Worthing	BN11 2SQ
13	Newport Street	Brighton	BN2 3HL
147	Lewes Road	Brighton	BN1 3LG
43	Tisbury Road	Hove	BN3 3BL
25	Clarke Avenue	Hove	BN3 8GD
7	Compton Avenue	Brighton	BN1 3PP
80	Stapley Road	Hove	BN3 7FF
14 Kingswood Flats	Kingswood Street	Brighton	BN2 9QH

28	Station Road	Portslade	BN41 1GB
19	Waterloo Street	Hove	BN3 1AN
31	Florence Avenue	Hove	BN3 7GX
24 St James House (x2)	High Street	Brighton	BN2 1RW
65 Leahurst Court (x2)	Leahurst Court Road	Brighton	BN1 6UN
3	Windmill Terrace	Brighton	BN2 9NZ
108 (x3)	Ditchling Rise	Brighton	BN1 4QR
10 Johnson Bank	Wellington Road	Brighton	BN2 3AY
23	Pulborough Close	Brighton	BN2 5QT
125	Islingword Road	Brighton	BN2 9SG
37	Ashton Rise	Brighton	BN2 9QP
2 (x2)	Chesham Place	Brighton	BN2 1FB
10	Roedean Way	Brighton	BN2 5RJ
50 (x2)	Queens Park Rise	Brighton	BN2 9ZF
4 The Willows	Princes Crescent	Brighton	BN2 3RQ
Flat 3, 106	Lansdowne Place	Hove	BN3 1FJ
126	Osborne Road	Brighton	BN1 6LU
Flat 1, 35A	Brunswick Place	Hove	BN3 1ND
68	Woodland Drive	Hove	BN3 6DJ
57	Lansdowne Street	Hove	BN3 1FT
16 Park Royal, 66	Montpelier Road	Brighton	BN1 3BL
93 Heron Court	Swanborough Place	Brighton	BN2 5QA
26A	Richmond Place	Brighton	BN2 9NA
13	Western Road	Hove	BN3 1AE
Flat 4, 63	Langdale Road	Hove	BN3 4HR
7	Atlingworth Street	Brighton	BN2 1PL
10	Norwich Crescent	Brighton	BN2 4LX
8A	Poynings Drive	Hove	BN3 8GF
4 Dorset House, 30	Dorset Gardens	Brighton	BN2 1RL
36	Woburn Place	Brighton	BN1 9GA
139	Moulsecoomb Way	Brighton	BN2 4RE
109	Donald Hall Road	Brighton	BN2 5DN
1	Meeching Place	Newhaven	BN9 9LP
268	Cowley Drive	Brighton	BN2 6TH
36	May Road	Brighton	BN2 3EB

Dear Jason,

I write to express support for the new sports facilities at Dorothy Stringer and the environmental improvements which accord with schools work, as biosphere bid partnership, on habitat creation improvements.

Best wishes

Pete

Cllr Pete West

Green City Councillor for St Peter's & North Laine Ward, Brighton & Hove City Council.

BHCC committee positions: Chair of Environment, Transport & Sustainability Committee

BHCC appointee to: City Sustainability Partnership, B&H Estates Conservation Trust, Brighton Race Course Trust, LGA Rural Commission, City in Bloom, Southern Regional Flood & Coastal Committee,

Member of the South Downs National Park Authority (BHCC appointee)

SDNPA committee positions: Deputy Chair of Resource & Performance Committee.

