



**Brighton & Hove  
City Council**

# **PLANNING COMMITTEE ADDENDUM**

**2.00PM, WEDNESDAY, 15 DECEMBER 2010**

**COUNCIL CHAMBER, HOVE TOWN HALL**



# ADDENDUM

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183. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST	1 - 10



Page	Site Address	Application No.	Comment
15	The Keep Woollards Field	BH2010/03259	<p><b>Conditions</b> Following further discussions with the applicant regarding the detailed operation of the facility and construction programme, amendments to conditions are recommended to ensure the operation and construction programme are not unduly restricted and a degree of flexibility is allowed for, whilst not compromising the aims of Development Plan policy. It is recommended that the conditions read as follows (with the main amendments highlighted in bold for clarity):</p> <p>3. The main Keep building and car park hereby permitted shall not be open to visitors (excluding staff) except between the hours of 9am-10pm, and there shall be no loading or unloading of vehicles associated with the energy centre between 8am-9am and 3pm-4pm.</p> <p><b>Reason:</b> <u>In the interests of the highway safety of school children accessing Falmer Academy, to comply with policies TR7 and TR12 of the Brighton &amp; Hove Local Plan.</u></p> <p>5. The soft landscaping and ecological measures within the development which include provision of new native woodland tree planting, native hedgerow planting, native wildflower grassland and bird and bat boxes, shall be carried out in accordance with the submitted Lizard Landscape Design Landscaping and Ecology Strategy and Outline Plant Specification and Landscape and Ecological Scheme 10 Year Long-Term Maintenance Plan (October 2010) except with regard to the following:</p> <ul style="list-style-type: none"> <li>- proposed planting on the north/north-western boundary of the site adjacent to Lewes Road</li> <li>- proposed plant species for the green roof</li> <li>- proposed hedgerow around north-east woodland copse adjacent to the balancing pond</li> <li>- provision of a wildlife pond or other ecological measure to be agreed</li> </ul> <p>A further soft landscaping/ecological scheme which shall include details of dense tree planting for this northern boundary, details of green roof planting incorporating nutrient poor chalk top soil, omission of the north-east hedgerow and details of a new wildlife pond or other ecological measure within the site shall be submitted to and approved in writing by the Local Planning Authority within 6 months of commencement of development. The soft landscaping and ecological measures</p>

within the site and their maintenance shall be carried out as per the agreed details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the visual amenity of the locality and as additional landscaping is required for the northern boundary to help screen and soften the development, and for biodiversity, to comply with policies QD15, QD16, QD17 and QD18 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

6. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The foliage immediately adjacent to the proposed cycleway/footway within the site shall be maintained to a height of no more than 1 metre and the tree canopies in this location shall be maintained no lower than 2 metres. The landscaping and ecological measures on the site, including green roofs, shall be maintained in perpetuity.

**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and for biodiversity and crime prevention, to comply with policies QD1, QD15, QD16, QD17, QD18 and QD7 of the Brighton & Hove Local Plan.

20. The energy centre shall not be brought into use until details of the plant proposed within it, including the proposed boiler, exit gas velocity and chimney flue have been submitted to and approved in writing by the Local Planning Authority. The approved plant shall be implemented prior to occupation.

**Reason:** To prevent pollution to comply with policy SU9 of the Brighton & Hove Local Plan.

21. No development of the access road and car park hereby permitted shall take place until detailed drawings, including levels, sections and constructional details of the proposed road treatments, access ramps, surface water drainage, outfall disposal, and street lighting to be provided, have been submitted to and approved in writing by the Local Planning Authority. The access ramps leading to the bus stop in the north-west corner of the site shall be fully accessible for the disabled and include handrails and upstand kerbs. The development shall be carried out in accordance with the approved details and maintained in perpetuity.

**Reason:** In the interests of highway safety and for the benefit and convenience of the public at large and to comply with policies TR1, TR7, and TR8 of the Brighton & Hove Local Plan.

24. Notwithstanding the car parking layout as shown on the submitted drawings, no development of the car park shall place until evidence to demonstrate that the demand for disabled parking spaces created by the development will be satisfactorily met, which may require a revised layout and incorporation of additional disabled spaces, has been submitted to and approved in writing by the Local Planning Authority and the car, coach and motorcycle parking areas shall thereafter be laid out and implemented prior to first occupation of the building. The vehicular parking areas shall be made available for staff and users of The Keep and for no other use. No vehicular parking other than that as laid out and shown on the approved plans shall take place within the site.

