

4th September 2019 Planning Committee – Additional Representations

Page	Site Address	Application No.	Comment
49	Belgrave Training Centre, Clarendon Place, Portslade	BH2018/03629	<p>S106 Heads of Terms: Correction to Indoor/Outdoor Recreation contribution should read '£93,406' not £933,406.</p> <p>S278 Agreement: Reference to the width of the footway on Clarendon Place should be a minimum clearance of 1.2 metres, not 1metre. This also affects <u>Condition 42</u> which should be amended accordingly.</p> <p>Conditions: <u>Condition 33</u> to read: <i>"All dwelling(s) hereby permitted shall be completed in compliance with Building Regulations Operational Requirement M4(2) .."</i></p> <p>The Applicant clarified the fact that units would be capable of being adapted for wheelchair users but specific wheelchair units.</p> <p><u>Condition 42:</u> Amend to refer to a minimum clearance of 1.2 metres, not 1 metre.</p> <p><u>Condition 43:</u> Remove The Applicants have confirmed that the Japanese Knotweed has been removed by in accordance with Industry and EA Guidelines and have provided details of the Certificate along with the Insurance document.</p> <p>Additional Representations: 4 further representations have been received, 3 of which raise <u>objections</u> (includes representations from 2 businesses) and 1 is in <u>support</u>.</p> <p><u>Objecting:</u></p> <ul style="list-style-type: none"> • No consideration given to the new aggregate bagging facility at Britannia Wharf, soon to

			<p>become operational.</p> <ul style="list-style-type: none">• The noise survey, dated November 2018 was carried out before Britannia Wharf came into operation with no mention of noise from the road, from the operational port and wharf activities which are protected by Policy.• Noise Assessment is inadequate and details cannot be left for submission by condition.• Queries are raised in relation to noise monitoring periods and if during a time when aggregate was being unloaded overnight as the Cemex site) operates at all hours including Saturday mornings.• Policy DA8 supports some new housing but also to develop and improve operational port areas/uses.• Poor choice for housing.• Only 280m from Cemex's Brighton Plant and Wharf on Wellington Road, recently granted planning permission for redevelopment to a new a new ship to dock with no restrictions on the arrival with marine aggregates apart from the restrictions on the new permission.• SHJAAP policies are clear that new residential development sites must take account of existing Port Uses, incorporating adequate mitigation into the design.• No consideration has been given to how the residential development will affect these wharves.• Dwellings at a higher level will be exposed to port activities.• Noise complaints from new occupiers could severely restrict and affect existing operations, eventually leading to loss of mineral supply.• If granted complaints will go direct to Environmental Health who are at liberty to impose restrictions on existing businesses.• Potential to overheat and ability to open windows for purge ventilation will reduce effectiveness of acoustic measures resulting in complaints.• If future occupants have the option of opening windows for purge ventilation, windows could then be opened and complaints about noise would arise.• A scheme to protect residents from road noise is not sufficient to protect from industrial and commercial sources.• Reference is made to a High Court Judgment where Cemex successfully challenged a
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			<p>planning permission for one residential dwelling next to its operations.</p> <ul style="list-style-type: none">• Despite the current housing land position, does not consider that developments like this should urgently go ahead.• Safeguarded sites are being squeezed out by residential development. <p><u>Officer Response:</u> The site is located within the development boundary where the principle of development is supported. It also draws attention to the fact that it lies within Character Area 3 of the emerging JAAP and emerging Policy SP2 of CPP2 - Paragraph 9.6 refers. The JAAP acknowledges the wharfage and port uses and in putting CA3 forward for mixed uses with SP2 for residential use which were considered when putting forward.</p> <p>The assessment considers the relationship between the proposed residential development and existing uses. The relevant consultations were carried out on Noise and Pollution. The recommended conditions are considered to be appropriate to ensure the provision of satisfactory protection of residential amenities.</p> <p>With the recommended conditions and set against the current housing position in the City, the provision of a 100% Affordable Scheme is considered to be Policy compliant. Noting reference to case law, each case is considered on its merits.</p> <p>Objectors query the noise survey and one refers to case law which is being considered. A further verbal update will be provided at Committee if required.</p> <p><u>In support:</u></p> <ul style="list-style-type: none">• Good design, sensitive, attractive features.• Fits with surroundings including industrial-light context.• Provision of affordable housing is unquestionably beneficial for Brighton.• Must take the opportunity to develop as many units on brownfield site as possible.• Large sums of financial support committed to the local area will help the council deliver on its requirements for supporting residents wellbeing.
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			<p><u>Paragraph 9.37:</u> Correction. As opposed to stating that ‘This scheme proposes to meet the maximum car parking standards with 10 car parking spaces ..’ it should read:</p> <p><i>‘The development includes a maximum of 10 car parking spaces ...’.</i></p>																																																												
119	38 Carden Crescent, Brighton	BH2019/01976	Deferred at applicant’s request to allow submission of amendments.																																																												
139	20 Rowan Close, Portslade	BH2019/01577	<p>Condition 1 amended to read;</p> <p>1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below. Reason: For the avoidance of doubt and in the interests of proper planning.</p> <table border="1"> <thead> <tr> <th>Plan Type</th> <th>Reference</th> <th>Version</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Proposed Drawing</td> <td>31</td> <td>A</td> <td>27 August 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>22</td> <td></td> <td>28 May 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>23</td> <td>A</td> <td>12 August 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>24</td> <td>A</td> <td>12 August 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>25</td> <td></td> <td>28 May 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>26</td> <td>A</td> <td>27 August 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>27</td> <td></td> <td>28 May 2019</td> </tr> <tr> <td>Block Plan</td> <td></td> <td></td> <td>3 June 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>28</td> <td></td> <td>28 May 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>17</td> <td>A</td> <td>12 August 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>29</td> <td>A</td> <td>12 August 2019</td> </tr> <tr> <td>Location Plan</td> <td></td> <td></td> <td>28 May 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>07</td> <td>A</td> <td>12 August 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>09</td> <td>A</td> <td>12 August 2019</td> </tr> </tbody> </table>	Plan Type	Reference	Version	Date Received	Proposed Drawing	31	A	27 August 2019	Proposed Drawing	22		28 May 2019	Proposed Drawing	23	A	12 August 2019	Proposed Drawing	24	A	12 August 2019	Proposed Drawing	25		28 May 2019	Proposed Drawing	26	A	27 August 2019	Proposed Drawing	27		28 May 2019	Block Plan			3 June 2019	Proposed Drawing	28		28 May 2019	Proposed Drawing	17	A	12 August 2019	Proposed Drawing	29	A	12 August 2019	Location Plan			28 May 2019	Proposed Drawing	07	A	12 August 2019	Proposed Drawing	09	A	12 August 2019
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			Proposed Drawing	20	A	12 August 2019	
			Proposed Drawing	21	A	12 August 2019	
177	27 Baxter Street, Brighton	BH2019/01591	Deferred to allow for re-consultation following amendment to description of development.				

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).