

PLANNING COMMITTEE ADDENDUM Late List/Additional Representations

2.00PM, WEDNESDAY, 7 DECEMBER 2022

COUNCIL CHAMBER, HOVE TOWN HALL

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through [ModernGov: iOS/Windows/Android](#)

This agenda and all accompanying reports are printed on recycled paper

ADDENDUM

ITEM		Page
66	TO CONSIDER AND DETERMINE PLANNING APPLICATIONS	1 - 8

7 December 2022 Planning Committee – Additional Representations

Page	Site Address	Application No.	Comment
<p>Item A</p> <p>N/A</p> <p>25</p>	<p>Hove Western Lawns and Hove Lagoon Kingsway Hove BN3 4FA</p>	<p>BH2022/02830</p>	<p>Statement on Site Access for Cyclists submitted by applicant dated 01/12/2022. The statement provides clarity and confirms the following:</p> <ul style="list-style-type: none"> • The bye-law that prevents cyclists from using the esplanade and north-south cross-routes does not apply to the parks spaces themselves, therefore is not strictly applicable to the proposed accessible route, or any other routes within the park. • However, access to these routes cannot be gained without first crossing either the esplanade or a cross-route, so cycling within the new park should not occur. • All cycle parking provided will be located at the immediate north ends of the cross-routes off Kingsway, where they are adjacent to the A259 cycle route. It is expected that cyclists will dismount at the site access points where there is ground and post signage indicating no cycling, and walk their cycles to the cycle parking. <p><u>Officer response:</u> It is considered that the proposals would not result in significant risk of conflict on any park routes between pedestrians and cyclists. Given the existing arrangements with cyclists using the area outside of the site (A259 cycle route), and the bye-law that prevents cyclists from using the Esplanade and cross-routes, it is expected that any unauthorised cyclist use of the park would be similar to other public park spaces that operate in a similar way. Condition 24 (Design of internal streets and spaces) requires details to be submitted of lining and signing to manage cycle access.</p> <p>Amendment to Condition 21: 21. <u>Prior to first public re-use of the Sunken Garden (Phase C1), a landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority.</u> The content of the LEMP shall include the following: a) description and evaluation of features to be managed;</p>

Page	Site Address	Application No.	Comment
30			<p>b) ecological trends and constraints on site that might influence management;</p> <p>c) aims and objectives of management;</p> <p>d) appropriate management options for achieving aims and objectives;</p> <p>e) prescriptions for management actions, together with a plan of management compartments;</p> <p>f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);</p> <p>g) details of the body or organisation responsible for implementation of the plan;</p> <p>h) ongoing monitoring and remedial measures.</p> <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plans shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.</p> <p>Reason: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long term management of habitats, species and other biodiversity features.</p> <p>Additional Informative:</p> <p>11. The enabling works and phasing areas of the site referred to in the conditions are identified within the submitted 'Kingsway to the Sea Phasing and Logistics' document received on 24 November 2022.</p> <p>County Ecologist <u>Further comments:</u></p>

Page	Site Address	Application No.	Comment
37			<p>The majority of the site is sub-optimal for reptiles, with a small undisturbed area around the tennis courts offering elevated potential. However, the risk of reptiles being present anywhere on site, even in this more suitable area around the tennis courts, is reduced by the isolation of the habitat. The risk of reptiles being present in the initial clearance areas is so low, therefore the condition that requires the method statement could be for that specific area/phase only.</p> <p><u>Officer response:</u> <u>Amendment to Condition 3:</u> 3. <u>No development to Phase B (Tennis and Padel Tennis)</u> shall commence until a method statement for the protection of reptiles has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:</p> <ol style="list-style-type: none"> a) purpose and objectives for the proposed works; b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used); c) extent and location of proposed works shown on appropriate scale maps and plans; d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction; e) persons responsible for implementing the works; f) initial aftercare and long-term maintenance (where relevant); g) disposal of any wastes arising from the works. <p>The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.</p> <p>Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended.</p> <p><u>Additional Informative:</u></p>
18			