**Reason:** To ensure the demand for travel created by the development is met, including for the disabled, and to ensure adequate parking provision is retained, and in the interests of highway safety, to comply with policies TR1, TR7, TR18 and TR19 of the Brighton & Hove Local Plan.

1. The development hereby permitted shall be carried out in accordance with the approved drawings no. PL01(B), PL02(E), PL03(E), PL04(E), PL05(D), PL06(D), PL08(C), PL10(C), PL11(C), PL12(D), PL13(C), PL14(C), PL15(C), PL16(D), PL17(B), PL18(B), PL19(B), PL20(C), PL21(C), PL23(C), PL24(B), PL25(D), PL26(D), PL27(C), PL28(C), PL29(D), PL30(D), PL31(D), PL32(D), PL33(C), PL34(C), PL35(C), PL37(B), PL38(B), PL39(B), PL43(B), PL44(B), PL45(B), LLD291/01 Rev 08, LLD291/02 Rev 06 and LLD291 03 Rev 07 received on 15/10/10 and PL41(B) and PL42(B) received on 18/10/10 unless otherwise agreed as a result of compliance with the following conditions.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

**Informatives**

An additional Informative is recommended:

For the avoidance of any doubt, the pedestrian improvement works associated with the scheme are as outlined in the approved drawings and the above conditions and within the Section 106 Agreement, as the footway works, pedestrian crossing and bollards in Appendix D of the Transport Assessment in drawing no.3370/103 are indicative only.

**Section 106 Heads of Terms**

The Highways Agency have confirmed that the loop detector has been or is soon to

52	Aldi store, 2 Carlton Terrace	BH2010/01684	<p>be installed on the A27/A270 slip road as part of the current SEEDA works. Officers are currently investigating whether the loop is indeed in place. If this is confirmed by the date of committee, Members will be verbally updated, and it will be recommended that this S106 requirement is no longer needed. If this cannot be confirmed and if the HA maintain they wish this provision to remain as a condition, then the S106 obligation will remain. Should it be confirmed that the loop is in place between the date of Planning Committee and the signing of the Section 106, delegated authority is sought for officers to agree removal of the S106 requirement.</p> <p>Letters of objection received from <b>Cllr Les Hamilton</b> Labour councillor South Portslade and <b>Cllr Steve Harmer-Strange</b> Conservative councillor South Portslade Ward. These are attached to this list.</p> <p>Letter of objection from <b>MIKE WEATHERLEY MP</b>  <b>RE: ALDI STORE, 2 CARLTON TERRACE, PORTSLADE, BN41 1XR (BH2010/01684).</b> I wish to object strongly for a number of reasons.  Concerns have been raised with me with respect to extending the hours of delivery. The proposed changes are likely to result in unacceptable levels of noise that would directly affect the residential units located in the development. I completely concur with the original planning decision that agreed delivery times must 'safeguard the amenities of the locality and comply with policies QD27 and SU10 of the Brighton &amp; Hove Local Plan'.</p> <p>With respect to reducing free parking from three hours to one hour, parking in the area is already very limited. Free parking greatly enhances the access to the local amenities. A reduction in the hours would be counter-productive to the revitalisation of the Boundary/Station Road area.</p> <p>Finally, the removal of the five resident bays would be in direct contravention of 'policies QD1, TR1, TR4, TR18 and TR19 of the Brighton &amp; Hove Local Plan' highlighted in the original planning permission. Such a move would clearly affect the residents who use them.</p> <p>Yours sincerely  <b>MIKE WEATHERLEY MP</b></p> <p><b>Comment:</b> The matters raised are addressed in the report. Correction to Condition 5 (on page 53 of the Plans List): Recommended hours of deliveries on Sundays/Bank Holidays should be between the hours of 09.30 and 16.30, and not until 17.30 as stated on the proposed recommendation.</p>
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76	Medina House, Kings Esplanade, Hove	BH2010/03105 BH2010/03120	<p>Correction to description of development on the Plans List:-  <b>Delete “10 storey” add “9 storey.”</b>  <b>CAG:</b> Recommend refusal of both applications. The proposed development would be too high and would have an overbearing impact on the small houses in the Cliftonville Conservation Area behind. The group recommended refusal of the demolition as it would result in the loss of an interesting and historic building with fine interior detailing which deserved to be retained and restored.  <b>Parker Dann</b> an additional representation has been received <u>objecting</u> to the proposal for the reasons set out in section 5 of the Committee Report.  <b>Comment:</b> The matters raised are addressed in the report.</p>
115	Land adjacent 481 Mile Oak Road, Portslade	BH2010/01967	<p><b>3</b> additional representations have been received from <b>27 Hillcroft, 347 Mile Oak Road</b> and 1 letter of no address <u>objecting</u> to the proposal for the reasons set out in section 5 of the report.  <b>Comment:</b> As no additional representations have been received raising concerns not already addressed the officer recommendation has changed from ‘Minded to Grant’ to ‘Grant’.</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).