Page	Site Address	Application No.	Comment																																
30			<p>12. To avoid an offence under the Wildlife and Countryside Act 1981, as amended, and The Conservation of Habitats and Species Regulations 2017, as amended, if protected species are encountered during development, work should cease immediately, and advice should be sought on how to proceed from a suitably qualified ecologist.</p> <p>Additional drawing (KTTS-BHCC-TP-EL-DR-A-64 REVB) submitted for minor amendment to proposed Tennis Pavilion, to include a sliding window function to admin/office window on south elevation to allow for kiosk use.</p> <p><u>Officer response:</u> Further details of the exterior of the Tennis Pavilion are required by Condition 12.</p>																																
Item B P69	35 - 36 Egremont Place Brighton, BN2 0GB	BH2022/02167	<p>Condition 2 – plans added:</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>Location and block plan</td> <td>ESH01-MAA-00-XX-DR-A-1001</td> <td>P02</td> <td>14 July 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>ESH01-MAA-02-XX-DR-A-1003</td> <td>P02</td> <td>4 July 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>ESH01-MAA-01-XX-DG-A-2001</td> <td>P01</td> <td>4 July 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>ESH01-MAA-03-XX-DR-A-2001</td> <td>P02</td> <td>4 July 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>ESH01-MAA-03-XX-DR-A-2002</td> <td>P01</td> <td>4 July 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>ESH01-MAA-03-XX-DR-A-2003</td> <td>P01</td> <td>4 July 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>ESH01-MAA-04-XX-DG-A-0-2001</td> <td>P01</td> <td>4 July 2022</td> </tr> </tbody> </table>	Plan Type	Reference	Version	Date Received	Location and block plan	ESH01-MAA-00-XX-DR-A-1001	P02	14 July 2022	Proposed Drawing	ESH01-MAA-02-XX-DR-A-1003	P02	4 July 2022	Proposed Drawing	ESH01-MAA-01-XX-DG-A-2001	P01	4 July 2022	Proposed Drawing	ESH01-MAA-03-XX-DR-A-2001	P02	4 July 2022	Proposed Drawing	ESH01-MAA-03-XX-DR-A-2002	P01	4 July 2022	Proposed Drawing	ESH01-MAA-03-XX-DR-A-2003	P01	4 July 2022	Proposed Drawing	ESH01-MAA-04-XX-DG-A-0-2001	P01	4 July 2022
Plan Type	Reference	Version	Date Received																																
Location and block plan	ESH01-MAA-00-XX-DR-A-1001	P02	14 July 2022																																
Proposed Drawing	ESH01-MAA-02-XX-DR-A-1003	P02	4 July 2022																																
Proposed Drawing	ESH01-MAA-01-XX-DG-A-2001	P01	4 July 2022																																
Proposed Drawing	ESH01-MAA-03-XX-DR-A-2001	P02	4 July 2022																																
Proposed Drawing	ESH01-MAA-03-XX-DR-A-2002	P01	4 July 2022																																
Proposed Drawing	ESH01-MAA-03-XX-DR-A-2003	P01	4 July 2022																																
Proposed Drawing	ESH01-MAA-04-XX-DG-A-0-2001	P01	4 July 2022																																

Page	Site Address	Application No.	Comment			
			Proposed Drawing	ESH01-MAA-04-XX-DG-A-2003	P01	4 July 2022
			Proposed Drawing	ESH01-MAA-04-XX-DG-A-2004	P02	14 July 2022
			Proposed Drawing	ESH01-MAA-05-XX-DR-A-2005	P01	4 July 2022
			Proposed Drawing	ESH01-MAA-05-XX-DR-A-2007	P01	4 July 2022
			Proposed Drawing	ESH01-MAA-XX-DR-A-2006	P02	4 July 2022
			Proposed Drawing	ESH01-MAA-XX-DR-A-2009	P01	4 July 2022
			Proposed Drawing	ESH01-MAA-04-XX-DG-A-2005	P00	14 July 2022
			Report/Statement	Affordable Homes Statement		14 July 2022
			Report/Statement	Accommodation Schedule		4 July 2022
			Report/Statement	Arboricultural Impact Assessment, Method Statement and Tree Protection Plan		4 July 2022
			Report/Statement	Daylight, Sunlight and Overshadowing Report		4 July 2022

Page	Site Address	Application No.	Comment			
			Report/Statement	Biodiversity Checklist		4 July 2022
			Report/Statement	Demolition and Construction Management and Logistics Plan		4 July 2022
			Report/Statement	Energy and Sustainability Statement		4 July 2022
			Report/Statement	Flood Risk Assessment		4 July 2022
			Report/Statement	Heritage Statement		4 July 2022
			Report/Statement	Preliminary Ecological Appraisal		4 July 2022
			Report/Statement	Transport Statement		4 July 2022
			Existing Drawing	Second Floor existing	P03	7 October 2022
			Proposed Drawing	ESH01-MAA-03-XX-DR-A-2005		7 October 2022
			Proposed Drawing	ESH01-MAA-04-XX-DG-A-0-200 -	P02	7 October 2022
			Proposed Drawing	ESH01-MAA-04-XX-DG-A-0-2005	P01	7 October 2022
			Proposed Drawing	ESH01-MAA-04-XX-DG-A-2002	P02	7 October 2022
			Proposed Drawing	ESH01-MAA-05-XX-DR-A-2005	P02	7 October 2022

Page	Site Address	Application No.	Comment			
P85			Proposed Drawing	ESH01-MAA-05-XX-DR-A-2007	P02	7 October 2022
			Proposed Drawing	ESH01-MAA-05-XX-DR-A-2009	P02	7 October 2022
			Proposed Drawing	Landscape masterplan		7 October 2022
			Proposed Drawing	Landscape proposal		7 October 2022
			Report/Statement	Design and Access Statement amended		17 October 2022
			Paragraph 9.12 – correction of figures: “A mix of residential units is proposed comprising 21 flats (84%) (5 studios, 2 x 1-bed, 9 x 2-bed and 5 x 3-bed) and 4 houses (16%) (3, 4 and 5 bed) which would broadly comply with Policy CP19 and the demand/need for housing sizes set out in its supporting text. The mix of affordable units (<u>2 x studio flats</u> , 2 x 1-bed, 2 x 2- bed and 4 x 3-bed units) also broadly complies with the preferred mix set out in Policy CP20, although with a relatively higher proportion of 3-bed units. This was at the request of the Housing Team during pre-application discussions.”			
Item E	23 Brooker Street	BH2022/02465	Corrected wording: 9.7. The proposal has an existing outrigger to the rear which appears to be original XXXXXXXX <u>(i.e. for the purposes of this policy, as built on 1 July 1948, based on the available information to date, including historic street plans)</u> and is included in the original floorspace of the building. The original floor area has been sufficiently demonstrated to be in excess of 120m ² and therefore meets criterion a.			

Page	Site Address	Application No.	Comment
			Officer note: additional information by way of historic plans have been submitted (on 2 December) which is currently being considered, with the outcome presented verbally at the Committee meeting.
Item G P207	7 Meadow Close	BH2022/02278	<p>Two late representations have been received from local residents on the 23rd & 24th November, objecting and raising the following concerns:</p> <ul style="list-style-type: none"> • Inappropriate height of development • Noise • Overdevelopment • Poor design • Too close to the boundary • Impact to residential amenity • Concerns that new plans have been submitted and that public consultation should be re-made. <p>Officer response: revised plans have been submitted showing the existing floorplan of the outbuilding, to clarify the existing use of the outbuilding is temporary while renovation works are being completed to the main dwelling. No further consultation was considered necessary.</p>