Dear Democratic Services,

Unfortunately I am unable to attend the planning committee meeting next Wednesday. However as a South Portslade ward councillor I would like to make a representation on this application and trust that my comments can be included in the late representations list.

“Aldi are seeking changes to four of the conditions imposed when planning consent was given. The recommendation is that conditions 4 and 5 be amended and that conditions 15 and 16 remain as they are at present. I object to the amendment of condition 5. As can be seen on the map the store is surrounded by residential properties on all sides as well as the 12 flats at Ronuk House which are on the first floor above the store. The report commissioned by The Guinness Trust disputes the applicant’s noise assessment and shows that any change to condition 5 will be detrimental to the amenity of the residents of the flats directly above the Aldi Store. With activity on site 92 hours a week residents are entitled to be spared the noise of deliveries on Sundays and Bank Holidays.

Conditions 15 and 16 are not being observed at present. They should remain in place AND BE ENFORCED. Condition 15 demands 5 parking spaces to be clearly marked and reserved for residents. This is not the case at present, and Aldi and The

Guinness Trust must resolve this issue in the interests of residents.

Condition 16 requires three hours free parking in the Aldi car park. At present Aldi only permit a maximum of two hours parking, and there is a £1 charge for the second hour. This is a clear breach of the condition. As a result residents of Ronuk House do not use the car park as there are no marked resident spaces, and they fear that the cars will be clamped once two hours is up. I therefore ask the committee to accept officer recommendations for conditions 4, 15 and 16, but to turn down the application to alter condition 5.”

Regards,

Cllr Les Hamilton

Cllr Les Hamilton  
Labour councillor South Portslade  
Phone 01273 291147 or 01273 702052

Dear All,

Please accept this email as my formal objection to all counts in the change of original conditions set out in planning application **BH2010/01684 Aldi Store, 2, Carlton Terrace, Portslade**

And I would like to reserve my right to speak at the Planning Committee meeting on Wednesday 15<sup>th</sup> December.

Kind regards

Steve

Cllr. Steve Harmer-Strange  
South Portslade Ward (Conservative)

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Dear Guy

Cllr Jan Young and I wish to object to the proposed demolition and building of a 10 storey restaurant and flats on Kings Esplanade.  
I have looked at the plans online but the drawings are not at all clear and I will be going in to HTH on Mon to study them more closely.

I see that that this is a resubmission of an earlier withdrawn application, dated 18 Dec 2008.  
This new application was received on 15 Dec 2009.  
The architect says that there is therefore no fee payable.

Does this mean that he could also withdraw this one, in the same way, and apply again before 15 Dec this year at no cost?  
This can't be right.  
Would appreciate your advice.

Averil

Thank you Guy.

We wish to object to the latest application for this seafront site and are very disappointed that the owner of the site has not taken into account residents concerns, which he has received over the last several years.

This proposed building is still too dominant and will cause overshadowing of the two-storey buildings and cottages at the rear.

It will also be too close to the adjoining flats to the east and west in Kings Esplanade and will cause overlooking of balconies and side windows.

We feel the scale of the building will give a cramped effect, we also have concerns on the impact of a second restaurant within metres of the proposed new one which will cause problems on an already congested and popular area of Hove seafront.

Averil Older

